



# **Telecommunications (Service Provider — Identity Checks for Pre-paid Public Mobile Telecommunications Services) Amendment Determination 2004 (No. 2)**

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The AUSTRALIAN COMMUNICATIONS AUTHORITY makes this Determination under subsection 99 (1) of the *Telecommunications Act 1997*.

Dated 25 August 2004

R HORTON  
Chair

A HORSLEY  
Deputy Chair

Australian Communications Authority

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**1 Name of Determination**

This Determination is the *Telecommunications (Service Provider — Identity Checks for Pre-paid Public Mobile Telecommunications Services) Amendment Determination 2004 (No. 2)*.

**2 Commencement**

This Determination commences on the date of its notification in the *Gazette*.

**3 Amendment of *Telecommunications (Service Provider — Identity Checks for Pre-paid Public Mobile Telecommunications Services) Determination 2000***

Schedule 1 amends the *Telecommunications (Service Provider — Identity Checks for Pre-paid Public Mobile Telecommunications Services) Determination 2000*.

## **Schedule 1 Amendments**

(section 3)

**[1] Section 1.4, after definition of *number***

*insert*

***point of sale***, in relation to an invitation by a carriage service provider to use a pre-paid public mobile telecommunications service at no charge to a person who accepts the invitation, means the time at which a person accepts the invitation.

*Note* The acceptance of an invitation to use a pre-paid public mobile telecommunications service may require the activation of the service by telephone or via the Internet. The transaction would be completed between 2 physical locations, but there would be a single identifiable time.

**[2] Section 1.4, definition of *purchaser***

*substitute*

***purchaser***, of a pre-paid public mobile telecommunications service, means:

- (a) the person who pays for the service at the point of sale of the service;  
or
- (b) if a carriage service provider issues an invitation to use the service at no charge to a person who accepts the invitation — a person who accepts the invitation.

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**[3] Section 1.4, after definition of *rates statement***

*insert*

*sale*, in relation to an invitation by a carriage service provider to use a pre-paid public mobile telecommunications service at no charge to a person who accepts the invitation, means the acceptance of the invitation by a person.

**[4] Paragraph 1.5 (c)**

*substitute*

- (c) any payment that may be required for the service has been made before the service is used; and