

Australian Communications and Media Authority (International Mobile Roaming Industry Standard) Direction (No. 1) 2012

as amended

made under subsection 125AA(4) of the

Telecommunications Act 1997

**Compilation start date:** 25 May 2013

**Includes amendments up to:** *Australian Communications and Media Authority (International Mobile Roaming Industry Standard) Direction (No. 1) 2012 (Amendment No. 1 of 2013)*

**About this compilation**

**The compiled instrument**

This is a compilation of the *Australian Communications and Media Authority (International Mobile Roaming Industry Standard) Direction (No. 1) 2012* as amended and in force on 25 May 2013. It includes any amendment affecting the compiled instrument to that date.

This compilation was prepared on 25 May 2013.

The notes at the end of this compilation (the ***endnotes***) include information about amending Acts and instruments and the amendment history of each amended provision.

**Uncommenced provisions and amendments**

If a provision of the compiled instrument is affected by an uncommenced amendment, the text of the uncommenced amendment is set out in the endnotes.

**Application, saving and transitional provisions for amendments**

If the operation of an amendment is affected by an application, saving or transitional provision, the provision is identified in the endnotes.

**Modifications**

If a provision of the compiled instrument is affected by a textual modification that is in force, the text of the modifying provision is set out in the endnotes.

**Provision ceasing to have effect**

If a provision of the compiled instrument has expired or otherwise ceased to have effect in accordance with a provision of the instrument, details of the provision are set out in the endnotes.

Contents

1 Name of Direction 1

2 Commencement 1

3 Cessation 1

4 Definitions 1

5 Direction 1

6 Matters to be covered by the Standard 2

Endnotes 3

Endnote 1—Legislation history 3

Endnote 2—Amendment history 4

Endnote 3—Uncommenced amendments [none] 5

Endnote 4—Misdescribed amendments [none] 6

1 Name of Direction

 This Direction is the *Australian Communications and Media Authority (International Mobile Roaming Industry Standard) Direction (No. 1) 2012*.

2 Commencement

 This Direction commences the day after it is registered on the Federal Register of Legislative Instruments.

3 Cessation

 This Direction ceases one day after the industry standard to be made in accordance with subclause 5(1) comes into operation.

4 Definitions

 In this Direction:

***ACMA*** means the Australian Communications and Media Authority.

***Act*** means the *Telecommunications Act 1997*.

***International mobile roaming service*** means a carriage service that enables a mobile subscriber to automatically and seamlessly make, send, access or receive voice calls and SMS and to download and upload data when travelling abroad outside the normal coverage area without losing the connection.

***SMS*** means short message service.

Note: By virtue of paragraph 13(1)(b) of the *Legislative Instruments Act 2003*, the following expressions have the same meaning as in the Act:

* carriage service
* carriage service provider

5 Direction

 (1) I direct the ACMA to make an industry standard under section 125AA(1) of the Act:

 (a) applying to all carriage service providers supplying international mobile roaming services (‘Providers’); and

 (b) complying with clause 6 of this Direction.

 (2) The industry standard is to be made no later than ten months after the commencement of this Direction.

 (3) The industry standard is to commence in whole or in part no later than three months after it is made.

 (4) The operation of the industry standard with respect to different locations or different services may commence at different times.

6 Matters to be covered by the Standard

 (1) The industry standard must set minimum requirements for all Providers to:

 (a) give consumers information, on arrival at an overseas destination, about the charges applicable for the Providers’ international roaming services at that destination; and

 (b) permit consumers to decline continued provision of those international roaming services, at any time, while at that overseas destination;

 (2) The industry standard may deal with any other matter:

 (a) related to international mobile roaming services that the ACMA regards as appropriate including, without limitation, measures which will enable consumers to monitor and manage the cost and their use of international roaming services; or

 (b) that the ACMA considers ancillary or incidental to a matter specified in clause 6(1) above.

 (3) Where the ACMA considers it appropriate the industry standard may override a provision in an industry code.

Note: Examples of possible measures are provided in the Explanatory Statement that accompanies this Direction.

Endnotes

Endnote 1—Legislation history

This endnote sets out details of the legislation history of the *Australian Communications and Media Authority (International Mobile Roaming Industry Standard) Direction (No. 1) 2012.*

| Title | FRLI registration date | Commencementdate | Application, saving and transitional provisions |
| --- | --- | --- | --- |
| Australian Communications and Media Authority (International Mobile Roaming Industry Standard) Direction (No. 1) 2012 | 27 Aug 2012 (*see* F2012L01776) | 28 Aug 2012 |  |
| Australian Communications and Media Authority (International Mobile Roaming Industry Standard) Direction (No. 1) 2012 (Amendment No. 1 of 2013) | 24 May 2013 (*see* F2013L00844) | 25 May 2013 | — |

Endnote 2—Amendment history

This endnote sets out the amendment history of the *Australian Communications and Media Authority (International Mobile Roaming Industry Standard) Direction (No. 1) 2012.*

| ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted exp. = expired or ceased to have effect |
| --- |
| Provision affected | How affected |
| c. 5  | am. No. 1 of 2013 |

Endnote 3—Uncommenced amendments [none]

There are no uncommenced amendments.

Endnote 4—Misdescribed amendments [none]

There are no misdescribed amendments.