Commonwealth of Australia

###### *Telecommunications Act 1997*

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

I, STEPHEN michael CONROY, Minister for Broadband, Communications and the Digital Economy, give the following direction under subsection 125AA(4) of the *Telecommunications Act 1997*.

Dated 23 August 2012

STEPHEN MICHAEL CONROY

Minister for Broadband, Communications and the Digital Economy \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Name of Direction

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

1. Commencement

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

1. Cessation

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

1. 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

1. Direction
2. 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.

1. The industry standard is to be made no later than nine months after the commencement of this Direction.
2. The industry standard is to commence in whole or in part no later than three months after it is made.
3. The operation of the industry standard with respect to different locations or different services may commence at different times.
4. 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.