



Telecommunications (Amendment of International Mobile Roaming Industry Standard) Direction 2016

Telecommunications Act 1997

I, MITCH FIFIELD, Minister for Communications, give the following direction under subsection 125AA(4) of the *Telecommunications Act 1997*.

Dated 1 February 2016

MITCH FIFIELD
Minister for Communications

1 Name

This is the *Telecommunications (Amendment of International Mobile Roaming Industry Standard) Direction 2016*.

2 Commencement

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

Section 3

3 Expiry

This instrument expires on the day after the commencement of the amendments of the Standard made in accordance with section 5 as if it had been repealed by another instrument.

4 Definitions

In this instrument:

Act means the *Telecommunications Act 1997*.

customer has the same meaning as in the Standard.

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.

mobile virtual network operator means a carriage service provider that provides a public mobile telecommunications service, but does not use its own telecommunications network to do so.

SMS means short message service.

SMS message means a message or series of messages sent using SMS.

Standard means the *Telecommunications (International Mobile Roaming) Industry Standard 2013*.

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) ACMA;
- (b) carriage service;
- (c) carriage service provider;
- (d) public mobile telecommunications service; and
- (e) telecommunications network.

5 Direction

(1) I direct the ACMA to amend the Standard:

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- (a) to allow the information in SMS messages given in accordance with paragraphs 5(1)(a), (b) and (c) of the Standard to be combined into one or more SMS messages; and
 - (b) to allow carriage service providers to make available other methods for customers to decline the continued supply of international mobile roaming services to comply with subclause 8(1) of the Standard; and
 - (c) to ensure that any methods of the kind mentioned in paragraph (b) must be made available to customers at no cost or low cost; and
 - (d) to allow carriage service providers to make available methods for customers to opt out of the spend management tools required by subclause 9(3) of the Standard; and
 - (e) to delay the application of subclauses 6(3) and 9(2)-(8) of the Standard to mobile virtual network operators until 1 January 2019.
- (2) When amending the Standard in accordance with subsection (1), the ACMA may also make any other amendments that are related to the matters listed in that subsection.
- (3) The amendments of the Standard made in accordance with this section must be made within 3 months of the commencement of this instrument.