



Australian
Communications
and Media Authority

Formal Warning under subsection 129(2) of *the Telecommunications Act 1997*

TO: BVivid Pty Ltd (ACN 619 543 547)

OF: Advantage Advisors Pty Ltd
Level 7
114 William Street
Melbourne VIC 3000

The Australian Communications and Media Authority (the **ACMA**) is satisfied that BVivid Pty Ltd (ACN 619 543 547) (**BVivid**) has contravened the *Telecommunications (Consumer Complaints Handling) Industry Standard 2018* (the **Complaints Standard**) as described below; and

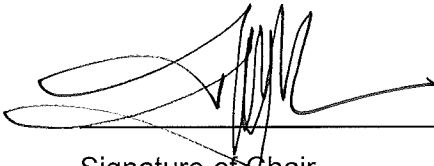
HEREBY issues a formal warning to BVivid under subsection 129(2) of the *Telecommunications Act 1997* (the **Act**) for contravening paragraph 7(1)(a) of the Complaints Standard.

Details of the contravention

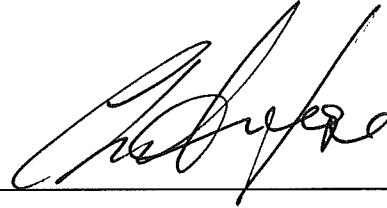
1. The ACMA has investigated whether BVivid's complaints handling process (**CHP**) complied with the minimum requirements for consumer complaints handling set out in sections 8, 9 and 10 of the Complaints Standard.
2. As a carriage service provider, BVivid is a participant in the section of the telecommunications industry to which the Complaints Standard applies and is required to comply with the Complaints Standard under subsection 128(1) of the Act.
3. After completing its investigation, the ACMA is satisfied that as at 1 August 2018, BVivid's CHP did not comply with:
 - a. paragraph 8(1)(b);
 - b. paragraph 8(1)(d);
 - c. paragraph 8(1)(k);
 - d. section 9;
 - e. paragraph 10(a);
 - f. paragraph 10(b);
 - g. paragraph 10(d); and
 - h. paragraph 10(g)of the Complaints Standard.

4. Accordingly, the ACMA finds that BVivid contravened paragraph 7(1)(a) of the Complaints Standard on 1 August 2018, by not establishing a CHP that includes the minimum requirements for consumer complaints handling.

Dated this 4th day of December 2018

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Signature of Chair

A handwritten signature in black ink, appearing to be 'Chris Jose', positioned above a horizontal line.

Signature of Member

Nerida O'Loughlin

Name

Chris Jose

Name