



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

TO: M2 Commander Pty Ltd (ACN 136 950 082)

OF: Level 10, 452 Flinders Street  
Melbourne VIC 3000

The Australian Communications and Media Authority (the **ACMA**) is satisfied that M2 Commander Pty Ltd (ACN 136 950 082) (**M2 Commander**) has contravened the *Telecommunications (Consumer Complaints Handling) Industry Standard 2018* (the **Complaints Standard**) as described below; and

HEREBY issues a formal warning to M2 Commander 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 M2 Commander'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, M2 Commander 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 3 August 2018 M2 Commander's CHP did not comply with:
  - a. paragraph 8(1)(b);
  - b. paragraph 8(1)(d);
  - c. paragraph 8(1)(k);
  - d. paragraph 10(f); and
  - e. paragraph 10(g)of the Complaints Standard.
4. Accordingly, the ACMA finds that M2 Commander contravened paragraph 7(1)(a) of the Complaints Standard on 3 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

Nerida O'Loughlin

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Name



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Signature of Member

Chris Jose

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Name