



Australian
Communications
and Media Authority

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

TO: Vividwireless Pty Ltd (ACN 137 696 461)

OF: Optus Mobile Pty Ltd
1-7 Lyonpark Road
Macquarie Park, NSW 2113

The Australian Communications and Media Authority (the **ACMA**) is satisfied that Vividwireless Pty Ltd (ACN 137 696 461) (**Vividwireless**) has contravened the *Telecommunications (Consumer Complaints Handling) Industry Standard 2018* (the **Complaints Standard**) as described below; and

HEREBY issues a formal warning to Vividwireless 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 Vividwireless'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, Vividwireless 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 30 July 2018 Vividwireless's CHP did not comply with:
 - a. paragraph 8(1)(b);
 - b. paragraph 8(1)(d);
 - c. paragraph 8(1)(k);
 - d. paragraph 8(1)(m);
 - e. section 9;
 - f. paragraph 10(c);
 - g. paragraph 10(f); and
 - h. paragraph 10(g)of the Complaints Standard.

4. Accordingly, the ACMA finds that Vividwireless contravened paragraph 7(1)(a) of the Complaints Standard on 30 July 2018, by not establishing a CHP that includes the minimum requirements for consumer complaints handling.

Dated this 4th day of December 2018



Signature of Chair



Signature of Member

Nerida O'Loughlin

Name

Chris Jose

Name