

Formal Warning under subsection 103(1) of the *Telecommunications Act 1997*

TO: TruPhone Pty Ltd ACN 156 361 867

OF: C/- Mertons Corporate, Level 7, 330 Collins Street, Melbourne, VIC 3000

The Australian Communications and Media Authority (the **ACMA**), being satisfied that TruPhone Pty Ltd ACN 156 361 867 (**TruPhone**) has contravened subsection 101(1) of the *Telecommunications Act 1997* (the **Act**) by failing to comply with subclause 10(2) of Schedule 2 to the Act,

hereby issues TruPhone a formal warning under subsection 103(1) of the Act for contraventions of a service provider rule.

Details of the contraventions

Obligations

The Act requires that:

Subsection 101(1)

A service provider must comply with the service provider rules that apply to the provider.

Subsection 98(1)

For the purposes of this Act, the following are the service provider rules:

- (a) the rules set out in Schedule 2;

[. . .]

Schedule 2, subclause 10(2)

If:

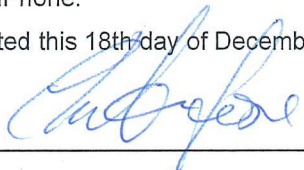
- (a) a CSP supplies a carriage service to an end-user; and
- (b) the end-user has a public number

the carriage service provider must give Telstra such information as Telstra reasonably requires in connection with Telstra's fulfilment of that obligation [to provide and maintain an integrated public number database under subclause 10(1)].

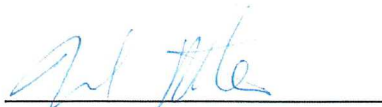
Investigation findings

The ACMA commenced an investigation into TruPhone for alleged contraventions of the Act on 14 August 2019. On 31 October 2019, the ACMA found that between December 2018 and May 2019 TruPhone failed to give Telstra (the **IPND Manager**) the information the IPND Manager reasonably required to provide and maintain the IPND in respect of multiple carriage services supplied by TruPhone.

Dated this 18th day of December 2019



Signature of Member



Signature General Manager

CHRISTIAN JOSE

Name (Please Print) Member

Jonquil Ritter

Name (Please Print)