

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

TO: Twilio Australia Pty Ltd ACN 618 090 010

OF: C/ - McCullough Robertson Lawyers, Level 23, 19-29 Martin Place, Sydney, NSW 2000

The Australian Communications and Media Authority (the **ACMA**), being satisfied that Twilio Australia Pty Ltd ACN 618 090 010 (**Twilio**) 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 Twilio 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:

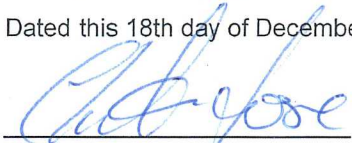
- (a) a CSP supplies a carriage service to an end-user; and
- (b) the end-user has a public number

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 Twilio for alleged contraventions of the Act on 14 August 2019. On 31 October 2019, the ACMA found that between October 2013 and April 2018, Twilio 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 Twilio.

Dated this 18th day of December 2019



Signature of Member



Signature General Manager

CHRISTIAN JOSE

Name (Please Print) Member

Janquil Ritter

Name (Please Print)