



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

TO: Medion Australia Pty Limited ACN 106 611 330

OF: Suite 802, 11 Help Street, Chatswood NSW 2067

The Australian Communications and Media Authority (the **ACMA**), being satisfied that Medion Australia Pty Ltd ACN 106 611 330 (**Medion Australia**) has contravened the *Telecommunications Act 1997* (the **Act**) by failing to comply with the *Telecommunications (Mobile Number Pre-Porting Additional Identity Verification) Industry Standard 2020* (the **Standard**), being an industry standard registered under Part 6 of the Act;

HEREBY issues Medion Australia a formal warning under subsection 129(2) of the Act to comply with subsection 8(5) of the Standard and subsection 128(1) of the Act.

Details of the contravention

1. As a mobile carriage service provider who supplies or arranges for the supply of public mobile telecommunications services, Medion Australia is a participant in the section of the telecommunications industry to which the Standard applies.
2. Under subsection 8(5) of the Standard a mobile carriage service provider must not proceed with a mobile service number port unless one of the additional identity verification processes in subsection (2) or (3) has been used by the gaining carriage service provider.
3. Subsections (2) and (3) of the Standard specify additional identity verification processes that can be used by a mobile carriage service provider to confirm the requesting person is the rights of use holder of the mobile service number to be ported.
4. Following an investigation, the ACMA found that, on 57 occasions between 2 June 2020 and 27 July 2020 Medion Australia contravened subsection 8(5) of the Standard by porting 57 mobile service numbers without first using one of the additional identity verification processes described in subsections 8(2) or (3) of the Standard to confirm that the requesting person was the rights of use holder of the mobile service number to be ported.

Dated this 13th day of April 2021

Signature of Member

Christian Jose

Name (please print)

Signature of Member / General Manager

J.C. FENTON

Name (please print)