



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

TO: Optus Mobile Pty Limited ACN 054 365 696

OF: 1-7 Lyonpark Road, Macquarie Park, NSW 2113, Australia

The Australian Communications and Media Authority (the **ACMA**), being satisfied that Optus Mobile Pty Ltd ACN 054 365 696 (**Optus**) 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 Optus 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, Optus 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 1 occasion on 3 August 2020, Optus contravened subsection 8(5) of the Standard by porting a 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)