

Investigation Report

Entity	Symbio Networks Pty Ltd ACN 102 756 123
Type of Service	Carriage Service Provider and Data Provider to the Integrated Public Number Database (IPND)
Relevant Legislation/Code	<i>Industry Code (C555:2020) Integrated Public Number Database (IPND)</i>
Date	5 October 2021

Findings

The Australian Communications and Media Authority (**ACMA**) finds that Symbio Networks Pty Ltd ACN 102 756 123 (**Symbio**) has contravened clause 4.2.14 of the Industry Code (C555:2020) Integrated Public Number Database (IPND) (IPND Code) because it failed to provide any of [REDACTED] Australia Pty Ltd's ([REDACTED]) customer data to the Integrated Public Number Database (IPND) with the correct Carriage Service Provider (CSP) Code from at least May 2018 until at least 30 June 2021.

Reasons

1. The reasons for the ACMA's findings, including the key elements which establish contraventions, are set out below.
2. The ACMA's findings are based on information provided by:
 - (a) Symbio on 21 June 2021 and, 17 September 2021 in its response to the ACMA's preliminary findings;
 - (b) [REDACTED] on 2 July 2021; and
 - (c) information obtained from the IPND.

Relevant background

3. The IPND is a centralised database of public numbers¹. It is managed by Telstra Corporation Ltd in its capacity as 'IPND Manager' in accordance with section 10 of the *Telecommunications (Carrier Licence Conditions - Telstra Corporation Limited) Declaration 2019*.
4. Carriage service providers (CSPs) must ensure that customer data about carriage services they supply is provided to the IPND Manager for inclusion in the IPND. Customer data is provided to the IPND Manager by Data Providers. Under the IPND Code, a CSP can either supply its own customer data to the IPND Manager directly (in which case it is both CSP and Data Provider), or, it can contract a Data Provider to upload data to the IPND Manager on its behalf.

¹ Public numbers are numbers specified in the Telecommunications Numbering Plan 2015 and include most numbers including geographic, freephone, local rate, premium rate, and international numbers.

5. The IPND Code requires CSPs and Data Providers to register with the IPND Manager before uploading PNCD to the IPND. The IPND Manager then issues each entity a unique CSP Code or Data Provider Code as applicable.
6. The IPND Code requires PNCD to be uploaded to the IPND using the unique codes so that the CSP which provides the service to the number, and the Data Provider which uploads that data to the IPND, can both be identified.

Compliance with the IPND Code

7. Clause 4.2.14 of the IPND Code states:

Data Providers must ensure that all PNCD records provided to the IPND Manager include the unique Data Provider Code, CSP Code and file source combination² as assigned by the IPND Manager.

8. The ACMA has investigated whether Symbio complied with clause 4.2.14 of the IPND Code.
9. The IPND Code defines CSP by reference to section 87 of the Act. Symbio is a CSP as defined under that section and is therefore an entity to which the IPND Code applies.
10. The IPND Code defines a Data Provider as a CSP or a person acting on behalf of a CSP, who is registered with the IPND Manager and has received authorisation from the IPND Manager to send PNCD to the IPND. Symbio is also a registered Data Provider with the IPND Manager and acts on behalf of other CSPs, including ██████.
11. Based on information provided by Symbio on 21 June 2021, Symbio submitted PNCD records to the IPND Manager on behalf of ██████, but did not use the CSP Code that has been assigned to ██████ by the IPND Manager. Instead, Symbio has submitted all ██████'s PNCD records to the IPND Manager using Symbio's own CSP Code.
12. On 2 July 2021, ██████ confirmed that Symbio is, and has been, ██████'s sole Data Provider since 2014, and that at 2 July 2021, all of ██████'s IPND records had been submitted to the IPND Manager by Symbio with the incorrect CSP Code.
13. IPND Manager reports also indicate that at the end of June 2021, there were no PNCD records in the IPND with ██████'s CSP Code. ██████ advised that it had ██████ services in operation as at 27 June 2021.
14. Accordingly, because Symbio provided ██████'s PNCD records to the IPND using the incorrect CSP Code for all of its ██████ services in operation (including for any subsequent updates to those PNCD records) the ACMA finds that Symbio failed to comply with clause 4.2.14 of the IPND Code.

² A file source code is also provided by the IPND Manager. It identifies the source system of the data being provided because a Data Provide may have multiple systems.