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Direction to comply with the Industry Code (C555:2020) Integrated Public Number Database (IPND), given under subsection 121(1) of the *Telecommunications Act 1997*

To: **Aussie Broadband Limited** (ACN 122 090 192)

Of: **3 Electra Avenue,**
           Morwell VIC 3840

Attention: **Mr Phillip Britt, Managing Director**

I, Cathy Rainsford, delegate of the Australian Communications and Media Authority (**the ACMA**), being satisfied that Aussie Broadband Limited (**Aussie Broadband**), has contravened the *Industry Code (C555:2020) Integrated Public Number Database (IPND)* (**the IPND Code**) as described below;

DIRECTS Aussie Broadband, under subsection 121(1) of the *Telecommunications Act 1997* (**the Act**), to comply with the IPND Code.

Details of the contraventions

1. The ACMA has investigated Aussie Broadband's compliance with the IPND Code, which is an industry code registered by the ACMA under Part 6 of the Act. As a carriage service provider (**CSP**), Aussie Broadband is a participant in a section of the telecommunications industry to which this industry code applies.

2. The ACMA is satisfied that Aussie Broadband has contravened the following clauses of the IPND Code:

Provision	Reason
Clause 4.2.1	• Failing to provide any public number customer data (PNCD) to the IPND Manager • Failing to update PNCD provided to the IPND Manager when that customer data changed
Clause 4.2.16	• Providing inaccurate PNCD to the IPND Manager
Clause 5.1.6	• Failing to download error files on the same day as being made available by the IPND Manager
Clause 5.3.1	• Failing to obtain an extract of PNCD for reconciliation purposes

3. Further details about the contraventions are set out in the investigation report provided to Aussie Broadband on 26 July 2022.

Requirement to comply with this Direction

Under subsection 121(2) of the Act, Aussie Broadband must comply with a direction under subsection 121(1) of the Act.

If Aussie Broadband does not comply with this direction, the ACMA may apply to the Federal Court for an order that Aussie Broadband pay the Commonwealth a pecuniary penalty in respect of its contravention of a civil penalty provision (subsection 121(4) and section 570 of the Act).

Reconsideration of a decision

If Aussie Broadband is dissatisfied with the decision to give this direction, it may seek reconsideration of the decision by the ACMA under subsection 558(1) of the Act by making an application in writing to the ACMA, which sets out the reasons for the application. Any such application must be made within 28 days after Aussie Broadband is informed of the decision, unless the ACMA extends the period for making the application (subsection 558(3) of the Act).

If, upon reconsideration, the decision is affirmed or varied and Aussie Broadband is dissatisfied with that decision, it may:

(a) Subject to the *Administrative Appeals Tribunal Act 1975* (the **AAT Act**), apply to the Administrative Appeals Tribunal for review of the reconsideration decision; and

(b) request a statement under section 28 of the AAT Act in relation to that decision (section 562 of the Act).

Cathy Rainsford
General Manager
Content and Consumer Division
Delegate of the Australian Communications and Media Authority

26 July 2022