

## Direction to comply with the Industry Code (C661:2022) Reducing Scam Calls and Scam SMS, given under subsection 121(1) of the *Telecommunications Act 1997*

To: **Infobip Information Technology Pty Ltd ACN 108 798 223**

Of: **Level 12, 64 York St Sydney NSW 2000**

I, Cathy Rainsford, delegate of the Australian Communications and Media Authority (**the ACMA**), being satisfied that Infobip Information Technology Pty Ltd (**Infobip**), has contravened the *Industry Code (C661:2022) Reducing Scam Calls and Scam SMS (the Code)* as described below;

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

### Details of the contraventions

1. The ACMA has investigated Infobip's compliance with the Code, which is an industry code registered by the ACMA under Part 6 of the Act. As a carriage service provider (**CSP**), Infobip is a participant in a section of the telecommunications industry to which this industry code applies.
2. The ACMA is satisfied that Infobip has contravened the following clause of the Code:

Provision	Reason
Clause 5.2.2	<ul style="list-style-type: none"><li>• Failing to only originate short messages on its telecommunications network where it has been presented with evidence of a valid use case for alphanumeric sender IDs</li></ul>

3. Further details about the contraventions are set out in the investigation report provided to Infobip on 02 March 2023.

### Requirement to comply with this Direction

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

If Infobip does not comply with this direction, the ACMA may apply to the Federal Court for an order that Infobip 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 Infobip 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 Infobip 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 Infobip 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

02 March 2023