

# **Compliance priorities 2022–23**

## Tackling the online supply of dodgy devices – final report

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# Executive summary

The sale of non-compliant and banned devices on eCommerce platforms is a growing concern for regulators worldwide. These devices may not meet safety standards and may also cause interference to communications, GPS, and emergency services, which can put Australians at risk.

Australian Communications and Media Authority (ACMA) research shows that online shopping by Australian consumers increased from 83% in June 2020 to 87% in June 2022.<sup>1</sup> With consumers making more purchases online, we are seeing a rise in the level of complaints about non-compliant radiocommunications devices purchased and/or advertised on online platforms.

Most device complaints received in the 2022–23 financial year relate to the sale of non-compliant equipment on both Australian-based and international eCommerce platforms, with the bulk coming from overseas suppliers. Both the volume of complaints and the non-compliant device listings continues to increase year-on-year.

In response, in June 2022 we announced as part of our [2022–23 Compliance priority program](#) that we would be focusing on supplier compliance with equipment rules and educating Australians about the risks of buying these devices online.

## Our findings

To measure and address the scale of the problem, we conducted a 4-week audit from November to December across a range of eCommerce platforms. We found a total of 1,062 non-compliant devices were listed for sale, with most sold by overseas suppliers who appear to be utilising drop shipping models.<sup>2</sup> Analysis of these suppliers indicated that the sale of non-compliant radiocommunication devices generally constituted a small part of the product range sold to Australian consumers. For example, we observed suppliers with over 100 different products (including clothing, toys and electronic equipment) were also selling non-compliant 2-way radios. We also observed a small number of overseas-based sellers that appeared to specialise in telecommunications equipment with listings selling unauthorised mobile repeaters to Australians. These sellers were reported to the eCommerce platforms for action.

Additionally, there were several individual sellers selling 1 or 2 non-compliant devices on an ad hoc basis.

Where we could identify the seller as an Australian company, we contacted the supplier seeking the immediate removal of the non-compliant product and educated suppliers on the regulatory arrangements. All Australian-based suppliers removed

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<sup>1</sup> Australian Communications and Media Authority, [Communications and media in Australia: How we use the internet](#), December 2022, accessed 15 May 2023.

<sup>2</sup> In a drop shipping model, the store that lists the devices for sale do not keep the products in stock. Instead, the seller purchases the product from a third party (for example, a wholesaler or manufacturer, often registered outside of Australia) and it is shipped directly to the customer. The seller, which may be categorised as a 'distributor', does not handle the product directly at any stage of the sale process.

non-compliant product listings as required. The ACMA thanks the eCommerce platforms for their prompt action in removing these listings.

Following the audit, we also undertook a program to review and enhance our existing customer-focussed information and rolled out an advertising campaign across eCommerce platforms to educate consumers at the point of purchase. We have since received positive feedback on the campaign and education material from the industry about its helpfulness for staff and suppliers.

# Approach

## Purpose

As a part of our 2022–23 compliance priorities, we undertook an audit to assess the level of non-compliant devices being sold on eCommerce platforms to Australian consumers. This included identifying key search terms used by Australian consumers, which lead to the purchase of dodgy devices.

The audit results, along with complaints data, were used to identify the main categories of non-compliant devices being sold to Australian consumers. This information was used to develop revised consumer webpages to ensure consumers had easy-to-understand information about the rules relating to the main categories of non-compliant equipment we identified. We also undertook an advertising campaign to ensure consumers were better informed of the rules relating to radiocommunications equipment.

## Scope

The program involved a desk-based audit of 8 eCommerce platforms that are widely used by Australian consumers. The eCommerce platforms included a range of large and established, smaller, and newer platforms.

The audit focused on identifying and removing from sale non-compliant 2-way radios, mobile phone jammers and GPS jammers, mobile phone boosters and unauthorised mobile repeaters.

The ACMA makes equipment rules, which may prescribe standards for the performance of radiocommunications devices and maximum permitted levels of radio emissions of devices under the *Radiocommunications Act 1992*. The Radiocommunications Act imposes obligations and prohibitions in relation to the manufacture or importation of such devices and the operation, possession, or supply of such devices.

We may also impose permanent bans on equipment. We have imposed a permanent ban on mobile phone jammers and GPS jammers<sup>3</sup> and made a declaration prohibiting mobile phone boosters.<sup>4</sup>

## Audit methodology

### 1. Select eCommerce platforms to audit

- > A sample of eCommerce platforms were selected. To select eCommerce platforms for auditing we considered complaints data, length of time the platform has been available, estimated monthly user data, and selected stores that sell electronic equipment to Australian consumers. This ensured we had a diverse mix of eCommerce platforms to audit.

### 2. Develop keyword list for searches

- > To develop a keyword list, we considered complaints data and frequency of keyword searches used.

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<sup>3</sup> [Radiocommunications \(Jamming Equipment\) Permanent Ban 2023](#)

<sup>4</sup> [Telecommunications \(Prohibition of Mobile Phone Boosters\) Declaration 2021](#)

### **3. Develop audit methodology**

- > We tested the keyword searches before the desktop audit to ensure the results provided focused on non-compliant and banned equipment.

### **4. Scan eCommerce platforms**

- > We conducted the audit over 4 weeks in November and December 2022. This was to target the sale of non-compliant and banned equipment over the Christmas shopping period.

### **5. Seek removal of non-compliant listings**

- > We contacted Australian suppliers and eCommerce platforms seeking the removal of listings of banned or non-compliant equipment from sale to Australian consumers.
- > We identified trends and working with eCommerce platforms to expedite processes to remove banned or non-compliant equipment.
- > We educated suppliers on requirements.

### **6. Notify eCommerce platforms of audit findings**

- > We notified the eCommerce platforms of the findings.

### **7. Final report**

- > We reported on the findings of the audit.

### **8. Publication**

- > Publication of the report.



# Outcomes

The eCommerce platforms audited were cooperative and promptly removed non-compliant listings from sale. Of the 8 eCommerce platforms audited, 7 had listings for non-compliant devices available on their platform during the period of the audit. A total of 1,062 non-compliant devices were identified during the audit. All the non-compliant product listings were removed by the eCommerce platforms from sale to Australian consumers.

During the audit, we observed that listings for some devices used different terms to list their devices, suggesting some sellers are evading attempts by eCommerce platforms and regulators to prevent the sale of non-compliant devices. We will continue to engage with eCommerce platforms to proactively reduce the amount of non-compliant devices listed for sale.

We also noted that there appears to be a small market in second-hand, non-compliant 2-way radios and unauthorised mobile repeaters. It appears that these were ad hoc items listed for sale by individual sellers. These sellers were educated on the rules relating to these items with the listings removed by the eCommerce platforms.

## Desktop audit findings

We conducted a 4-week audit of 8 eCommerce platforms to identify the scale of non-compliant devices being sold on these platforms to the Australian market. Where possible, we also sought to identify suppliers selling non-compliant equipment and wrote to them to educate them on the requirements and to seek the prompt removal of listings of non-compliant devices.

We identified 8 Australian suppliers selling non-compliant products; none of these suppliers appeared to specialise in radiocommunications equipment. Where the supplier was based overseas or where the seller was an individual, we educated these sellers and sought the removal of the listing by the eCommerce platform.

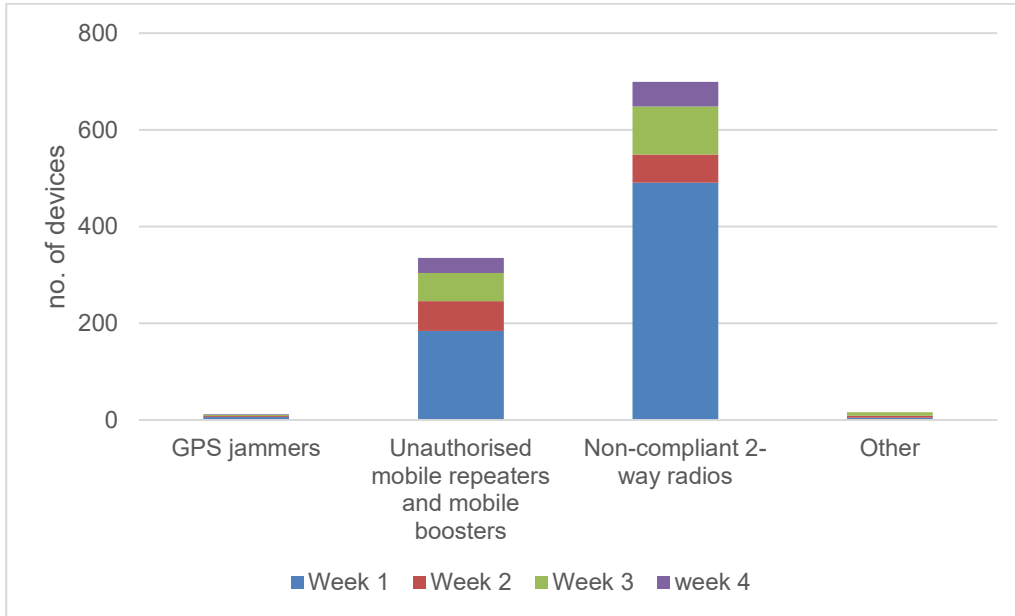
We observed a high level of cooperation from suppliers – all removed their listings from their websites and the eCommerce platform after our notification, and they have stopped selling non-compliant equipment.

Where non-compliant products were identified, the eCommerce platforms were cooperative, and all these listings were removed. The time taken to remove a listing varied from several hours to over a week. We will continue to work with eCommerce platforms to seek to expedite removal of listings of non-compliant equipment in a timely manner. We will aim for a standard timeframe for removal of all listings of non-compliant products within 24 hours of notification.

We observed that the main type of non-compliant equipment sold were 2-way radios. The second highest category was unauthorised mobile repeaters and mobile boosters. A small number of GPS jammers were also observed. This is concerning as GPS jammers have the potential to cause significant interference to satellite navigation systems. Unauthorised mobile repeaters and mobile boosters have the potential to cause interference to communications and weaken network performance for other users.

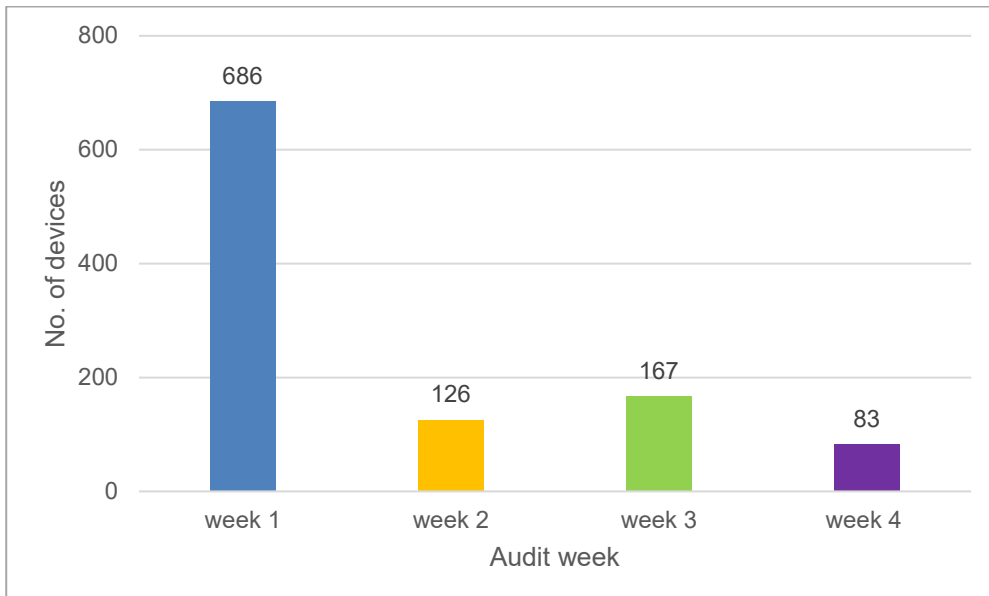
The main types of non-compliant devices identified are shown in Figure 1 below.

**Figure 1: Main type of non-compliant devices identified**



As we conducted the audit, we noticed a significant decline in the number of non-compliant listings advertised each week. At the end of each week of the audit, we notified the eCommerce platforms when non-compliant devices were identified on their platforms and sought the removal of these listings. In most cases, these listings were removed within 24 hours of notification by the ACMA.

**Figure 2: Number of non-compliant devices identified during each week of the audit**



## **Tools used to identify non-compliant devices**

During the audit, we tested various methods to streamline the identification of non-compliant devices. This included refining a list of keywords for each platform and developing tools to scan a range of eCommerce platforms to efficiently identify listings of non-compliant devices. Through this work, we are developing a prototype WebCrawler that will be refined for future audit work. We anticipate this will enable the ACMA to undertake proactive audits on a more routine basis, providing additional deterrence for potential sellers and reducing the supply of non-compliant and banned devices entering the Australian market.

## **Engagement with eCommerce platforms**

During the audit, we also met with a range of eCommerce platforms to inform them about our regulatory requirements, explore opportunities to streamline removal of non-compliant listings and to share information on our findings. The eCommerce platforms were cooperative, with several taking proactive steps to prevent non-compliant radiocommunications devices being shown for sale to Australian consumers.

Methods to request removal differed across eCommerce platforms; some have deployed dedicated portals for regulators to request removal of non-compliant listings while others required letters with URLs of non-compliant devices being listed, along with details of how the product does not meet our regulatory requirements.

We will continue to engage with eCommerce platforms as we refine our tools to proactively identify and seek removal of non-compliant radiocommunications devices listed for sale to Australian consumers.

## **Engagement with suppliers**

We engaged with Australian-based suppliers where we identified they were selling non-compliant devices. We wrote to 8 Australian suppliers to educate them on the regulatory requirements and to seek the immediate removal of non-compliant devices advertised for sale. All suppliers contacted took action to remove the non-compliant devices from sale to the Australian market. Where it was possible to identify purchasers of illegal GPS jammers, we worked with suppliers to contact these purchasers and have these jammers seized or destroyed. For this audit program, the primary focus was on education and removing the devices from the community, and reducing the risk of potential interference to radiocommunications services.

We observed that most of the non-compliant devices advertised to Australian consumers were from overseas-based suppliers. We also observed that for these sellers, radiocommunications devices were typically a small subset of products they sell. We will undertake future work to help educate these suppliers to ensure they have a better understanding of our regulatory framework.

During the audit, we also noticed there was a small subset of mainly overseas-based sellers that appeared to be attempting to evade attempts to prevent listing of non-compliant products targeted to Australian consumers. Methods included adjusting how their products were advertised, such as changing keywords used in advertisements. We will continue to work with the eCommerce platforms to prevent the listings of non-compliant devices to the Australian market. We will also explore other opportunities to engage with overseas-based suppliers to educate them on our regulatory framework.

## Development of education assets

Existing education materials and campaigns were reviewed and assessed for their effectiveness. Through the audit and analysis of complaints data, we identified the main types of non-compliant radiocommunications equipment being sold to Australian consumers. This included:

- > non-compliant 2-way radios
- > GPS jammers
- > mobile phone boosters and unauthorised mobile repeaters.

This analysis informed an evaluation and redesign of educative campaigns and consumer-based materials. We developed refreshed consumer webpages to provide easy-to-understand material, including tips on purchasing radiocommunications equipment online and educative material about banned and non-compliant devices.

We will revisit this material to ensure maximum reach across the Australian community. Over the coming months, we will roll out our new creative assets to unpaid social media posts, to help continue to build community awareness.

## Advertising campaign

Alongside the refresh of consumer-based materials, we conducted an advertising campaign. This consisted of 2 parts.

### ***Part 1 – advertising activity for the buyer beware pre-Christmas campaign***

Some of the key highlights included:

- > We recorded over 7.7 million audience impressions via our digital display advertising, ensuring we met our objective to maximise reach and raise awareness during the pre-Christmas period.
- > We received over 21,000 page views on our ‘How to spot a dodgy device’ webpage at an average of 687 views per day (up from 32 average views per day).

### ***Part 2 – dodgy devices advertising campaign during April and May***

Some of the key highlights included:

- > We recorded over 10.3 million audience impressions via digital display ads, which were placed across relevant websites, articles and online environments that related to radiocommunications, GPS devices, jammers, and cellular mobiles.
- > We recorded over 5.78 million audience impressions across the Meta network (which included Facebook, Instagram, Facebook Messenger and Facebook Marketplace ads).
- > We recorded over 48,200 page views during the campaign period, with web traffic on the ‘Phone jammers’ page increasing by 8,043%, and by 80% on the ‘Cellular mobile repeaters’ page.

## Next steps

Over the coming months we will finalise and refine the WebCrawler to allow for the prompt identification of non-compliant devices and to seek the removal of these listings.

We will also continue to engage with eCommerce platforms, and consider the outcomes of our advertising campaign further to help inform future campaigns. We will revisit our resources for internationally-based suppliers to ensure they provide fit-for-purpose information that will allow these stakeholders to develop a good understanding of our regulatory requirements.

We will be continuing the program in 2023–24 and aim to expand the audit to examine the Internet of Things and ag-tech devices, and to provide a clearer picture of the trends and scale of non-compliant devices being sold to Australian consumers.