

Submission

1 July 2024

The Manager, Numbering Policy and Regulation Section
Australian Communications and Media Authority

Re: Review of the Numbering Plan and other instruments discussion paper

The Australian Communications Consumer Action Network (**ACCAN**) thanks the Australian Communications and Media Authority (**ACMA**) for the opportunity to comment on the Review of the Numbering Plan and other instruments discussion paper (**the discussion paper**).

ACCAN is the peak body that represents consumers on communications issues including telecommunications, broadband, and emerging new services. ACCAN provides a strong unified voice to industry and government as we work towards communications services that are trusted, inclusive and available for all.

Telephone numbering is a fundamental aspect of our communications infrastructure, providing consumers and small businesses with mechanisms to recognise and be recognised through calls and texts. ACCAN is supportive of the ACMA's administration of the current Numbering Plan framework.

ACCAN's submission has focused on issues in the discussion paper most relevant to telecommunications consumers. ACCAN is concerned by the continued ability of scammers to use the numbering system to deceive and harm consumers using Australian numbers.

ACCAN recommends the ACMA:

- Retain the existing rules-based framework for the Numbering Plan.
- Provide stakeholders with further information on Australian numbers being issued overseas.
- Register Carriage Service Providers (**CSPs**) before they are assigned numbers.
- Provide the ACMA with the ability to withdraw smartnumbers used for scams.
- Prohibit the use of numbers by multiple CSPs until safeguards are developed and proven.

Please see a more detailed response to the discussion paper, including the Telecommunications Numbering Plan 2015, in **Attachment A**.

We thank the ACMA for the opportunity to comment on the review. Should you wish to discuss any of the issues raised in this submission further, please do not hesitate to contact me at samuel.kininmonth@accan.org.au.

Yours sincerely,

Sam Kininmonth
Senior Policy Adviser

Attachment A: Response to the Telecommunications Numbering Plan 2015

Principles-based Numbering Plan

ACCAN recommends the ACMA retains the existing rules-based framework as it provides greater regulatory certainty. Principles-based policy is useful where flexibility and professional discretion is required. In ACCAN's view the technical area of numbering policy is better suited to the rules outlined in the current plan. The discussion paper raises the suggestion that a principles-based approach would promote flexibility as codes and other documents could be adapted faster than the Numbering Plan to meet changing customer and operational requirements.

In ACCAN's experience the drafting of industry codes is not a reliably faster or more flexible way to meet public needs. Therefore, ACCAN does not support a principles-based Numbering Plan where associated operational procedures and requirements are developed and managed by industry codes and guidelines.

Traffic origination from outside of Australia

ACCAN would appreciate further information regarding scam calls originating offshore using Australian numbers. We understand that there are legitimate reasons for Australian numbers to originate from locations outside Australia and would welcome the opportunity to receive further information on scams harms and legitimate uses of the practice.

Allocation – rules

ACCAN supports mechanisms that encourage transparency and accountability in the telecommunications sector including a mandatory registration scheme.¹ ACCAN agrees with the ACMA's proposal to register CSPs under section 122 of the Numbering Plan before they can be assigned numbers.

Pooled numbers

ACCAN encourages the ACMA to explore how pooled numbers may intersect with the proposed SMS ID registry and ensure that scam reduction benefits from the SMS ID registry are not curtailed by a lack of provisions in the Numbering Plan.

Enhanced Rights of Use

ACCAN supports updating the numbering plan to give the ACMA discretion to withdraw a smartnumber if there is evidence that a number was used in scam activity. ACCAN understands that smartnumbers are a useful tool for brand communication and cost more than the average number. However, the privilege of owning a smartnumber must be balanced with the potential harm to consumers from scams.

¹ ACCAN 2023. *Retail registration scheme*. Available at: <https://accan.org.au/files/Policy%20Positions/PP%202022-23/ACCAN%20Retail%20Registration%20Policy%20Position.pdf>

ACCAN considers it a reasonable safeguard if smartnumber holders would be notified of any proposed cancellation and be given the opportunity to respond before a decision is made. A period of restriction before a withdrawn smartnumber can be obtained by another party is reasonable and would allow for legitimate organisations or individuals to appeal mistakenly withdrawn smartnumbers.

Multiple services to a number

The use of a number by multiple CSPs may have legitimate use cases, but the status quo risks harming consumers through scam calls. ACCAN supports the prohibition of the multiple-service practice until a robust anti-scams framework can be developed by industry and demonstrated to the regulator.

ACCAN understands that this may have an impact on some legitimate business practices, but in ACCAN's view the risk of consumer harm outweighs the consumer harms from current number sharing practices. The discussion paper outlines three potential responses to number sharing practices:

1. No change/Status quo
2. Introduce rules to manage the multiple-service practice
3. Prohibit the multiple-service practice

ACCAN recommends prohibiting the practice immediately to reduce consumer harm as safeguards can take time to implement. Therefore, ACCAN recommends the ACMA to adopt option three, to prohibit the multiple-service practice, while a workable solution for option two, to introduce rules to manage the multiple-service practice, is explored.

The Australian Communications Consumer Action Network (ACCAN) is Australia's peak communication consumer organisation. The operation of ACCAN is made possible by funding provided by the Commonwealth of Australia under section 593 of the Telecommunications Act 1997. This funding is recovered from charges on telecommunications carriers.

ACCAN is committed to reconciliation that acknowledges Australia's past and values the unique culture and heritage of Aboriginal and Torres Strait Islander peoples. [Read our RAP](#)
