



Telecommunications Industry Codes

Did you know that you should...

- acknowledge a written complaint within 5 working days of receiving it?
- contact your customer after you investigate their complaint, and provide regular updates to your customer during a long investigation?
- not ask a customer to pay disputed charges while you are investigating a complaint about the charges?
- not bill a customer for charges that are more than 190 days old?
- not charge a fee to send an itemised bill to a customer if they are querying charges on a recent account?
- give a customer 7 days notice before you disconnect their account for non-payment?
- tell a customer who wants to cancel their service early about any termination fees they may have to pay?

All of the above are Telecommunications Industry Code rules.

What are Industry Codes?

Industry Codes set best practice benchmarks for the telecommunications industry. Industry Code rules apply to you.

The Telecommunications Consumer Protections Code covers your interaction with customers. It contains rules about customer information on prices, terms and conditions; consumer contracts; billing; credit management; and customer transfer.

Other Codes are about technical and operational issues, including Calling Number Display, Connect Outstanding, Handling of Life Threatening & Unwelcome Calls, Local Number Portability, Mobile Number Portability, Pre-selection & Priority Assistance.

Copies of all current Codes are published on Communications Alliance's website at www.commsalliance.com.au/documents/codes

"... providing independent, just, informal and speedy resolution of complaints"

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Do I have to comply with the Codes?

Yes and no. Compliance with Code rules is only mandatory for registered Codes that you have signed. However, even if you have not signed up to a Code, the Australian Communications & Media Authority (ACMA) may warn or direct you to comply with the Code if information indicates that you have a history of breaching Code rules.

See ACMA's factsheet on its approach to Code compliance:
http://www.acma.gov.au/WEB/STANDARD/pc=PC_2526

What is the TIO's role?

The TIO's investigations staff will consider whether a Code rule has been breached each and every time they deal with a complaint about the consumer and operational code issues listed above.

For all Level 1 and 2 complaints, where a breach of a Code rule could potentially be established, the TIO records and reports a "possible" Code breach. The TIO uses Industry Codes as benchmarks of industry practice and we record possible Code breaches whether or not a TIO Member has signed up to the Code.

If subsequently we escalate the complaint to Level 3, we will advise you which Code rule you may have breached.

What do I have to do if the TIO advises a potential Code breach?

You must respond to us about whether your organisation may have breached a Code. Code signatory or not, you should consider the circumstances and evidence relating to your customer's complaint, and decide whether you have complied with the Code.

- If you believe that you have complied with the Code, please explain why, and provide us with evidence to support your view.
- If you decide that you may not have complied with the Code, please advise what action you have taken or intend to take to remedy the matter.

What are the benefits of being aware of Codes?

Knowing about the Codes may help you to resolve complaints. For example, Clause 9.4.1 of the Telecommunications Consumer Protections (TCP) Code states that providers must tell customers who are not satisfied with the outcome of their complaint about the provider's internal escalation process. The TIO receives many complaints from consumers who claim that they were not put through to a team leader or manager. If the provider had complied with TCP Code rule 9.4.1, the complaint might have been resolved without the complainant needing to contact the TIO.

TIO investigations staff consider where a complaint involves a possible Code breach when deciding whether to escalate a complaint. More information on the TIO's decision-making process is in our Policies and Procedures: www.tio.com.au/policies/decision-making.htm

What happens if I ignore Industry Codes?

Industry Codes set best practice benchmarks for the telecommunications industry. If you ignore them, you may be doing a disservice to your customers and your business.

Also, the TIO sends Code compliance data to Communications Alliance and the Australian Communications & Media Authority (ACMA).

If the data indicates that a provider may be consistently breaching certain Code rules, ACMA may warn or direct that provider to comply with the relevant Code. If a provider continues to breach the Code, ACMA can take action against the provider.

How can I find out more about Codes?

See the websites of Communications Alliance - www.commsalliance.org.au and ACMA - www.acma.gov.au.

If you would like more information about how the TIO handles Code issues, please contact the TIO's Member Communications Team.