



Telecommunications
Industry
Ombudsman

Telecommunications Industry Ombudsman
2008 Annual Report



The Telecommunications Industry Ombudsman's *Annual Report* is provided as a resource for consumers, members of the public, members of the TIO scheme and government agencies that regulate telecommunications.

The report is available as a hard copy and at www.tio.com.au. We also produce a six-page summary version of the report. Alternative formats are available on request.

If you have any questions about this or any other TIO publication, please telephone the TIO Public Affairs Unit on (03) 8600 8701

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OUR YEAR: A SNAPSHOT pages 2 and 3

- We received 149742 complaints, an almost 50 per cent increase on the year before.
- Each complaint raised one or more issues. This year we dealt with 268645 issues – a 61.0 per cent increase on the year before.
- Landline service issues increased by 77.7 per cent.
- Mobile service issues increased by 58.3 per cent.
- Internet service issues increased by 32.3 per cent.

THE PEOPLE WE SERVE pages 4 to 10

CONSUMERS

- 91 per cent of the people who complained were consumers. Eight per cent were small businesses.

OUTREACH

- In February 2008, we reached more than 10000 students during O-week at universities throughout the country.

TIO MEMBERS

- We visited more than 40 member organisations throughout Australia.

GOVERNMENT AGENCIES

- In March 2008, the TIO and the Australian Communications and Media Authority formalised an already close working relationship with the signing of a memorandum of understanding.

OUR STRATEGIC GOALS page 11



- In early 2008, the TIO articulated four strategic goals. They are:
 - to remain relevant
 - to assist our stakeholders
 - to provide an efficient and effective complaint-handling service
 - to be a successful organisation.

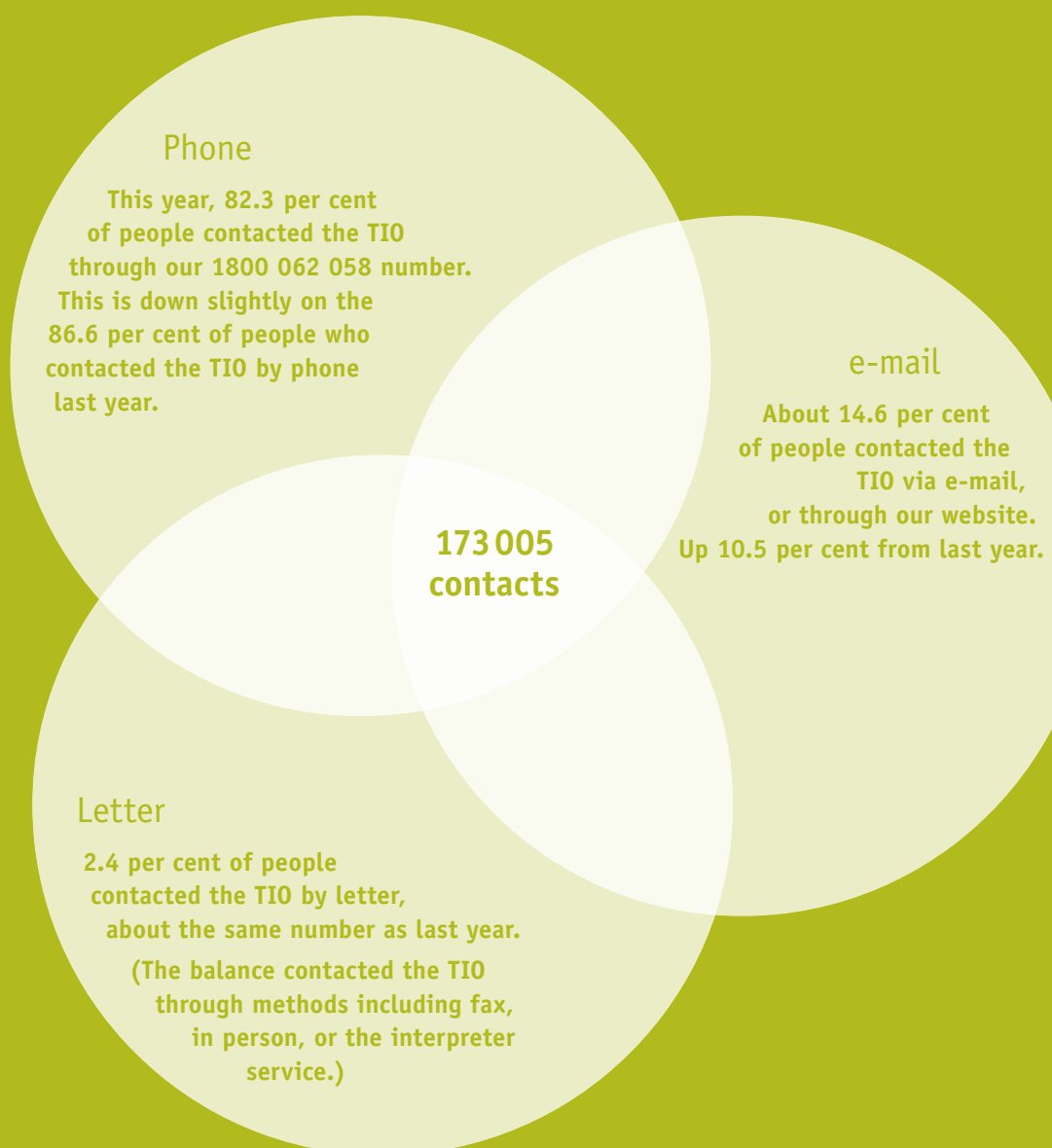
The Telecommunications Industry Ombudsman scheme is a complaint handling service for consumers and small businesses who have been unable to resolve a complaint with their service provider.

We provide free, independent, just, informal and speedy resolution of complaints.

HOW WE OPERATE pages 11 to 24	HOW WE HANDLE COMPLAINTS pages 25 to 28	ISSUES ANALYSIS pages 29 to 46	CASE STUDIES pages 54 to 58
<p>THE OMBUDSMAN'S OVERVIEW</p> <ul style="list-style-type: none"> • Our top priorities are to be accessible and responsive to consumers; to provide the best dispute resolution service we can, while at the same time assisting our scheme members to resolve complaints fairly and efficiently. <p>See page 20.</p> <p>TIO COUNCIL AND BOARD MEMBERS</p> <ul style="list-style-type: none"> • Biographies of the members of the TIO's Council and Board are on pages 14 to 17. <p>FUNDING</p> <ul style="list-style-type: none"> • See page 19 for a complete description of how the TIO is funded. 	<p>INBOUND CALLS</p> <ul style="list-style-type: none"> • We recorded the highest number of inbound calls ever - with 9 213 people ringing us during the second week of January 2008. Call rates stabilised during 2008. An average of 5 270 people called each week in 2007/08. <p>ESCALATION RATES</p> <ul style="list-style-type: none"> • This year, 92.5 per cent of TIO complaints were resolved when referred back to the telecommunications or internet service provider. • A total of 96.6 per cent of complaints handled under the Mobile Premium Services Industry scheme were resolved with a referral back to the provider. 	<p>COMPLAINT AREAS</p> <ul style="list-style-type: none"> • Complaints about customer service overtook billing to be the leading complaint issue. The top 10 complaint issues were: <ul style="list-style-type: none"> Customer service Billing and payments Faults Contracts Complaint handling Mobile premium services Credit management Provisioning Transfers Privacy. <p>The only area where complaint issues fell was payphones, dropping from 34 to 27 complaint issues.</p>	<p>Our case studies include:</p> <ul style="list-style-type: none"> • Brian cancelled his two phone contracts within the cooling-off period but was still billed for services • Peter's VoIP service dropped out frequently and he was unable to hear calls due to garbled and broken sound quality

Our year: a snapshot

People contact the TIO in three main ways.



Figures in this report are to one decimal place.

In some instances this may produce totals slightly more or less than 100 per cent.

23 263 enquiries

(TIO scheme 22 106, MPSI scheme 1 157)
(No further action by the TIO)

An enquiry is a contact where:

- the consumer had not contacted their provider first
- the matter was outside the TIO's jurisdiction
- the company complained about is not a member of the TIO.

This is a small increase on last year. However, the number of enquiries as a proportion of total contacts has dropped from 18.6 per cent to 16.5 per cent

173 005 contacts

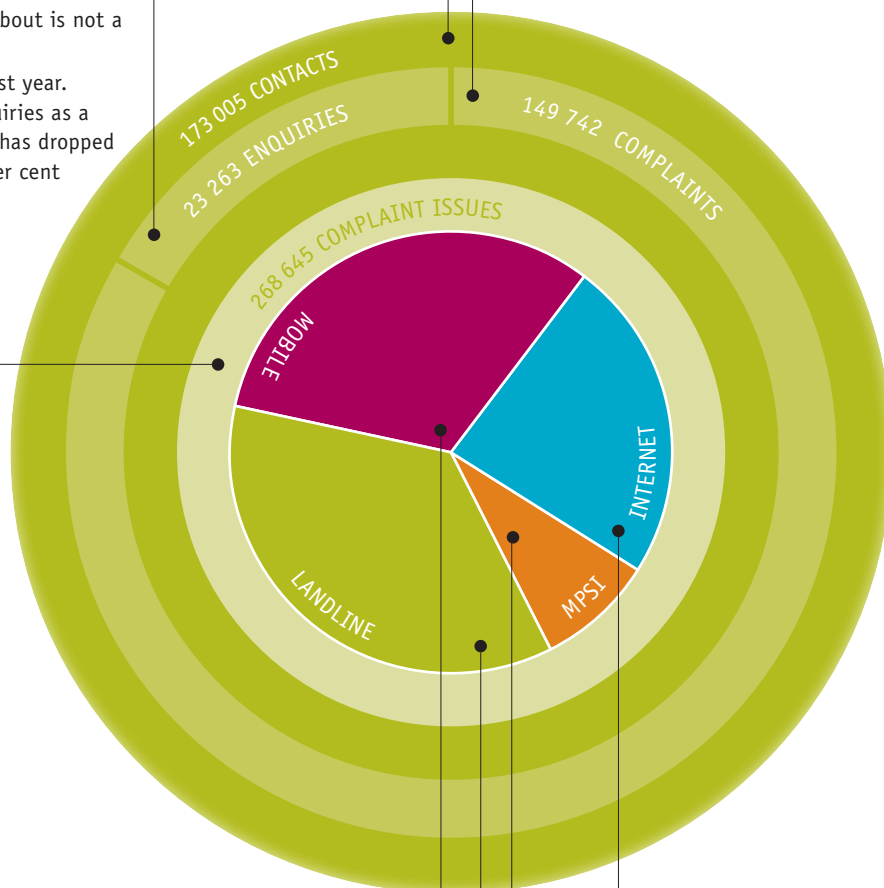
This year the TIO received 173 005 contacts, an increase of 41.0 per cent on the 2006/07 year. A contact is any communication with the TIO.

149 742 complaints.

(TIO scheme 135 843, Mobile Premium Services Industry scheme 13 899) A complaint is an expression of grievance or dissatisfaction that falls within the jurisdiction of the TIO and which the telecommunications service provider concerned has had an opportunity to resolve. This was a 46.1 per cent increase on the previous year.

268 645 complaint issues

Each complaint may be about several issues. For example, a person who complains about a landline bill may also complain about a landline fault or credit management issue.



85949 mobile service issues

An increase of 58.3 per cent on last year

96564 landline service issues

An increase of 77.7 per cent on last year.

63741 internet service issues

An increase of 32.3 per cent on last year.

22391 mobile premium service issues*

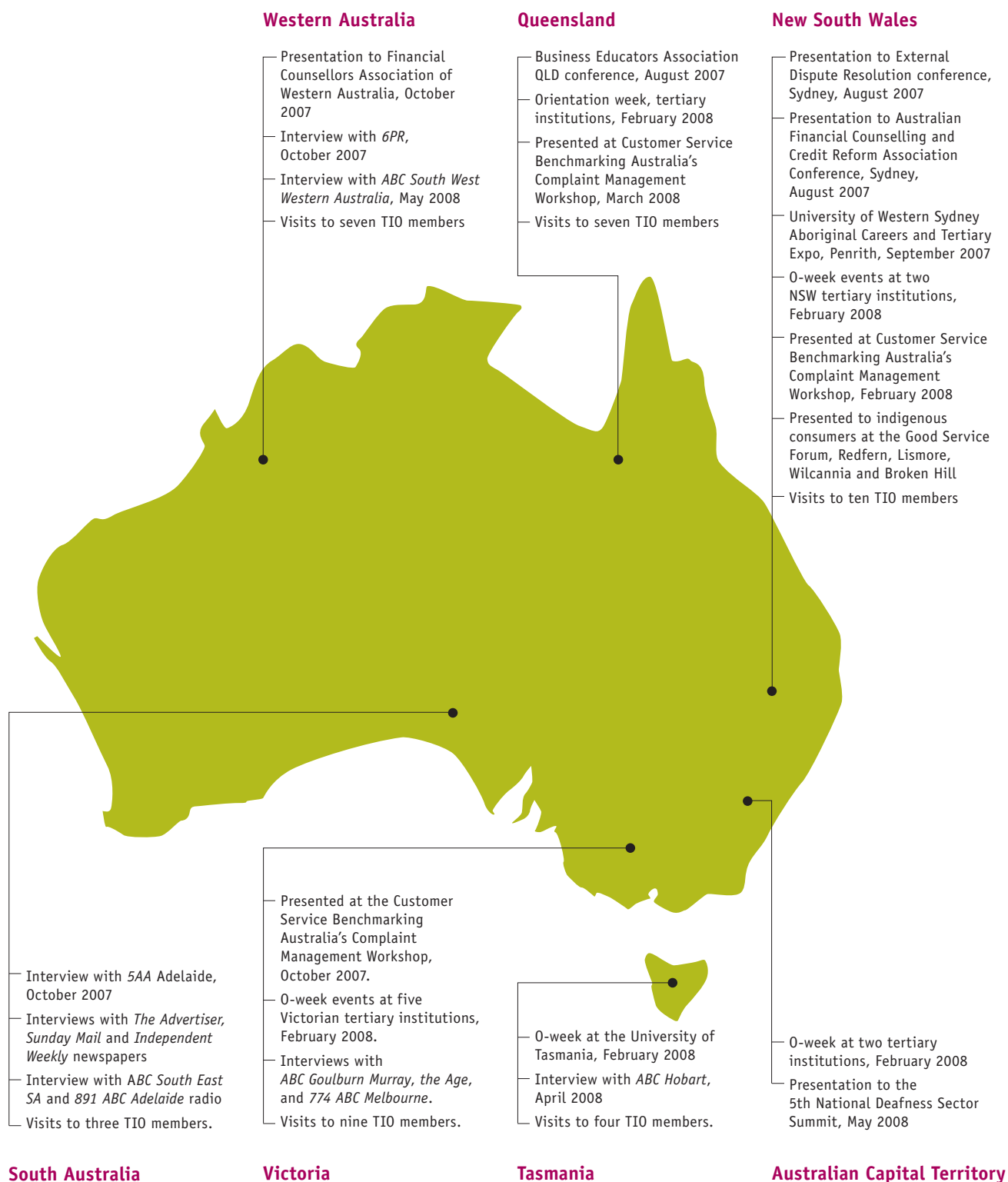
An increase of 122.1 per cent on last year.

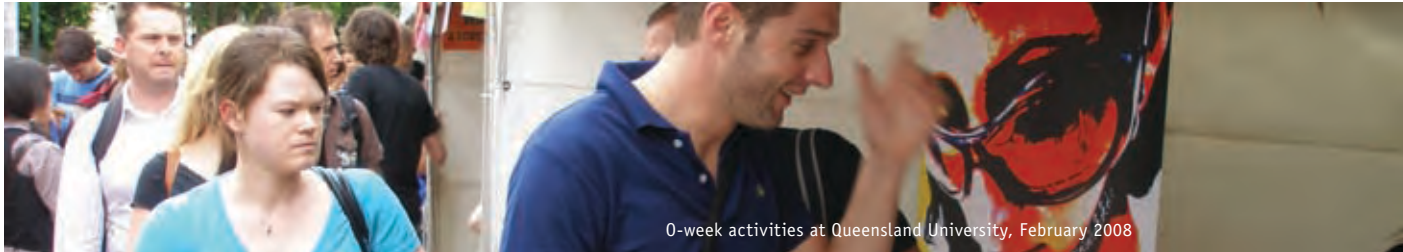
* The TIO began taking complaints under the Mobile Premium Services Industry scheme in December 2006. Therefore a direct comparison with the 2006/07 statistics is not possible. (See Mobile Premium Services Industry scheme, page 45)

The people we serve

Consumers

Below is a selection of the outreach activities that the TIO undertook during the 2007/08 year.





Consumer protection

The TIO scheme exists as a consumer protection mechanism and strives to ensure that all people who use telecommunications services offered in Australia have access to the TIO when they need it. Accessibility is one of the six benchmarks for alternative dispute resolution schemes, which were published by the Federal Government in 1997 (See DIST benchmarks, Glossary, page 67). The accessibility benchmark requires that schemes make themselves readily available to customers by promoting knowledge of their existence, being easy to use and having no cost barriers.

More specifically, the accessibility benchmark requires that we:

- promote our existence in the media or by other means
- promote our existence in such a way as to be sensitive to consumers with special needs or those experiencing disadvantage
- produce readily available material in simple terms explaining:
 - how to access the scheme
 - how the scheme works
- seek to ensure nationwide access to our scheme by consumers.

During 2007/08 the TIO has continued to raise awareness among vulnerable consumers or groups where awareness is low.

These groups include:

- people under the age of 25
- indigenous Australians
- residents of rural and regional Australia
- people with disabilities.

Young people

This year, at the suggestion of the TIO, the Australian and New Zealand Ombudsman Association attended 12 universities throughout the eastern states during orientation weeks.

The awareness-raising campaign adopted the theme embraced by ANZOA's continuing youth postcard campaign; which is that Ombudsman schemes are free, fair and independent. Students expressed strong interest in the TIO's promotional material. The youth postcard campaign is in its second year, and postcards featuring contact details for all Ombudsman schemes are distributed to cafes and other venues frequented by young people in Youth Week in April.

The TIO continued to distribute its *Sort It* bulletin, a joint project with the Financial Ombudsman Service, to commerce and legal studies teachers throughout the country. The booklet contains cases studies that are directly relevant to young people.

The main focus of our distribution of *Sort It* this year were the Victorian Commerce Teachers Association conference in Melbourne, the Business Educators Association of Queensland conference in Brisbane and the Victorian Law Foundation's Law Week. TIO material was also distributed with the assistance of the Energy Ombudsman of Queensland at Law Week in Queensland. Since *Sort It* was first published, in November 2005, more than 20 000 copies have been distributed nationally.

The people we serve

Consumers

GOOD SERVICE FORUM VISIT TO WILCANNIA

Back row, from left: Bernie Wise, Telecommunication Industry Ombudsman; Scott Fox, Department of Fair Trading, Dubbo; Kai Wu from Legal Aid Commission of New South Wales.

Front row: Rose Gordon, Energy and Water Ombudsman NSW; Jo Harris, Financial Ombudsman Service; Elisha Hill, Commonwealth Ombudsman; Felicity Huntington, Anti-Discrimination Board NSW; Kylie Parsons, NSW Ombudsman's Office.



Indigenous communities

This is the second year we have participated in the Good Service Forums, which provide information on the services of the TIO and other agencies to indigenous communities throughout New South Wales.

The forums are a collaboration between the TIO, the Financial Ombudsman Service, the Commonwealth Ombudsman, the Energy and Water Ombudsman NSW (EWON), Legal Aid NSW, NSW Anti-Discrimination Board, the NSW Office of Fair Trading and the NSW Ombudsman.

The information sessions give indigenous people practical tips on what to do if they are having problems with:

- telephone, mobile and internet companies
- banks, credit cards and loans
- businesses, contractors and consumer rights
- electricity, gas and water companies
- Federal Government agencies (Centrelink, taxation)
- State Government agencies (housing, police, child protection, community services, correctional centres)
- discrimination
- legal issues.

In 2007/08 the TIO attended forums in Lismore, Redfern, Wilcannia and Broken Hill.

Many of those who attended the forums had positive feedback on the TIO's presentations, and appreciated the chance to speak to us about problems with their telecommunications suppliers.

People with disabilities

This year, the focus of our efforts was the *Second Disability Action Plan 2008 – 2010*, launched in February 2008.

The plan is a statement of our commitment to ensure that all people have access to the TIO's services and are not restricted by physical, communication or attitudinal barriers. It is consistent with our ethos of fairness and treating everyone equitably.

It covers areas including:

- the provision of information to ensure that the TIO is accessible as possible to people with disabilities
- making TIO premises accessible by TIO staff and complainants with disabilities
- a review of TIO practices to reduce or eliminate physical and social barriers that may limit access by people with disabilities to the TIO services
- recruitment of people with disabilities.

The TIO consulted with a wide variety of disability organisations while compiling the plan in order to be inclusive of a range of disabilities.

So far a number of actions have been completed in implementing the plan including providing disability awareness training for all staff (See Learning and development, page 22), incorporating disability awareness training into induction training, notifying members, disability organisations and other industry organisations about the plan and having copies of the plan in alternative formats such as Braille and audio. The plan may be downloaded from www.tio.com.au.

This year, we continued our campaign to advertise the services of the TIO to people with disabilities. A regular advertisement about the TIO appears in publications targeted at people with disabilities.



DISABILITY ACTION PLAN LAUNCH

From left, John Rohan, Chairman of the TIO Board; Deirdre O'Donnell, Ombudsman; Virginia Hickey, Chair of the TIO Council; Graeme Innes, Human Rights Commissioner and Disability Discrimination Commissioner; Simon Cleary, Deputy Ombudsman.

Rural and regional communities

The focus of our awareness-raising activities in rural and regional areas is our community service announcement, which is shown throughout Australia every two years. The television and radio commercial is shown by commercial stations at no cost to the TIO as part of those stations' community service obligations. The commercial was aired in 2006 and also in September 2008.

The TIO's role as part of the telecommunications consumer protection mechanism was highlighted in a major advertising campaign run by the Department of Communications, Information Technology and the Arts (now the Department of Broadband, Communications and the Digital Economy). The campaign, which ran over several months in late 2006/07 and early 2007/08, was conducted in rural and regional communities.

The TIO classifies complaint statistics in five regions developed by the Australian Bureau of Statistics according to residents' access to a full range of goods and services. Those in remote areas have the least access, while those in major cities have the most access.

It is not surprising, given the almost 50 per cent increase in complaints to the TIO, that complaints rates have increased across all states and in all regions of the country. However, with the exception of complaints rates in Tasmania, the relative rankings of each state and territory and also each region have remained the same.

The TIO views complaint rates as roughly equivalent to awareness. Hence awareness rates in the more rural areas of the country are lower than those in the major cities. People in those areas are also more likely, because of greater distances, to be more vulnerable or disadvantaged, compared to residents of metropolitan areas.

This information will continue to guide our awareness activities across the country.

Figure 1 State and territory distribution of complaints

State and territory distribution of complaints (per 1 000 people)

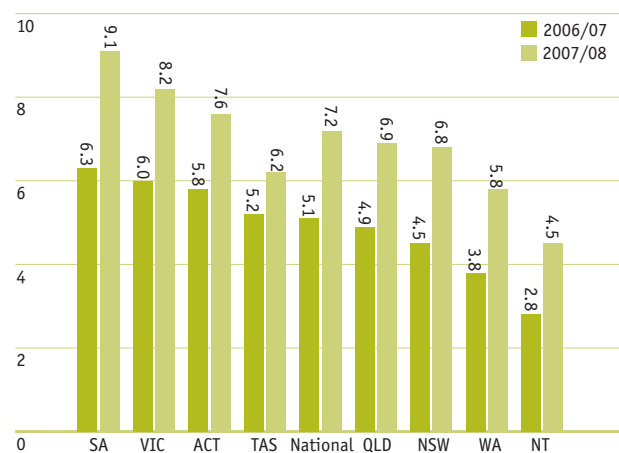
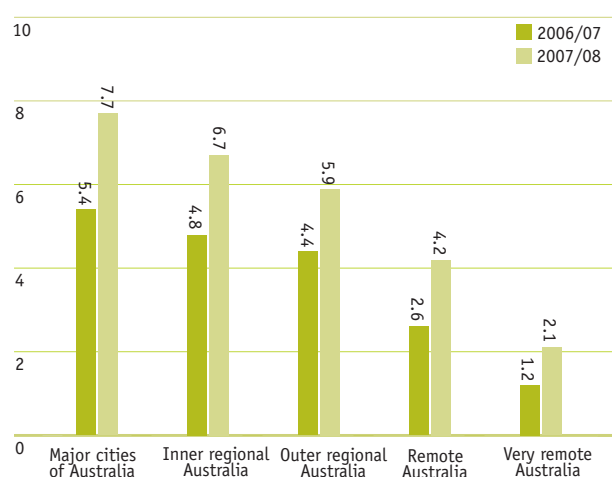


Figure 2 Complaints by remoteness area - national

Complaints by remoteness area - national (per 1 000 people)



The people we serve

Members



Table 1 Membership 2007/08

	July 1 2007	Joined 2007/08	Departed 2007/08	30 June 2008
Internet service provider	691	25	148	568
Other*	58	1	6	53
Telephone and internet service provider	287	60	38	309
Telephone service provider	195	34	53	176
Total	1 231	120	245	1 106

* includes members who meet the definition of a carriage service provider but do not identify themselves as providers of traditional standard telephone, internet or mobile services.

Engaging with members

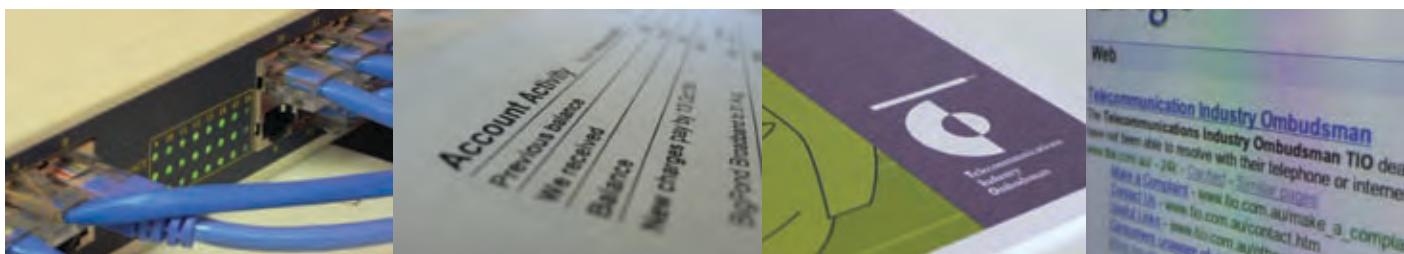
The TIO's Member Communications section plays an important role in helping members reduce the number of complaints to the TIO and providing information to members about the operation of the scheme. We believed that providing assistance to members is a key component of improving customer service within the industry.

During 2007/08 our outreach activities focused on:

- visiting and hosting member representatives to share information and insights
- publication of an email newsletter
- participating in members' induction of newly appointed complaint-handling staff
- on-site training about the role of the TIO and the way we handle complaints
- following up questions from members about regulatory and statutory obligations such as the Customer Service Guarantee (See Glossary, page 67)
- providing insight into the many reports and other data that the TIO provides each quarter with a member's quarterly invoice.

Many members used Member Communications as a resource. A telephone call to Member Communications can save a member time and money by:

- focusing its research into the fairest way to approach an issue while remaining mindful of any regulatory requirements
- gaining insight into methods of addressing customer queries in a manner that reduces the number of complaints escalated to the TIO by customers.



Pending level 2

During the year, the TIO introduced a new process notifying members of cases where a complainant returns to the TIO dissatisfied after having discussed their complaint with the member's TIO referral point. This notification is sent before the TIO considers whether the complaint will be escalated to level 2. Many members have welcomed the opportunity to revisit their positions and discuss the matter further with the complainant. TIO members now have an additional chance to avoid escalation of a complaint by the TIO.

Referral to ACMA

All members have obligations with respect to the TIO under the *Telecommunications (Consumer Protection and Services Standards) Act 1999* (Cwlth). The Act specifies that:

- eligible carriage service providers must join the TIO scheme
- members of the scheme must comply with the scheme
- the Australian Communications and Media Authority (ACMA), in consultation with the TIO, may direct a company to join the scheme.

During 2007/08 the TIO referred one member, Baghchal Systems Proprietary Ltd, to ACMA for failing to join the scheme. ACMA can take enforcement measures, ranging from consultation and investigation through to Federal Court action, against a member deemed non-compliant with the TIO scheme or the Act.

The people we serve

Regulators and government

SIGNING A MEMORANDUM OF UNDERSTANDING

Chris Chapman, ACMA Chairman, and Deirdre O'Donnell, TIO Ombudsman, signed a memorandum of understanding in March 2008.



Co-operation with relevant regulators and government agencies continues to be an important focus for us.

In March 2008, the TIO and ACMA formalised an already close working relationship with the signing of a memorandum of understanding. The memorandum with ACMA covers matters related to:

- the exchange of information and advice about telecommunications consumer complaint investigations and the application of legislative and alternative dispute resolution remedies
- the exchange of information about telecommunications and internet industry service and complaint trends
- compliance and enforcement action related to membership of the TIO scheme.

The TIO also continues to participate in regular forums convened by ACMA, such as the Consumer Consultative Forum and the Technical Working Group.

The other regulator with which the TIO is frequently in contact is the Australian Competition and Consumer Commission (ACCC). The TIO has actively sought input from the ACCC in the development of certain position statements (see Glossary, page 67) which deal with potential misleading and deceptive behaviour.

The TIO meets on a six-monthly basis with the Department of Broadband, Communications and the Digital Economy to discuss any regulatory developments, consumer protection and emerging telecommunications issues. There is also frequent liaison at officer level.

How we operate

Our strategic goals

After extensive work by the Council, the Board and the management team, in early 2008 the TIO articulated a series of strategic goals.

In all our undertakings, including our engagement with a wide range of stakeholders, and our planning for the future, these strategic goals form the bedrock. They underpin what we do; they shape why and how we do it; they frame who we are. They are:

Providing an efficient and effective complaint-handling service

- Resolving disputes with independence, agility and impact
- Setting new standards for crafting intelligent, creative and fair solutions to which the industry takes heed
- Being readily available for all those who need us
- Reflecting on and learning from our experiences
- Leading by example

Assisting our stakeholders

- Gaining the respect of consumers, regulators, policy makers and industry members, who use our services and rely on our judgment, savvy and professionalism

- Reaching out with credibility and flair to raise awareness, particularly among the more vulnerable

Being a successful organisation

- Executing our corporate governance responsibilities with distinction
- Listening to our people; understanding the challenges they face; encouraging and expanding their skills and abilities
- Giving credit where it is due
- Using our resources wisely and effectively

Remaining relevant

- Understanding the strategic telecommunications environment, where innovation is key
- Listening to and learning from the industry
- Providing vital complaint data to service providers



Chairman of the Board



The 2007/08 financial year was a very challenging one for staff and management of the TIO scheme.

The continued dynamic and changing nature of the competitive telecommunications industry is reflected in the fact that at 30 June 2008 there were 1 106 members in the scheme. During the year, 120 new members joined the scheme and

245 departed – a net loss of 125 members. While we welcome the new members, the departure of members at approximately the rate of one per working day has contributed to the challenges facing the TIO. Some of those departing companies experienced increases in complaint levels as they did so, and some of these were unable to meet their financial obligations to the scheme.

This pressure on the scheme was exacerbated by a 46.1 per cent growth in complaints during the year. Clearly this is a performance level that reflects poorly on industry. This disappointing increase was across a range of issues managed by the scheme; and the Ombudsman has rightly highlighted significant increases in mobile premium service, customer service and complaint-handling complaints as the areas of most concern. The Board is committed to supporting the Ombudsman in her efforts to influence industry performance to ensure better outcomes for consumers.

The increase in growth of complaints well above budgeted levels was difficult to predict and, at times, has tested the scheme's capacity to respond in a timely manner. The Board has worked with the Council and Ombudsman to ensure that adequate funding has always been available to respond to the operational demands of an independent alternative dispute resolution scheme, as well as to fund any changes to policies, and the development of new policies by the Council.

Over the year, the Ombudsman has increased staff numbers by approximately 50 per cent to cope with the extra complaint demand. This increase necessitated expansion of the office to another floor, a decision which the Board quickly approved.

The significant growth in complaint numbers resulted in a surplus throughout the year which reached \$1.505 million at year end. In fact, the surplus was more than adequate to fund the extra working capital required by the growing organisation and short-term costs and payments for the fitout of the additional floor at 595 Collins Street, Melbourne.

While half of the additional floor-space has been sub-let on a short to medium-term basis, the Board is intent on ensuring that future funding arrangements for the scheme are still appropriate in a changing environment. For this reason, a strategic review of the TIO funding model and associated billing methods and fee structures has commenced. It should be noted that the current models were set at the inception of the scheme 15 years ago. In the light of the large increase in both numbers and diversity of membership, it is timely for such a review to be undertaken. It is expected the outcomes of the review will be completed and communicated to key stakeholders during 2008/09.

There have been a number of changes to the Board during the year, with Alexandra Thomas (Optus) and John Parkin (Telstra) joining. Mark Davidson (Optus) and Michael Lawrey (Telstra) resigned from the Board and I would like to thank both of them for their dedicated service to the TIO over several years. I would also like to thank the directors for their efforts in a difficult year.

My thanks to Virginia Hickey, Chair of Council, and all Council members for their very important contribution to the 2007/08 outcomes.

Again, in a very demanding year I would like to thank all of the TIO staff who have worked very diligently and especially thank the Ombudsman, Deirdre O'Donnell, the Deputy Ombudsman, Simon Cleary, and the General Manager Business/Company Secretary, Phillip Carruthers.



John Rohan

Chairman of the Board

Chair of the Council

The TIO has continued to provide a venue for consumers of telecommunications services to lodge complaints in 2007/08. In fact, record numbers of complaints have been received. There were 149 742 complaints and a further 23 263 enquiries received during the year.

The TIO Council gave consideration to a wide range of significant matters this year, including:

- with the Board and management, the development and introduction of a new, three-year strategic plan
- addressing the high complaint levels and the capacity of the TIO to deal with them
- approval and introduction of the *Second Disability Action Plan*
- consideration of jurisdiction over non-tariff fees
- development of the TIO position on mobile premium service complaints.

The extent of the growth in complaints is, however, of concern. The Ombudsman and her staff have risen to the challenge; the scheme has expanded to meet the demand and data is being provided by the Ombudsman to assist in understanding the profile of the complaints. While acknowledging that the telecommunications industry has developed more products and services to meet the demands of a growing market, and hence that a commensurate level of growth is expected in complaints to the TIO, nevertheless there is capacity for many of the complaint issues that the TIO receives to be resolved without the need for our intervention. In the year ahead the TIO will continue to work closely with its members to assist them to improve their own internal complaint handling procedures.

After my first six months as Chair of the Council I would like to thank the Ombudsman, Deirdre O'Donnell, and all the staff of the TIO for their wonderful efforts over that period. I would also like especially to thank my fellow Council members for welcoming me to the Council and for all that they do for the scheme. Extensive contributions were also made by a number of Council Members who departed during the year. Pam Marsh served the TIO as a consumer representative for many years and was a valued supporter of the scheme. Robyn Ziino served as an industry member, also for a number of years, and made a significant contribution.

My predecessor, the Hon. Tony Staley AO, served as independent Chair of Council for 12 years and made an enormous contribution to the governance of the scheme throughout that period. Lastly, I would like to pay tribute to the Reverend Dr Christopher Newell AM, who passed away recently.

Christopher was an outstanding person and a dedicated and passionate Council member. His intellect and charm shone through always. We all miss him immensely.

Four new members joined Council, including myself. I would like to take the opportunity to welcome Loretta Kreet and Teresa Corbin, both consumer representatives, and Rohan Doyle, an elected industry representative. Rohan had previously served as a TIO Board member and already has a good knowledge of the TIO.

I would also like to thank John Rohan, the Chairman of the Board, and all Board members for their support for the scheme and for ensuring that the funds have been available to the scheme to meet the increased demand.

The Council is confident that the TIO will continue to provide an excellent complaint-handling service to industry members and their customers throughout the coming year.



A handwritten signature in dark ink, which appears to read 'Hickey' with a stylized flourish at the end.

Virginia Hickey
Chair of Council

The Council



The Hon. Tony Staley AO

(15 August 1996 – 14 August 2007)

Chairman

Tony Staley is a former Minister for Post and Telecommunications and President of the Liberal Party. He was awarded an Officer of the Order of Australia (AO) in 2007 for service as a parliamentarian and for contributions to the development of the Liberal Party, the telecommunications industry and the arts. He is chairman of the National Museum of Australia.

Virginia Hickey

(14 August 2007 –)

Chair

Virginia Hickey is a lawyer, corporate governance consultant and company director, and serves on boards including TransAdelaide (chair), Flinders Ports, the National Competition Council and the Medical Insurance Group Australia. She has extensive experience advising and educating boards and management on corporate governance and board effectiveness and is a national and international facilitator in the Australian Institute of Company Directors course.

User and public interest group representatives

The Reverend Dr Christopher Newell AM

(7 June 2001 – 23 June 2008)

Australian Federation of Disability Organisations

Dr Christopher Newell was Associate Professor within the School of Medical Ethics within the School of Medicine, University of Tasmania. Dr Newell was also an Anglican priest, recently appointed as a Canon at St David's Cathedral, Hobart. (See A life less ordinary - vale Christopher Newell, page 18.)

Dr Wayne Warburton

(5 April 2006 –)

Wesley Mission

Dr Wayne Warburton is a psychologist and financial counsellor at Wesley Mission in Sydney and a research fellow and lecturer with the Department of Psychology at Macquarie University in Sydney. He is also a consumer advocate on the Telstra Credit Management Working Group and the principal editor of *Sharkwatch*, a national financial counselling journal.

Pam Marsh

(21 June 1997 – 31 December 2007)

Consumers' Telecommunications Network

Pam Marsh has been a consumer advocate and representative in telecommunications for almost 20 years, actively involved in a wide range of forums. A founding member and chair of the Consumers' Telecommunications Network for several years, she also works with disadvantaged families and children including indigenous families, children of prisoners and homeless families.

Teresa Corbin

(1 January 2008 –)

Consumers' Telecommunications Network

Teresa Corbin is chief executive officer of the Consumers' Telecommunications Network. Through her work in the community sector in policy and management positions she has built strong links with consumer groups at a regional, national and international level.

Myra Pincott AO

(1 July 2007 –)

Country Women's Association of Australia

Myra Pincott is passionate about rural issues and at Council meetings raises issues particular to country areas. She serves on the Communications Alliance's Consumer Council, ACMA's Communications Consumer Consultative Forum and the Consumers' Telecommunications Network board.



Loretta Kreet



Rohan Doyle



Trudi Bean



Neil Mounsher



Matt Russell



Robyn Ziino



Ross Wheeler

Loretta Kreet

(1 July 2008 –)

Legal Aid Queensland

Loretta Kreet has spent the last ten years working exclusively in the area of consumer credit within the community sector and Legal Aid Queensland. She is a consumer director on the Financial Co-operative Dispute Resolution scheme, a board member of the Centre for Credit and Consumer Law at Griffith University, a board member of Parent to Parent Inc and a member of the Brisbane Consumers' Association.

Industry representatives

Rohan Doyle

(21 January 2008 –)

UsTel

Rohan Doyle has worked in the telecommunications industry since deregulation in 1994 and is Chief Executive Officer of Ustel Limited. Rohan was a Board member of the TIO from 2004 to 2007 and former managing director of Concert Telecom Pty Ltd.

Trudi Bean

(14 February 2006 –)

Optus

Trudi Bean is a senior member of the Optus legal team, leading the consumer and small business work group. Before joining Optus in early 1998, she worked at law firm Baker & McKenzie and at the Federation of Australian Commercial Television Stations (FACTS).

Neil Mounsher

(31 March 2003 –)

Telstra

Neil Mounsher has been a Telstra nominee to the TIO Council since 2003. He is Group Manager, TIO Policy and Liaison, Telstra Regulatory and has worked with Telstra for more than 35 years in various engineering and managerial roles.

Matt Russell

(25 May 2007 –)

Vodafone Australia

Matt Russell is a member of the public policy team with Vodafone Australia. He previously worked as a systems analyst with Quest Technologies Pty Ltd in New York before taking up general counsel positions with the Internet Group Ltd and nineMSN in Sydney.

Robyn Ziino

(1 July 2003 – 30 October 2007)

AAPT

Robyn Ziino was the Manager, Regulatory and Compliance at AAPT. Her previous roles include Manager, Regulatory and Compliance with Vodafone Australia. She is currently General Manager, Regulatory and Compliance at Tabcorp.

Ross Wheeler

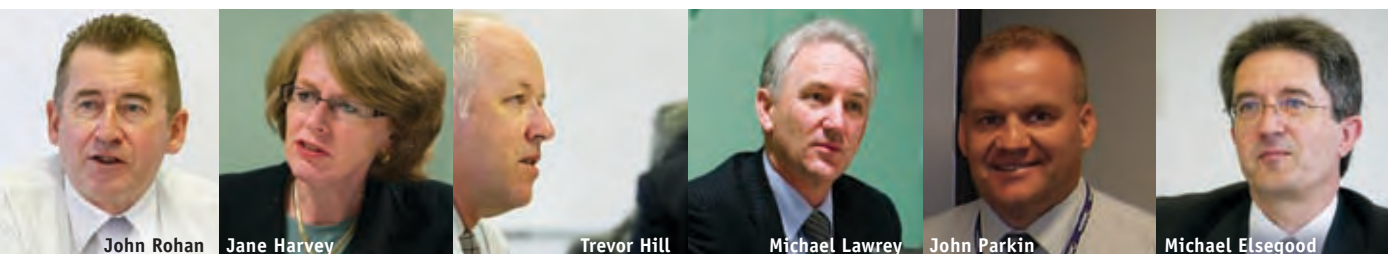
(23 October 2007 –)

Albury Local Internet Pty Ltd

Ross Wheeler joined the Council as the elected member representative of internet service providers. He is the proprietor and founder of Albury Local Internet, a regional ISP, which has been operating since May 1995.

How we operate

The Board



John Rohan

(1 August 2001 –)

Chairman

Vodafone

John Rohan was managing director of Vodafone Australia Pty Ltd, Vodafone New Zealand Ltd and Vodafone Network Pty Ltd. He has also held the role of Executive Director, Vodafone Pacific. Previous positions include Executive General Manager of James Hardie Building Services and Technologies, Chief Executive of McConnell Dowell's Building Product Group, Australia and New Zealand and General Manager of Comalco Building Products.

Jane Harvey

(7 April 2003 –)

Independent Director

Jane Harvey has extensive experience across the financial services, health care and public company sectors. She is a director of IOOF Holdings Limited, Boom Logistics Limited, Bayside Health Services, Medibank Private Limited, Colonial Foundation Trust and the Royal Flying Doctor Service (Vic). She is also a former partner with PricewaterhouseCoopers.

Trevor Hill

(30 October 2002 –)

Telstra

Trevor is Group Manager, Consumer and Compliance, Public Policy and Communications at Telstra. He has worked for Telstra in a variety of management and policy roles.

Michael Lawrey

(10 October 2003 – 23 April 2008)

Telstra

Michael Lawrey commenced as Executive Director for Network and Technology at Telstra in May 2008, and provides the planning, architecture, design and engineering capability for Telstra. Before this role, he was the Executive Director, Network Services for five years. His responsibilities covered the operations and maintenance of Telstra's networks for mobiles, fixed networks, broadband, satellite, transmission network infrastructure and managed services.

John Parkin

(23 April 2008 –)

Telstra

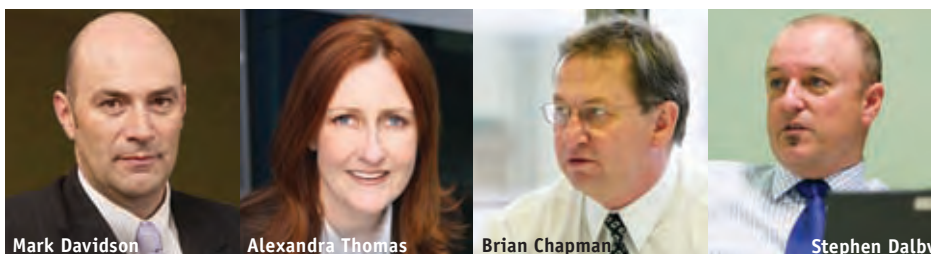
John Parkin is the Director Service Delivery – Northern Region with Telstra. He manages all customer service delivery operations for the organisation in Queensland and Northern New South Wales. He has held a variety of senior management positions in a 25-year career in the telecommunications industry in Australia, New Zealand and England.

Michael Elsegood

(2 October 2006 –)

Optus

As Manager, Consumer Safeguards and Compliance, Michael Elsegood supervises Optus's disability action plan, manages numbering matters and Optus's compliance with obligations that support law enforcement agencies. In a telecommunications industry career spanning more than 30 years, he has been involved with call charging and billing accuracy standards, quality of service reporting, end-to-end performance standards and number portability.



Mark Davidson

(18 January 2002 – 11 September 2007)

Optus

Mark Davidson is Director Customer Service, Consumer and Multimedia Division with Optus. He has a background in customer service and was formerly National Manager, Customer Service Contact Centres with Optus.

Alexandra Thomas

(12 September 2007 –)

Optus

Alexandra Thomas is the Executive Director, Reitz Transformation at Optus and is responsible for strategic IT and business transformation. She has had 15 years customer care experience in the telecommunications industry. Before her current role, Alexandra was the General Manager Strategy and Planning, Optus Consumer Customer Care.

Brian Chapman

(7 December 2006 –)

AAPT Ltd

Brian Chapman is the Head of Corporate Security and Regulatory Operations at AAPT. He has previously held senior management roles in the telecommunications industry and been responsible for business and operational performance reporting, information analysis and business improvement.

Stephen Dalby

(7 December 2006 –)

iiNet

Stephen Dalby, General Manager, Regulatory, has been an executive with the iiNet Group since 2003. In his 35-year telecommunications industry career he has worked in retail and wholesale businesses, regulatory and corporate affairs, quality assurance and corporate social responsibility. Steve is based in Perth and is also Chief Executive Officer of Chime Communications Pty Ltd, iiNet's carrier subsidiary.

Leisa Fielding

(23 April 2008 –)

Telstra

Alternative Director

Leisa Fielding was appointed Manager of Business Transformation in 2007 and plays a key role defining future business models while optimising the transformation program. She has worked for Telstra for 19 years and held positions in a variety of areas including retail, marketing, program management, information technology and operations.

Gary Smith

(4 March 2002 –)

Optus

Alternative Director

Gary Smith is the General Manager, Regulatory Compliance and Self Regulation at Optus. He has previously worked with the telecommunications regulator Austel, the Reserve Bank of Australia and the Victorian State Government.

How we operate

A life less ordinary - vale Christopher Newell



The Council, the Board and the management of the TIO were shocked and saddened by the tragic passing of our late Council member, the Reverend Canon Dr Christopher Newell AM in June 2008.

During his seven years on the TIO Council, Christopher made an outstanding contribution as a consumer representative acting for the interests of people with disabilities. His work will live on through the *Second Disability Action Plan 2008 – 2010*, to which he made a substantial contribution.

Possessing a brilliant intellect, an irreverent sense of humour, a deep compassion for others and boundless energy, Christopher wore many hats during his life including husband, father, priest, consumer advocate, bio-ethicist, researcher, writer and educator. In all these roles he was a model of integrity, commitment and loyalty.

A pioneer in the field of telecommunications and consumers, he was closely involved with some of the most fruitful initiatives in the consumer, industry and government partnership that still underpin the telecommunications environment 20 years later. These include the Telstra Consumer Consultative Council, the Broadband Services Expert Group and of course, the Telecommunications Industry Ombudsman.

Christopher also challenged governments, industry and regulatory bodies to incorporate the interests of all of the community in telecommunications policy. As someone who suffered from an illness that caused him to be wheelchair bound, he was passionate about inclusivity and access for people with disabilities and strove to reject the divisions between “us” and “them”, instead focusing on embracing all groups.

During his time on the Council, Christopher often lit the path ahead where seemingly no way forward existed before, and regularly broke stalemates at meetings by approaching a problem from a different perspective. Perhaps he acquired this skill via his own bitter experiences of encountering roadblocks in his childhood and early adult life, placed by a society that wrongly believed that people with disabilities had nothing to contribute.

Christopher never saw his illness as an obstacle, and had an energy that belied his health problems. He travelled widely serving the interests of people with disabilities on many committees and forums throughout the country. Such was his prodigious work ethic that many colleagues noted they would be wealthy people if they had a dollar for every time they took a phone call from him that originated from an airport.

Well known for publicising disability access, Christopher was awarded the Order of Australia in 2001 for “services to people with disabilities, to health consumers, and the development and practice of ethics”. In a further reflection of the esteem in which he was held as an advocate for people with disabilities consumer rights, he was also invited as a delegate to the 2020 Summit convened by Prime Minister Rudd in Canberra in April 2008.

While saddened at his passing, the TIO is grateful to have had a champion of people with disabilities and a humanitarian of profound depth and caring on our Council. His unstinting effort and commitment to the TIO, and all it stands for, will always be remembered, as will his boundless generosity of spirit.

Vale Christopher.

The TIO would like to thank the following people for their recollections about the Reverend Canon Dr Christopher Newell AM, and whose contributions have been incorporated into this story:

- Teresa Corbin, Consumers’ Telecommunications Network
- Gerard Goggin, Professor of Digital Communication and Journalism, University of New South Wales
- Dr Wayne Warburton, Wesley Mission.

How we operate

Funding

The TIO is an industry-based alternative dispute resolution (ADR) scheme deriving its funding solely from members, who are charged fees for complaint resolution services provided by the TIO.

A member is charged fees only if the TIO receives a complaint from one of the member's customers. The funding system therefore acts as an incentive for members to keep TIO investigations to a minimum by encouraging them to develop and maintain effective complaint handling and customer service procedures.

Complaints attract a direct fee that varies according to the level to which the complaint is escalated by the TIO. The fees charged in 2007/08 are shown below. In addition to these volume-related costs, a member pays a proportion of overhead or operating costs determined by its percentage share of total complaints. The indirect component in most years is roughly equal to the direct component, meaning that the full cost of a level 1 complaint, for example, would be about \$68.

Table 2 TIO complaint fees

	\$	GST	Total
Level 1	31	3.10	34.10
Level 2	260	26	286
Level 3	475	47.50	522.50
Level 4	2 250	225	2 475
Level 4 Land Access	2 650	265	2 915

Enquiries (\$34.10) and reviews (\$550) are funded as part of operating costs.

Members are invoiced quarterly, based on an estimate of costs to be incurred in the following quarter. Each quarter actual and estimated charges are reconciled.

The funding model has two important consequences. If a member incurs no complaints it pays nothing to the TIO. During 2007/08, only 19 per cent (215) of the 1 106 members were charged for complaints.

Also, the model is based on the principle of demand-driven funding - if complaints rise, the TIO can fund the recruitment of extra staff to handle those complaints.

The TIO has a policy whereby the first four level 1 complaints and the first level 2 complaint each quarter are free to members. This resulted in members not being charged for 2 933 level 1 complaints and 475 level 2 complaints in 2007/08.

How we operate

The Ombudsman's overview



From left, Deputy Ombudsman, Simon Cleary, Ombudsman, Deirdre O'Donnell and General Manager Business, Phillip Carruthers.

The story in this year's TIO *Annual Report* is consistent with past years in that the figures reflect a continuing growth in demand for the TIO's services. In the dynamic telecommunications sector, the role of the TIO as a redress mechanism for consumers remains vital.

By the end of 2007/08, an average of 5 000 people a week were seeking the TIO's assistance in resolving their complaint with their telephone, mobile or internet service provider. Most of these consumers contacted us by phone, but we are seeing a steady increase in the number using our website.

Our top priority is to be accessible and responsive to these consumers; to provide the best dispute resolution service we can, while at the same time assisting our scheme members to resolve complaints fairly and efficiently. While our vision is to provide leadership and excellence in dispute resolution, how well we fulfil our mission in the face of the challenges posed by growth in demand has been a key focus over the past year, and remains a major priority for the year ahead.

Thanks to the collaborative work done by the TIO's Council, Board and staff in articulating four strategic goals and developing ways to measure our success against these, we now have a clear and powerful framework to guide all aspects of our operations (See Our strategic goals, page 11).

Our first goal, to remain relevant, means that, as an independent ombudsman scheme, we remain connected with and open to the people we are helping and the industry itself. By being committed to remaining relevant, we show we are committed to learning about the needs of the people who contact us and the members we deal with, so that we can serve them better.

Our second goal, to assist stakeholders, represents the proactive side of the work of the TIO. Traditionally, ombudsmen receive and investigate complaints, which is essentially reactive. However, in order to drive better complaint handling among members, and to more efficiently and effectively identify and respond to systemic issues, the TIO is committed to taking a more proactive approach.

The key word here is "assist". We will assist members resolve complaints, which should lead to better outcomes for consumers and for the TIO as an office of last resort. This goal also encompasses our commitment to the principle of accessibility.

Our third goal, to provide an efficient and effective complaint handling service, is about the TIO's core business. It embodies our commitment to the benchmarks of independence, accessibility, efficiency, effectiveness, accountability and fairness, and to offering the best possible service we can to every consumer who rings or writes to us and every member we deal with in the course of a referral or an investigation.

The fourth goal, to be a successful organisation, focuses on making sure we are a strong organisation with quality systems and processes to support every member of staff to deliver against these goals.

In the year ahead, these goals will inform and guide our actions and our engagement with consumers and the industry.

I would like to take this opportunity to thank the staff and management of the TIO for their dedication and professionalism, and to acknowledge their enthusiasm in rising to the challenges our environment presents. I look forward to being able to report against our achievements under these goals in next year's report.

Deirdre O'Donnell
Ombudsman

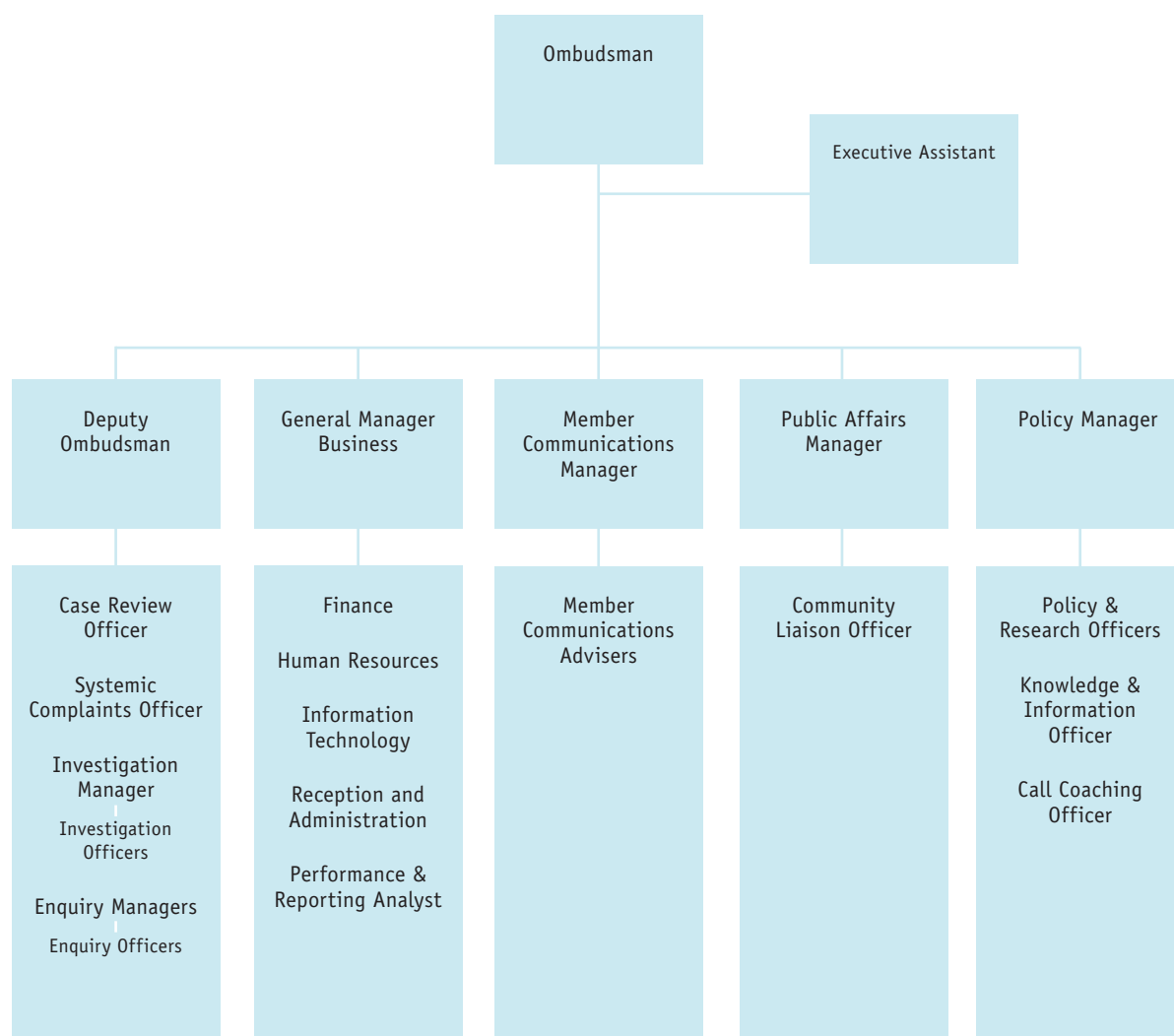
How we operate

Our people

The TIO has faced many challenges during the year in ensuring it has the right people at the right time to enable it to deliver its mission of “providing free, independent, just, informal, and speedy resolution of complaints”.

Numbers grew by 46 per cent to 145.3 full-time equivalent staff, with 81 per cent directly investigating complaints.

Figure 3 Organisation chart



Our people

Recruitment

Due to the continued growth in complaints over the past financial year and staff turnover of 14%, the TIO has filled 81 vacant positions.

Table 3 Staff activity

	2006/07	2007/08
Enquiry Officers	29	34
Investigation Officers	11	39
Legal Investigation Officers	2	1
Senior Investigation Officers	5	1
Operational and administrative employees	13	6

This includes 15 internal candidates who were selected for promotion to more senior positions. Thirteen were promotions within the investigation area and two moved to an operational and administrative role.

In addition to the above number there were 14 opportunities for TIO employees to act in various management and administrative roles as part of their personal and professional development. We also recruited and trained an additional 20 temporary agency staff as enquiry officers to help meet demand at peak times.

Equal employment opportunity

As part of its aim of becoming an employer of choice, the TIO is continuing to examine the relationship it has with its employees and to identify ways in which to adopt flexible working practices. Along with our philosophy of recruiting and selecting based on merit, this has ensured that the workforce at the TIO continues to diversify.

The graphs on page 23 provide a breakdown of the current workforce.

Organisational realignment

To meet our strategic goals (See Our strategic goals, page 11) at the beginning of 2008 we undertook an organisational realignment. The key aspects included:

- the creation of a Planning and Stakeholder Engagement Unit, which incorporates the Public Affairs, Policy and Member Communications areas
- the creation of several new senior management positions and a team management structure in the complaint investigations area
- the restructuring of some existing senior management roles.

The new structure has been progressively implemented over the last quarter of 2007/08 with full implementation scheduled for September 2008.

Learning and development

We continued our weekly training sessions during the year, with general presentations, such as occupational health and safety refreshers, and more specific sessions such as the investigative process and new technology.

External training was also conducted by various providers and included:

- disability awareness training presented as part of our *Second Disability Action Plan 2008-2010*
- training to help investigative staff deal with complaints that involve cognitive capacity issues
- internal consulting training to assist the business division support other areas of the TIO in a structured and professional manner
- effective management development delivered by Leadership Management Australia to develop management skills and provide development opportunities for potential leaders.

The learning and development team have continued to regularly attend meetings of the Australian and New Zealand Ombudsman Association's learning and development committee.

The continuous recruitment of new investigative staff and the increasing demand for learning and development of existing staff has resulted in the appointment of a further full-time learning and development officer.

The TIO also provides financial assistance to staff undertaking additional study. This year assistance was granted to 26 staff who are undertaking a range of degrees and personal development activities.

Figure 4 Gender split - all staff

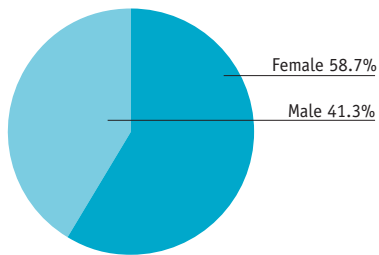


Figure 5 Gender split - management

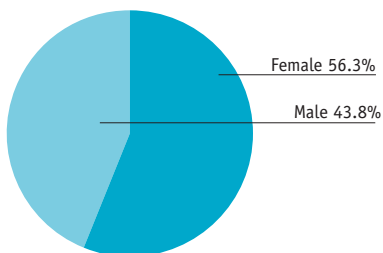


Figure 6 Employment type - all staff

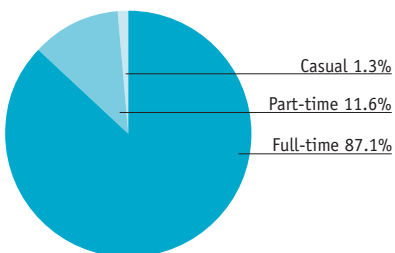


Figure 7 Employment type - managers

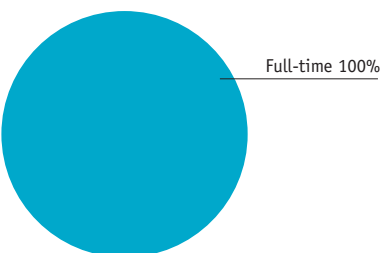


Figure 8 Average age

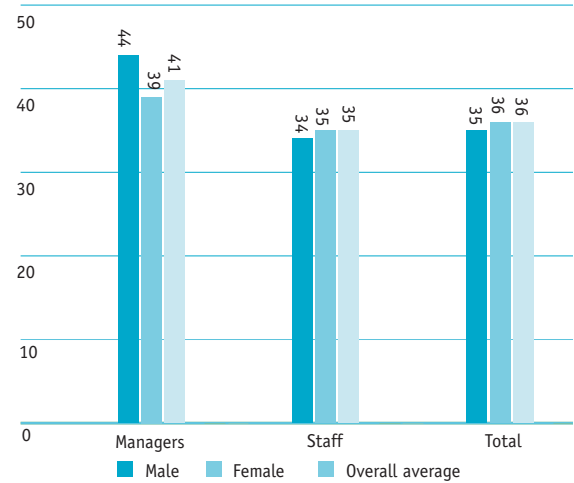
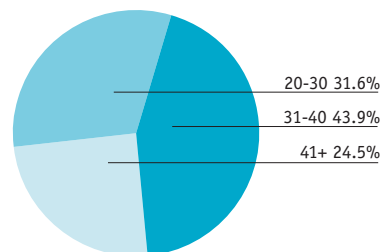


Figure 9 Age profile all staff



Our people

Occupational health and safety

We aim to eliminate or minimise the risk of exposure to hazards. Staff and management monitor and assess work practices and the working environment to identify and address hazards before they cause injuries or incidents.

In 2007/08, there were six reported incidents, with one requiring the person to take time off. This was related to the work being done to set up additional office space on the floor above our current offices and the dust and additional hazards that this created. However, this was a short-term issue and has been resolved.

Employee assistance program

TIO employees and their families have access, to a confidential counselling service. The number of staff using this service has increased by 52 per cent over the past year, with most people seeking help with personal issues. (This compares with a 46 per cent growth in staff numbers.)

Reports from the EAP provider linked the increase in work-related issues to people seeking assistance to build their confidence, and the counselling of people in interview skills so that they could make the most of opportunities created through the realignment.

Figure 10 Staff using employee-assistance program

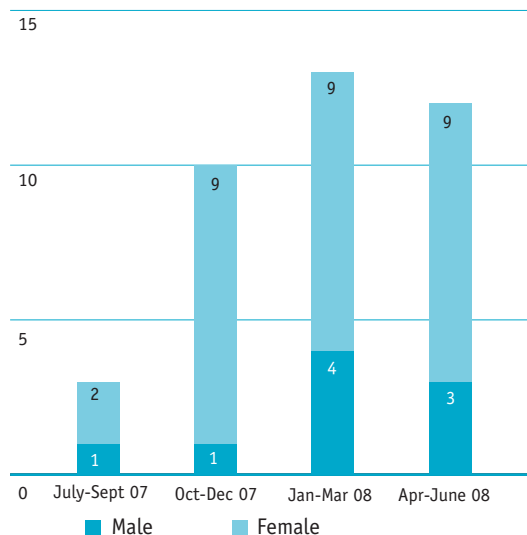
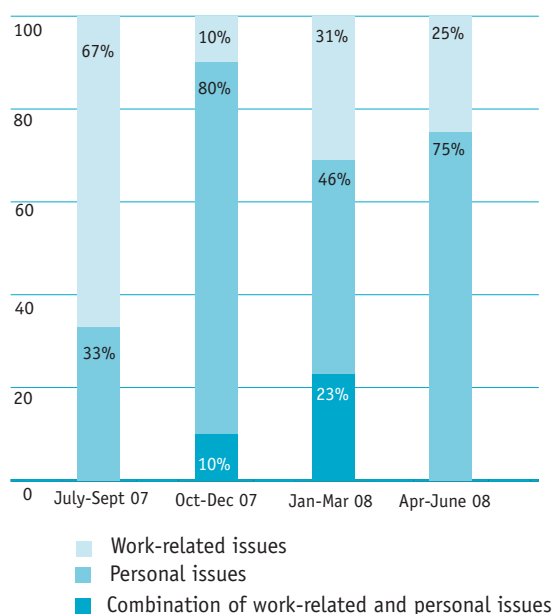


Figure 11 Assistance by issue



How we handle complaints

Alternative dispute resolution

The TIO is an alternative dispute resolution (ADR) body. Alternative dispute resolution is a means of settling a dispute outside a courtroom.

It can be difficult, time-consuming and cost a lot of money to try to settle disputes through the courts. ADR is a more accessible and informal way of resolving a complaint.

The TIO's role is to help consumers and telecommunications companies resolve complaints together. We investigate complaints by considering the facts provided by both parties; that is, the individual or business with a complaint and their telephone or internet service provider. When the TIO helps to resolve complaints it considers not only the law and good industry practice but also what is fair and reasonable in the circumstances. The TIO also adheres to a number of position statements, which are at www.tio.com.au, and these are an indication to complainants and members as to how the TIO might resolve a complaint.

The TIO stays independent of both parties at all times and does not take on a consumer advocacy role.

Complaint classification

Complaint classification

Complaint resolution involves facilitated negotiated resolution at level 1 and level 2 and formal investigation at level 3 and 4.

Table 4 Complaint classification

Action	
Level 1	Level 1 complaints are referred back to the provider, giving both parties another chance at resolution.
Level 2	Complaints that cannot be resolved at level 1, either because we consider that the proposed outcome is not fair or reasonable, or because we have not seen enough evidence to assess whether the proposed outcome is fair or reasonable, are raised to level 2. This gives the provider and consumer a final chance at informal resolution, a process facilitated by the TIO.
Level 3	Level 3 complaints require formal TIO investigation. They still allow providers and complainants to liaise with one another to achieve a fair and reasonable outcome. Where a fair and reasonable outcome is not offered by a provider, the TIO may make a binding (on providers) determination up to \$1 200.
Level 4	If the provider has failed to respond to a level 3 complaint within the required time, the complaint may be raised to level 4. This is known as an administrative level 4. Alternatively, if the TIO decides that the outcome of a level 3 complaint is not fair or reasonable, or we have not seen enough evidence from the provider to determine that it is fair or reasonable and the amount in dispute exceeds \$1 200, the TIO may escalate to level 4 for further investigation and possibly determination.
Determinations and directions	Where a fair and reasonable outcome cannot be achieved through conciliation, the TIO can direct a provider. At level 4 the TIO's binding powers are limited to determinations or directions to the value of \$10 000. While determinations and directions are binding on members, complainants can elect to accept or decline them.
Recommendations	In addition to binding decisions, the TIO can make non-binding recommendations to members, provided that these do not exceed \$50 000. In the 15-year history of the TIO, non-binding recommendations have been rare and none has been rejected.
Reviews	<p>If a person is not satisfied with the outcome of their complaint, they may request a review. A review involves an independent assessment of the investigation, along with an evaluation of whether the investigating officer requested and considered all the information before making a decision. The Review Officer reports directly to the Ombudsman.</p> <p>The Review must consider whether the TIO had the power to investigate the complaint in the first place, as well as taking into account relevant law and industry codes, our position statements and whether we had regard to the principles of alternative dispute resolution. The Review Officer can be asked to review the outcome of all levels of complaints except those which have been determined.</p> <p>In 2007/08, the TIO received on average 21 review requests a month. At 30 June 2008, 36 cases were awaiting review. The timeframe for these to be completed is ten to 12 weeks.</p>

TIO scheme	MPSI scheme
92.5 per cent of complaints (125 595) were resolved at level 1.	96.6 per cent of MPSI complaints (13 426) were resolved at level 1.
6.1 per cent of complaints (8 340) resolved.	3.0 per cent of complaints (415) resolved.
1.3 per cent of complaints (1 785) resolved.	0.4 per cent of complaints (58) resolved.
0.1 per cent of complaints (123) resolved.	0 per cent of complaints (0) resolved.
Five complaints, under the TIO and MPSI schemes, were determined. Details of determinations are available at www.tio.com.au .	
No recommendations were made in 2007/08	
<p>In 2007/08, 257 reviews were requested under the TIO and MPSI schemes, compared with 260 the previous year. Of these, in 181 cases, the Review Officer's findings agreed with that of the Enquiry or Investigation Officer, so no further investigation was needed. In 49 cases, additional information was sought by the Review Officer before it was concluded that a fair and reasonable outcome had been achieved. In 22 cases the findings were overturned and the complaints were returned to the relevant staff member for additional investigation and possible escalation. In five cases, additional evidence was sought by the Review Officer before the overall finding was overturned.</p>	

Performance

Complaint resolution times

Level 1 complaints are closed on the day that they are logged and only reopened if the complainant returns to the TIO after contact with the member and the TIO determines that the complaint merits formal investigation. With level 2 and 3 complaints, specific actions — such as assessing responses from members and contacting complainants — have benchmark timeframes. These are 77 days for level 2 and 91 days for level 3. Despite this big increase in complaint numbers this year, through the employment of more complaint-handling staff and the improvement of our processes we made substantial progress towards meeting these benchmarks.

Table 5 Average complaint resolution times in days

	Level 2	Level 3	Level 4
2005/06	79	108	164
2006/07	102	155	188
2007/08	89	142	178

Call-handling performance

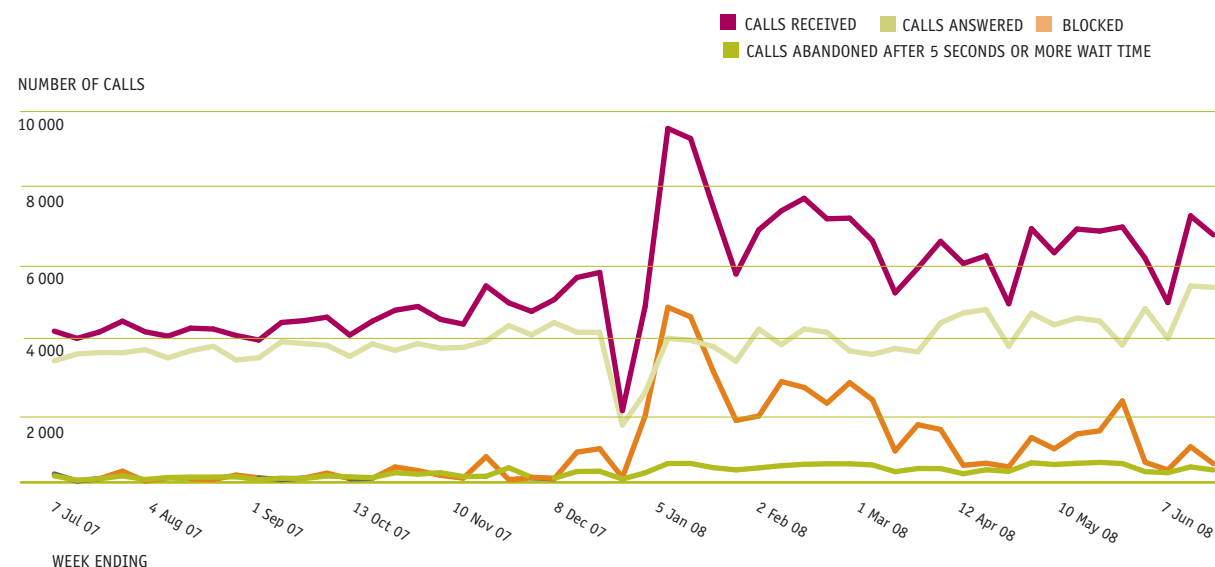
The TIO aims to answer 80 per cent of calls within 60 seconds.

In 2007/08 we averaged 5 270 calls a week, a 41.6 per cent increase from 3 607 in 2006/07. Calls rose steadily towards the end of 2007, and then sharply in early 2008. In January we exceeded 9 000 calls a week. This dropped in February but remained at levels significantly higher than the TIO has experienced in the past.

During the year, our service level was 42.3 per cent of calls answered within 60 seconds, compared with 45.9 per cent the year before. As with the year before, the significant and rapid increase in demand in early 2008 was the primary reason for us not meeting our service level.

We answered an average of 3 681 calls a week in 2007/08, 27.8 per cent more than last year. Ten per cent of callers (about 550 calls) routinely hang up after hearing the introductory message advising them that the TIO is an office of last resort. The number of people who abandoned their calls after waiting for more than five seconds averaged 276 a week, an increase from 164 in 2006/07. An average of 932 calls a week were blocked by the TIO's phone-answering system as there was insufficient staff to handle them, up from 253 in 2006/07. When a call is blocked the caller hears a message advising telling them to try calling back later or suggesting that they lodge their complaint via the TIO's on-line complaint form on our website.

Figure 12 Call-handling performance



Issues analysis

Complaints and complaint issues

The TIO handles complaints about landline, mobile and internet services under the TIO scheme. Mobile premium services are handled under the Mobile Premium Services Industry scheme, which was established in December 2006

This report analyses each scheme separately. Commentary on the TIO scheme is on pages 32 to 44. Commentary on the Mobile Premium Services Industry Scheme is on pages 45 to 46.

Reporting terms

The following issues analysis is examined in terms of complaints and complaints issues.

Complaints

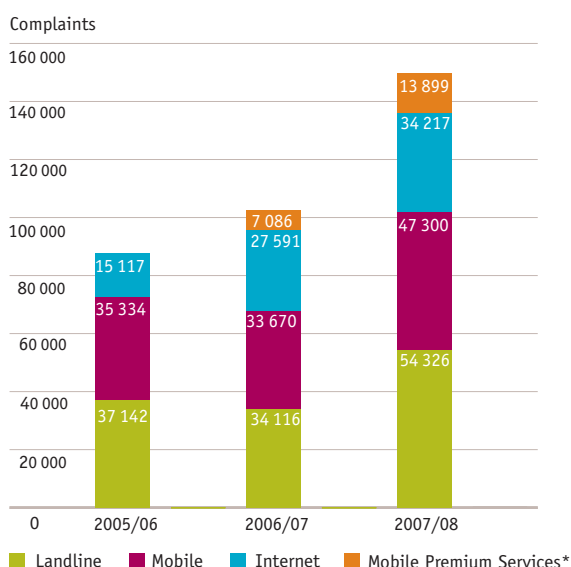
A complaint is an expression of grievance or dissatisfaction that falls within the jurisdiction of the TIO and which the service provider concerned has had an opportunity to resolve. The TIO received 149 742 complaints in 2007/08, a 41.6% per cent increase on 2006/07.

Each complaint is logged according to the service that it occurred under, namely landline, mobile, internet and mobile premium services.

In 2007/08, complaints increased across the board. Landline complaints rose by 59.2 per cent followed by mobile complaints (40.5 per cent) and then internet complaints (24.0 per cent). The Mobile Premium Services Industry scheme was introduced in December 2006, so MPSI complaints cannot be compared between the two years.

The graph below shows the growth in complaints by service type over a three-year period.

Figure 13 Complaints by service type – three-year trend



* 2007/08 was the first full year of the Mobile Premium Services Industry Scheme. The scheme operated from December 2006 to June 2007 in the 2006/07 year.

Complaint issues

A complaint may raise more than one issue. For example, a person who complains about a landline bill may also complain about a landline fault or landline credit management issue. The TIO logged 268 645 complaint issues in 2007/08. This compares with 166 885 complaint issues in 2006/07.

A complete list of complaint issue categories for each service type in the TIO scheme is detailed below.

Categories of landline issues

Billing and payments	Faults
Complaint handling	Land access
Contracts	Payphones
Credit management	Phonecard
Customer service	Privacy
Directories	Provisioning
Disability	Customer transfer

Categories of mobile issues

Billing and payments	Faults
Complaint handling	Land access
Contracts	Phonecard
Credit management	Privacy
Customer service	Provisioning
Directories	Customer transfer
Disability	

Categories of internet issues

Billing and payments	Faults
Complaint handling	Land access
Contracts	Privacy
Credit management	Provisioning
Customer service	Customer transfer
Disability	

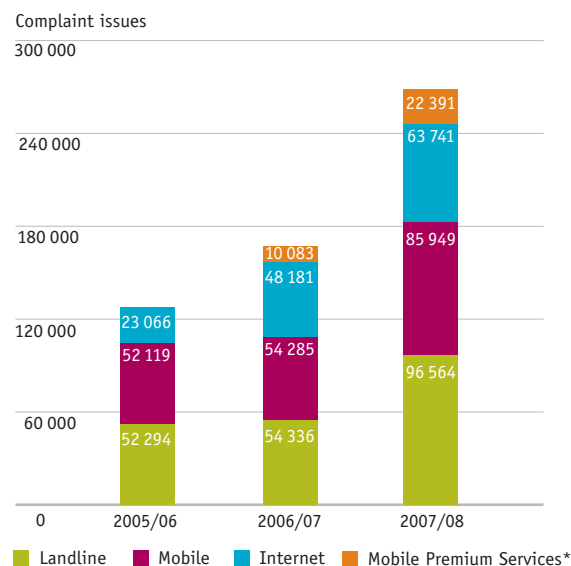
Issues analysis

Complaints and complaint issues continued

MPSI scheme complaint issues categories are detailed in the MPSI section on page 45.

Complaint issues increased across all service types. Landline complaint issues increased by 77.7 per cent, mobile complaint issues by 58.3 per cent and internet complaint issues by 32.3 per cent. The following graph shows the growth in complaint issues by service type over three years.

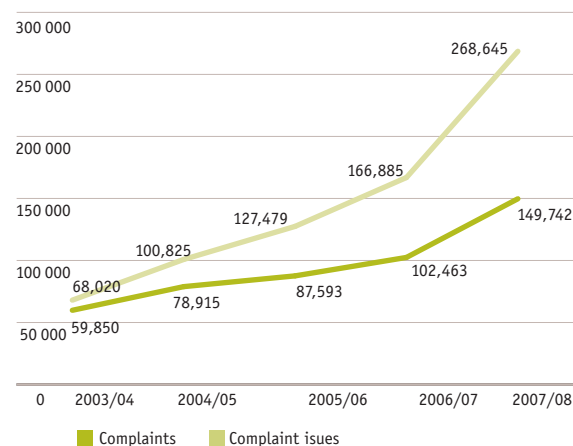
Figure 14 Complaint issues by service type – three-year trend



* 2007/08 was the first full year of the Mobile Premium Services Industry Scheme. The scheme operated from December 2006 to June 2007 in the 2006/07 year.

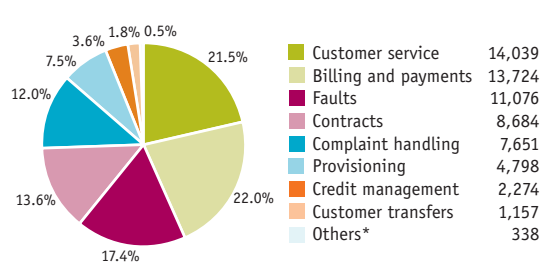
Figure 13 shows the growth in complaints and complaint issues over the past five years.

Figure 15 Complaints and complaint issues – five year trend.



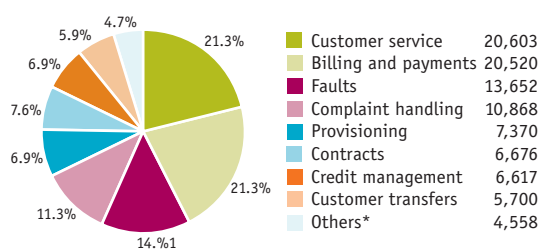
Figures 16 to 18 show complaint issues according to service type.

Figure 16 Internet complaint issues by category



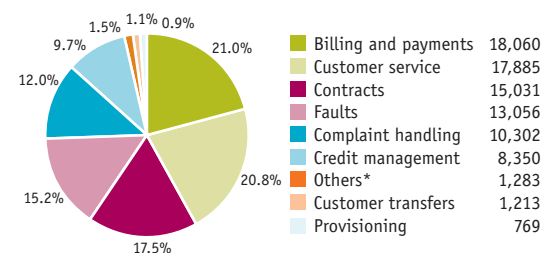
* Others includes Disability, Land access and Privacy.

Figure 17 Landline complaint issues by category



* Others includes Directories, Disability, Land access, Payphones, Phonecards and Privacy.

Figure 18 Mobile complaint issues by category



* Others includes Directories, Disability, Land access, and Privacy.

Table 6 Complaint issues by category

	2006/07	2007/08	Percentage change
Customer service	27 048	52 527	94.2%
Billing and payments	35 918	52 304	45.6%
Faults	20 572	37 784	83.7%
Contracts	18 148	30 391	67.5%
Complaint handling	25 274	28 821	14.0%
Mobile premium services*	10 083	22 391	122.1%
Credit management	11 309	17 241	52.5%
Provisioning	7 905	12 937	63.7%
Transfers	6 215	8 070	29.8%
Privacy	2 343	3 171	35.3%
Directories	923	1 080	17.0%
Phonecard	561	906	61.5%
Land access	480	821	71.0%
Disability	72	174	141.7%
Payphones	34	27	-20.6%
Total	166 885	268 645	61.0%

* 2007/08 was the first full year of the Mobile Premium Services Industry Scheme. The scheme operated from December 2006 to June 2007 in the 2006/07 year.

We have analysed this year's statistics according to complaint issues categories, with particular emphasis on the top eight issues. The TIO issues analysis considers issues categories across landline, mobile and internet services.

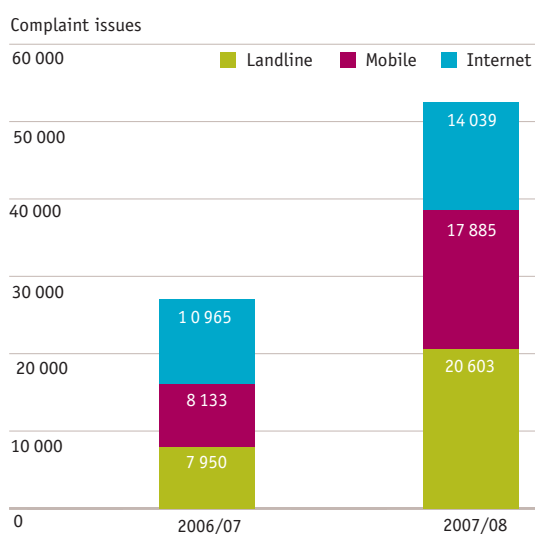
Complaint issues numbers by category for all service types appear in table 6.

Issues analysis

TIO scheme

CUSTOMER SERVICE

Figure 19 Customer service complaint issues



This year, for the first time, customer service complaint issues are the leading source of complaint. Customer service complaint issues are mostly recorded as secondary issues to primary complaints. For example, a complaint may be made up of several complaint issues including a problem with a bill or direct debit, or a delay in rectifying a fault or connecting a service.

The main drivers for customer service complaint issues included:

- claims by consumers that service providers provided incorrect or inadequate advice about the complaint event (38.7 per cent)
- service providers failing to action consumers' requests. For example, the cancellation of a service, updating a consumer's address details or the transfer of a service (27.4 per cent)
- consumers being unable to contact the service providers (14 per cent) or having lengthy wait times before being able to speak with a customer service representative of the service provider (13.3 per cent)
- discourtesy (6.2 per cent).

Table 7 Customer service issues by category

	2006/07		2007/08	
Incorrect or inadequate advice	10 707	39.6%	20 351	38.7%
Failure to action a request	8 590	31.8%	14 409	27.4%
Unable to contact	4 003	14.8%	7 360	14.0%
Lengthy wait time	2 294	8.5%	6 962	13.3%
Discourtesy	1 215	4.5%	3 260	6.2%
Refusal to deal with advocate	239	0.9%	185	0.4%
Total	27 048		52 527	

BILLING AND PAYMENTS

Figure 20 Billing and payments complaint issues

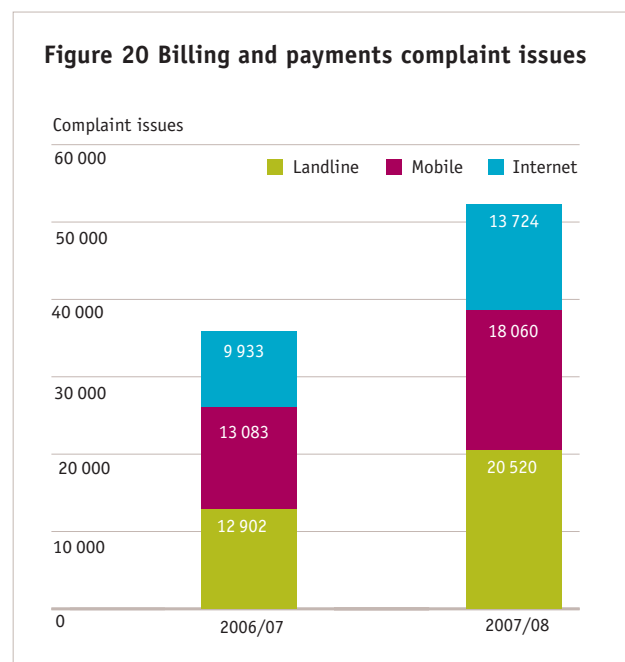


Table 8 Billing and payments issues by category

	2006/07		2007/08	
Disputed usage charges includes internet usage charges, total of bill, and timed calls	17 012	47.4%	21 119	40.4%
Disputed recurring charges includes equipment and service charges	4 649	12.9%	8 790	16.8%
Disputed administration charges includes charges for the initial connection and termination fees	5 344	14.9%	7 478	14.3%
Credit/adjustment includes charges and or adjustments incorrectly applied or not applied	2 607	7.3%	4 430	8.5%
Direct debit includes not activated, not authorised, or not cancelled	2 990	8.3%	3 683	7.0%
Bill not received	1 361	3.8%	2 620	5.0%
Payments incorrectly applied or not applied	724	2.0%	1 617	3.1%
Bill details and or format	637	1.8%	1 396	2.7%
Others include delayed charges, charges arising upon the consolidation or deconsolidation of the consumer's account/services, and debts arising from a pre-paid service	594	1.7%	1 171	2.2%
Total	35 918		52 304	

The billing and payments category, which has traditionally been the TIO's top category, was replaced for the first time by customer service. Billing and payments encompasses disputes about usage charges, administrative charges imposed by service providers and disputes relating to incorrect or unauthorised direct debits.

The main drivers for billing and payment complaint issues included:

Disputed usage charges

This category included claims that consumers had:

- incurred excessive charges after exceeding their internet download limit
- disputed the total of their bills because they were unable to identify the pricing or nature of the charges
- not been placed on the correct plan for their service and as a result they had incurred higher than expected charges.

These types of complaint issues may arise if there is insufficient information on the bill or at the point of sale about the price and nature of the service. This category formed the main component of billing and payments complaint issues, comprising 40.4 per cent in 2007/08 (compared to 47.4 per cent in 2006/07).

Disputed recurring charges

This category includes claims by consumers that they had:

- been incorrectly charged for or did not know that they would be charged for equipment bundled with their service
- not had access to their service for various reasons and ought not be charged the service charges.

Disputed administration charges

This category includes claims by consumers that the service provider had charged them an administrative charge. For example, they may have been charged an initial connection fee for a service that was not connected, or charged a termination fee under circumstances where they were unaware of this fee at the point of sale or at termination.

Credit and/or adjustment

This includes claims that the service provider incorrectly applied or failed to apply a credit or discount to the customer's account where this credit had previously been promised or was part of the consumer's terms and conditions.

Direct debit

This category includes claims that a consumer's bank account or credit card was direct debited without their authority or their direct debit instructions to the service provider were not activated, or in some situations, not cancelled after they terminated the service.

Bill not received

This category includes claims that the customer did not receive their bills from their service provider.

TIO scheme continued

FAULTS

Figure 21 Faults complaint issues

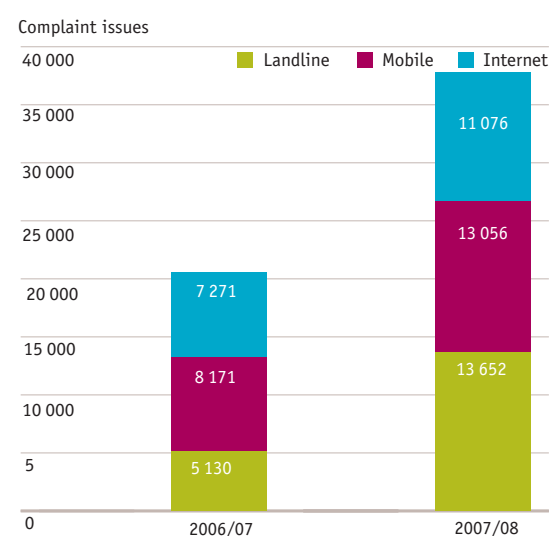


Table 9 Faults issues by category

	2006/07		2007/08	
Equipment faults (non-CSG service)	6 178	30.0%	9 400	24.9%
Fully unworkable (CSG service)	2 679	13.0%	6 569	17.4%
Fully unworkable (non-CSG service)	3 706	18.0%	4 963	13.1%
Drop outs (non-CSG service)	1 986	9.7%	2 800	7.4%
Coverage (non-CSG service)	1 208	5.9%	2 595	6.9%
Partly unworkable (CSG service)	795	3.9%	2 217	5.9%
Slow data speed (non-CSG service)	1 101	5.4%	2 060	5.5%
Recurring and or intermittent fault (CSG service)	749	3.6%	1 872	5.0%
Disconnected in error	565	2.7%	1 351	3.6%
Enhanced and or add on service	524	2.5%	1 070	2.8%
Missed appointment	170	0.8%	857	2.3%
Compensation (CSG service)	190	0.9%	619	1.6%
Others include complaint issues relating to problems encountered with an interim or alternative service, network outage for a non-CSG service, compensation for delays in repairing a fault on a non-CSG service, enhanced or add on services, and where a service provider seeks to claim an exemption for mass service disruptions.	721	3.5%	1 411	3.7%
Total	20 572		37 784	

The faults category generally relates to complaints made by consumers about delays in rectifying an ongoing or intermittent fault with their service. It also incorporates missed appointments, erroneous disconnection of services and changes in coverage or availability of a service.

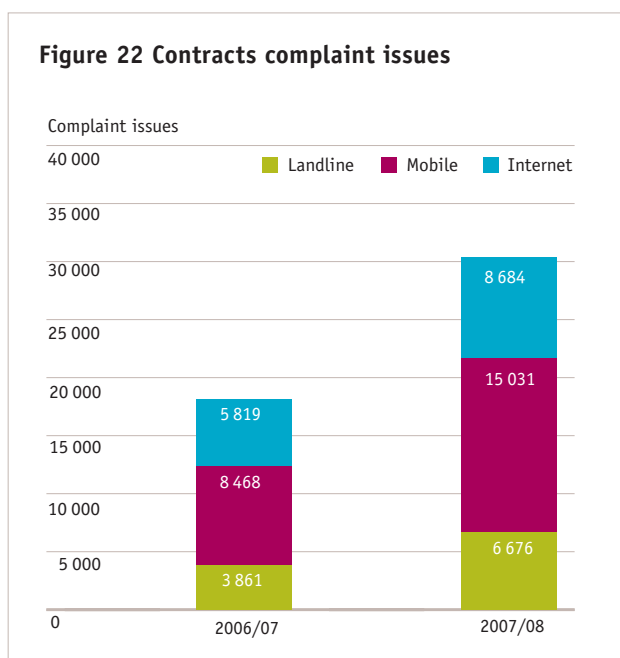
Complaint issues in this category often depend upon the application of the Customer Service Guarantee or CSG. The CSG is a set of performance requirements placed by ACMA on providers of the standard telephone service. The CSG sets time limits and other standards for rectification of faults, connections and appointments. The CSG entitles customers to a set scale of compensation payments if the standards are not met. To view or download a fact sheet on the CSG, please visit www.acma.gov.au.

The main drivers in this category included claims by consumers that:

- they experienced an equipment fault for a service where the CSG did not apply (24.9 per cent compared to 30.0 per cent)
- their standard telephone service (CSG service) was fully unworkable (17.4 per cent compared to 13.0 per cent)
- their mobile service or other non-CSG service was fully unworkable (13.1 per cent compared to 18.0 per cent)
- they experienced drop outs on their internet or mobile service (7.4 per cent compared to 9.7 per cent in 2006/07)
- they experienced coverage difficulties with their mobile or internet service. (6.9 per cent compared to 5.9 per cent)
- their standard telephone service (CSG service) was partly unworkable (5.9 per cent compared to 3.9 per cent)
- the data speed for their internet or mobile service (non-CSG service) was slow (5.5 per cent in 2007/08, similar to that recorded in 2006/07)
- they were experiencing recurring or intermittent faults with their standard telephone service (5.0 per cent compared to 3.6 per cent).

CONTRACTS

Figure 22 Contracts complaint issues



This category includes claims that a consumer was provided with misleading information at point of sale about the service or the terms and conditions of that service, including applicable charges.

The main drivers include claims by consumers that:

- they were not provided enough information or advice at the point of sale about the service or the terms and conditions for the service
- service providers varied the terms of their contracts. Examples included where a service provider increased the prices for the service compared to what was offered at the point of sale, or where the service provider introduced a change to the usage limit under a plan
- service providers sought to enforce terms of a contract unfairly or inappropriately
- there was a delay in the termination or cancellation of a service and the consumer continued to be charged
- they were provided with misleading or incomplete information at the point of sale about network coverage
- they received incorrect advice or were not provided any advice about termination fees when they sought to terminate the service
- they were unaware at the outset that they were on a fixed-term contract.

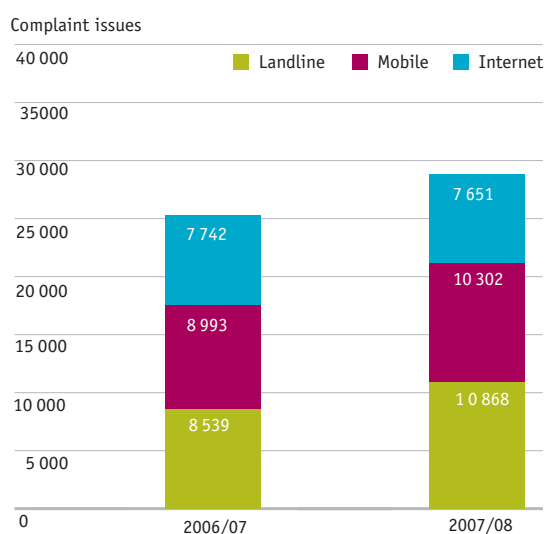
Table 10 Contract issues by category

	2006/07		2007/08	
Point of sale advice — product and terms	8 779	48.4%	13 026	42.9%
Variation of terms	1 521	8.4%	2 671	8.8%
Enforcement of terms	1 757	9.7%	2 577	8.5%
Termination — delay	1 257	6.9%	2 381	7.8%
Point of sale advice — coverage	822	4.5%	2 079	6.8%
Termination advice — termination fee	1 026	5.7%	1 542	5.1%
Deny all knowledge	133	0.7%	1 403	4.6%
Sales tactics	617	3.4%	1 167	3.8%
Point of sale advice — cooling off	375	2.1%	719	2.4%
Point of sale advice — termination fee	336	1.9%	616	2.0%
Impaired decision making	376	2.1%	597	2.0%
Failure to provide contract	491	2.7%	581	1.9%
Others include complaints relating to changing the account holder, bundling of the contract, point of sale advice about the name of the supplier, where the consumer is not the end user, and the written presentation of the terms and conditions of the contract.	658	3.6%	1 032	3.4%
Total	18 148		30 391	

TIO scheme continued

COMPLAINT HANDLING

Figure 23 Complaint handling complaint issues



Complaint handling complaint issues are usually recorded as secondary issues to primary complaint issues. For example, a failure to send a refund cheque or not calling a customer back after promising to do so within a specified timeframe or at all.

The main drivers for this category were similar to those of 2006/07 and include claims by consumers that:

- service providers failed to refer them to the TIO
- service providers failed to action undertakings they had made
- service providers failed to escalate their complaint internally
- they did not receive any acknowledgement of their written complaint from the service provider
- they did not receive any advice from the service provider about the outcome of their complaint.

Table 11 Complaint handling issues by category

	2006/07		2007/08	
Failure to refer to TIO	17 724	70.1%	14 012	48.6%
Failure to action undertakings	3 839	15.2%	7 293	25.3%
Failure to escalate	1 315	5.2%	3 242	11.2%
Failure to acknowledge a written complaint	1 432	5.7%	1 983	6.9%
Failure to advise of outcomes	524	2.1%	1 705	5.9%
Failure to record a complaint	412	1.6%	543	1.9%
Charges for itemisation of disputed bill/ complaint handling	28	0.1%	43	0.1%
Total	25 274		28 821	

CREDIT MANAGEMENT

Figure 24 Credit management complaint issues

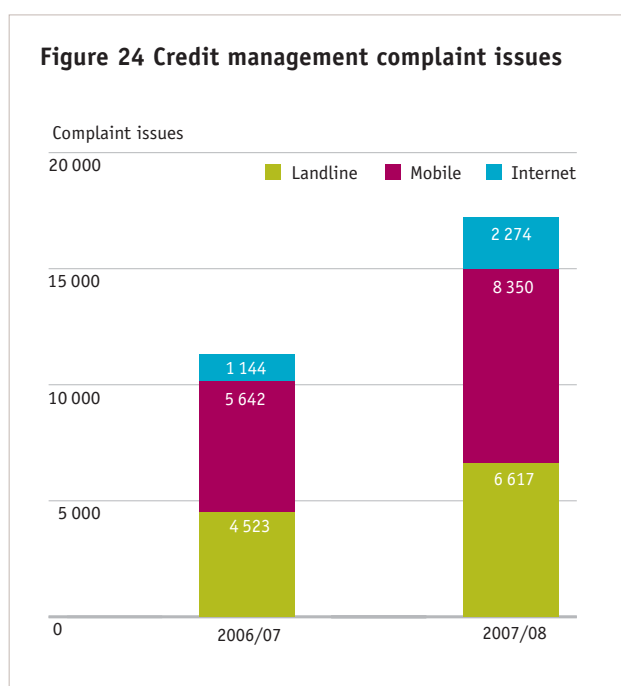


Table 12 Credit management issues by category

	2006/07		2007/08	
Collections agents - disputed debt	1 686	14.9%	3 040	17.6%
Suspension / disconnection – notification	2 137	18.9%	3 029	17.6%
Suspension / disconnection – disputed debt	1 085	9.6%	2 089	12.1%
Credit default – disputed debt	1 513	13.4%	1 876	10.9%
Payment arrangement – refusal to negotiate	1 244	11.0%	1 619	9.4%
Overcommitment – adequacy of supplier controls	571	5.0%	1 315	7.6%
Credit default – notification	1 032	9.1%	1 286	7.5%
Payment arrangement – refusal to re-negotiate	535	4.7%	717	4.2%
Overcommitment advice – credit control tools	336	3.0%	495	2.9%
Failure to suspend collections – disputed debt	329	2.9%	439	2.5%
Credit default – failure to update	273	2.4%	334	1.9%
Others include complaints about a failure to record a payment arrangement, poor conduct by collections agents, refusal to provide a service or restriction of a service on the basis of credit assessment, a failure to suspend collections when there is a payment arrangement, bankruptcy or an old debt, and a failure to assess a consumer's credit	568	5.0%	1 002	5.8%
Total	11 309		17 241	

This category relates to disputes about credit management action by service providers.

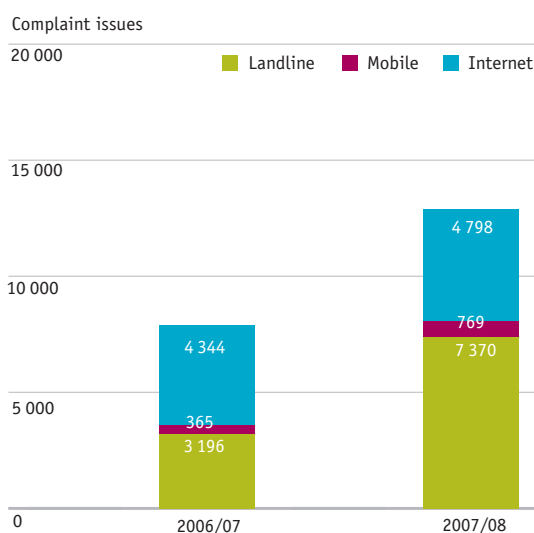
The main drivers for credit management complaint issues included claims by consumers that:

- the service provider's collection agent continued to pursue them for an outstanding debt even though the consumer disputed this debt. This comprised 17.6 per cent of credit management complaint issues in 2007/08 (14.9 per cent in 2006/07)
- service providers failed to notify the consumer before suspending or disconnecting a service. (17.6 per cent compared to 18.9 per cent)
- service providers suspended or disconnected their service despite knowing that the consumer was disputing the outstanding debt (12.1 per cent compared to 9.6 per cent)
- service providers listed the debt with a credit reporting agency despite being notified that the consumer was disputing the debt (10.9 per cent compared to 13.4 per cent)
- service providers refused to negotiate (9.4 per cent) or re-negotiate (4.2 per cent) a payment arrangement based on the consumer's individual circumstances (compared to 11 per cent and 4.7 per cent respectively in 2006/07)
- the service provider did not have adequate mechanisms to monitor or control the consumer's use of the services so as to minimise the consumer's exposure to financial over-commitment (7.6 per cent compared to 5 per cent).
- they were not notified by the service provider prior to the listing of a debt with a credit reporting agency (7.5 per cent compared to 9.1 per cent)

TIO scheme continued

PROVISIONING

Figure 25 Provisioning complaint issues



Provisioning complaint issues are generally about delays in connecting internet, landline or mobile services. This category also incorporates complaints about missed appointments, issues around the allocation of service numbers and the accuracy of advice about coverage or availability of a service.

The main drivers included claims by consumers that:

- they experienced delays in connecting an entirely new service (CSG or non-CSG service) (44.2 per cent in 2007/08 compared to 52.2 per cent in 2006/07) and re-connecting a previously connected or in-place service (CSG or non-CSG service) (24.4 per cent compared to 21.2 per cent)
- they were given incorrect information as to the availability or coverage of a service (14.1 per cent compared to 15.3 per cent). For example, complaints like this occur where a consumer is given a connection date for a new service and the service is either not connected due to it not being available in the consumer's area or is connected but with insufficient coverage and/or line speed
- they requested the connection of a specific service number or were offered a specific number, but the service provider either refused or was unable to connect the agreed number (5.0 per cent compared to 3.6 per cent)
- the service provider failed to keep an agreed appointment for the connection of a CSG service and failed to notify the customer in advance (4.8 per cent compared to 1.5 per cent).

Table 13 Provisioning issues by category

	2006/07		2007/08	
New service - delay (CSG)	1 380	17.5%	2 978	23.0%
New service - delay (non-CSG service)	2 743	34.7%	2 738	21.2%
Delay - in-place service (CSG service)	1 022	12.9%	2 256	17.4%
Advice - coverage/availability	1 211	15.3%	1 821	14.1%
Delay - in-place service (non-CSG service)	660	8.3%	905	7.0%
Number allocation	285	3.6%	642	5.0%
Missed appointment (CSG service)	116	1.5%	621	4.8%
Delay - in-place service (Connect Outstanding)	135	1.7%	225	1.7%
New service - pre-provisioning delay	107	1.4%	184	1.4%
New service delay - compensation	81	1.0%	134	1.0%
Others include complaint issues relating to missed appointments for the connection of a non-CSG service, problems relating to an interim or alternate service or compensation for the delay in connecting an in-place service	165	2.1%	433	3.3%
Total	7 905		12 937	

CUSTOMER TRANSFER

Figure 26 Customer transfer complaint issues

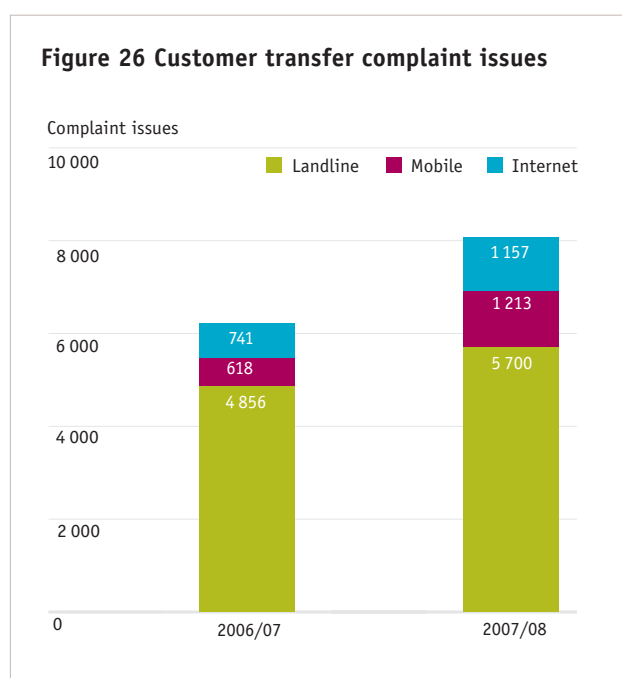


Table 14 Customer transfer issues by category

	2006/07		2007/08	
Delay	1 568	25.2%	3 235	40.1%
Unauthorised — no informed consent	2 195	35.3%	2 242	27.8%
Unauthorised — not authorised customer	700	11.3%	705	8.7%
Unauthorised — cancelled in cooling-off period	352	5.7%	468	5.8%
Point of sale advice product and terms	265	4.3%	427	5.3%
Unauthorised — administrative error	255	4.1%	273	3.4%
Reversal — failure to reverse	203	3.3%	215	2.7%
Reversal — delay in reversing	84	1.4%	175	2.2%
Sales tactics	256	4.1%	157	1.9%
Others include complaints relating to the transfer of services where there was incorrect or insufficient information supplied at the point of sale about the name (identity) of the supplier or about the cooling-off period or where the consumers claim that they were not made aware of the existence or specific amount of a fee for terminating the service	337	5.4%	173	2.1%
Total	6 215		8 070	

This category relates to difficulties encountered by consumers during the transfer of services between providers. For example, a consumer may claim that there was a delay in the transfer of their service. Customer transfer also encompasses claims by consumers that they had not authorised a transfer or that someone else had arranged it.

The main drivers for transfer complaint issues included claims by consumers that:

- there was a delay in the transfer of their service
- service providers transferred a service without the customer's informed consent, (See Glossary page 87). In complaints of this nature, consumers commonly claim:
 - they were contacted by a telemarketer and agreed over the phone to transfer their service subject to receiving more information
 - that the information provided by the telemarketer about the service was very different to the service that the provider eventually supplied
- the person who arranged the transfer was not the authorised account holder. For example, the supplier proceeded to transfer the service after obtaining the consent of the consumer's spouse or child or employee
- their service was transferred to the service provider even though they cancelled the transfer during the cooling-off period (See Glossary page 67).
- they were provided incomplete or inaccurate information at the point of sale about the product, terms and conditions of the service
- the service was transferred in error due to a service provider inputting incorrect details or the consumer not providing the supplier with correct service details.
- the service provider failed to reverse the transfer of a service or delayed reversing the transfer of the consumer's service.

TIO scheme continued

PRIVACY

Figure 27 Privacy complaint issues

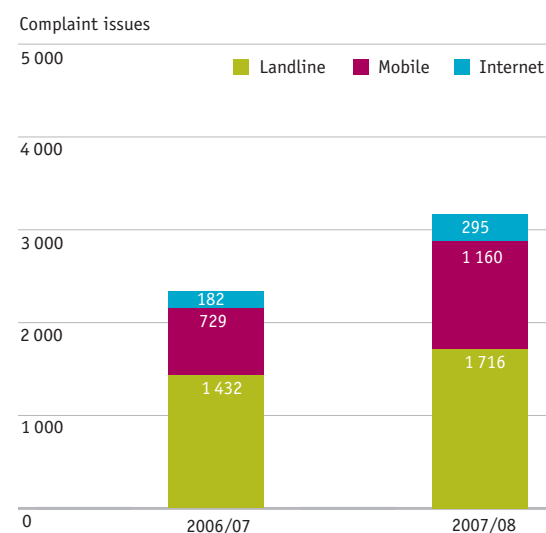


Table 15 Privacy issues by category

	2006/07		2007/08	
Telemarketing	855	36.5%	813	25.6%
<i>Complaints about a provider that has continued telemarketing the complainant after being asked to stop calling. The TIO can investigate telemarketing complaints only when the telemarketer is a member of the TIO scheme.</i>				
Customer personal information complaints include:	951	40.6%	1 443	45.5%
<ul style="list-style-type: none"> access to information held by a provider being denied or inaccurate information being held by a provider disclosure of personal information in relation to a customer's account complaint about disclosure of an unlisted number. 				
Life-threatening calls (see Glossary, page 67)	26	1.1%	35	1.1%
<i>Complaints about a service provider not following correct procedure for dealing with life-threatening calls.</i>				
Spam from internet or telecommunications service provider	22	0.9%	14	0.4%
Spam inadequate advice	21	0.9%	29	0.9%
<i>Complaints about an internet service provider not providing adequate advice or assistance to a customer about preventing spam.</i>				
Unwelcome calls	468	20.0%	837	26.4%
<i>Complaint about a provider not following the correct procedure for dealing with unwelcome calls (calls that are menacing, offensive or harassing in nature.)</i>				
Total	2 343		3 171	

The TIO can investigate complaints relating to apparent breaches of the *National Privacy Principles* by telephone or internet service providers, such as complaints relating to inappropriate collection or disclosure of information. The TIO can also investigate and, where necessary, determine complaints requiring the payment of compensation for costs incurred as a result of serious breaches of privacy, e.g. relocation or other expenses.

DIRECTORIES

Figure 28 Directories complaint issues

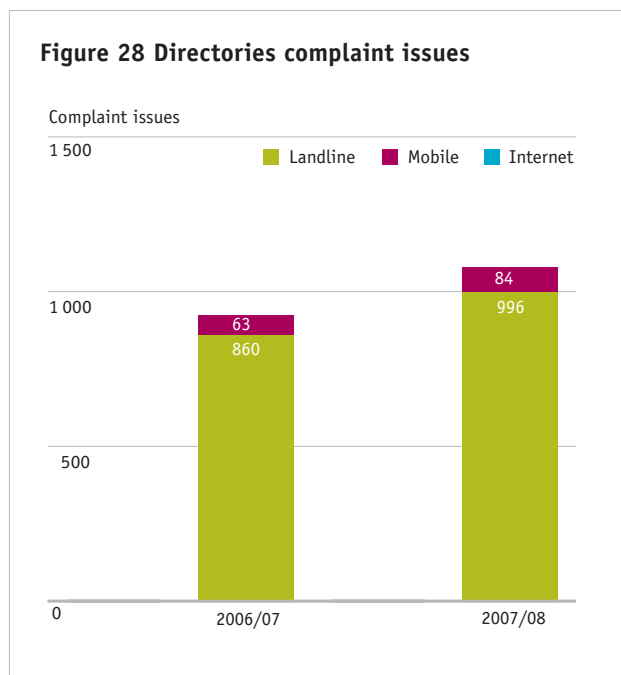


Table 16 Directories issues by category

	2006/07		2007/08	
Directory assistance accessibility <i>Difficulty accessing the directory assistance service.</i>	20	2.2%	15	1.4%
Directory assistance incorrect number <i>Being given the wrong number from directory assistance.</i>	13	1.4%	26	2.4%
Directory assistance omission <i>Person's number not being made available on directory assistance.</i>	7	0.8%	11	1.0%
<i>White Pages</i> disputed charges.	327	35.4%	398	36.9%
<i>White Pages</i> error.	305	33.0%	338	31.3%
<i>White Pages</i> omission.	103	11.2%	92	8.5%
<i>Yellow Pages</i> <i>The TIO cannot take complaints about business directories, but has an agreement to refer Yellow Pages complaints to Sensis, the directory's publishers</i>	148	16.0%	200	18.5%
Total	923		1 080	

The TIO's jurisdiction excludes complaints about business directories. However, we have an informal agreement to refer *Yellow Pages* complaints to Sensis, the directory's publisher. If an agreement cannot then be reached, the TIO does not have the power to intervene.

The TIO can investigate complaints about printed and online *White Pages*.

PHONECARDS

Table 17 Phonecard issues by category

	2006/07		2007/08	
Billing	259	46.2%	377	41.6%
Complaint handling	65	11.6%	119	13.1%
Customer service	98	17.5%	131	14.5%
Fault	78	13.9%	159	17.5%
Point of sale <i>includes complaints about pricing or other advertised terms being inaccurate, incomplete or out of date.</i>	61	10.9%	120	13.2%
Total	561		906	

All phonecard complaints are handled under the landline service category.

TIO scheme continued

LAND ACCESS

Figure 29 Land access complaint issues

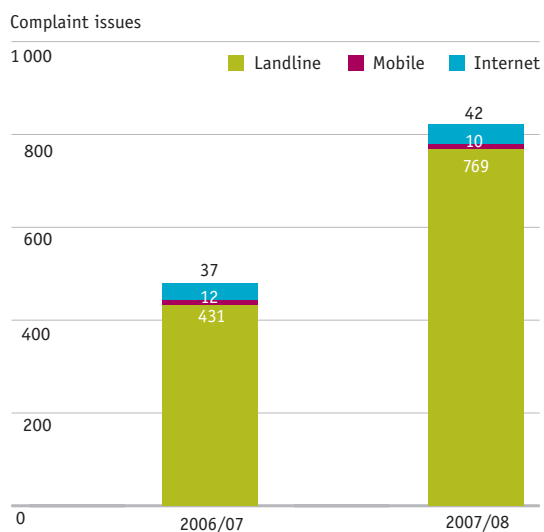


Table 18 Land access issues by category

	2006/07	2007/08
Damage by provider <i>Complaint from owner/occupier of land about alleged damage to property during the installation of cable or a low-impact facility.</i>	233 48.5%	448 54.6%
Failure to give notice <i>Complaint about provider not giving notice before accessing complainant's land for the installation and or maintenance of cabling or low-impact facility.</i>	39 8.1%	57 6.9%
Objection <i>Complaint about a provider's intention to enter complainant's land to install and or maintain cabling or other low-impact facilities.</i>	64 13.3%	61 7.4%
Premature objection <i>The consumer objects to the provider accessing land to install and or maintain a low-impact facility, but consultation procedure provided by the code is not yet complete.</i>	8 1.7%	8 1.0%
Subscriber connection <i>Complaint about access method or height restrictions related to installation of a subscriber connection. For example, a cable may have been installed too low across a driveway.</i>	39 8.1%	119 14.5%
Damage by complainant <i>Complaint about user charges billed as a result of damage to cable. For example, a map not accurate, or cable not deep enough.</i>	97 20.2%	128 15.6%
Total	480	821

Carriers and carriage service providers are required to be members of and comply with the TIO scheme. The main difference between these two types of business structures is that carriers own or control telecommunications networks or infrastructure, whereas carriage service providers use a carrier's network to provide their services.

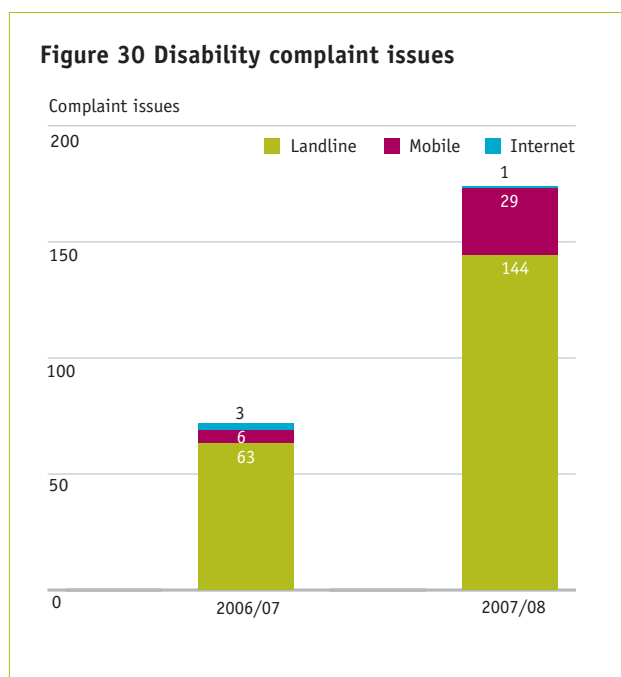
Carriers have broad powers under the *Telecommunications Act 1997* (Cwlth) to access land for inspection, installation of facilities and the maintenance of facilities. Of particular importance is their right to install "low-impact" facilities (See Glossary, page 67) without the consent of the landowner and with immunity from a wide range of state laws.

The Act places obligations on carriers exercising their land access powers and the *Telecommunications Code of Practice 1997* (Cwlth) provides owners or occupiers of land affected by a carrier's activity with a limited right to object. After receipt of an objection, carriers are required to undertake a mandatory consultation process and attempt to resolve the objection by agreement with the landowner or occupier. The code also provides that unresolved objections may be referred to the TIO and that carriers are required to comply with a direction given by the TIO.

The TIO can investigate land access objections received only from either the landowner or occupier. Complaints about the installation of low-impact facilities on a neighbour's land or council property cannot be dealt with by the TIO. In general, complex complaints regarding objections to low-impact facilities are investigated at Level 4.

DISABILITY

Figure 30 Disability complaint issues



Under the disability category, the TIO records complaint issues about the adequacy or the billing of telecommunications equipment to accommodate a person's disability and also about the Priority Assistance service.

Priority Assistance is designed to help people with diagnosed life-threatening medical conditions who depend on a reliable home telephone service to be able to call for assistance when needed. This means that Priority Assistance customers are entitled to faster connection and fault repair of their telephone service and a greater level of reliability.

Table 19 Disability issues by category

		2006/07	2007/08
Equipment	23	31.9%	77 44.3%
<i>Complaints about the availability, the adequacy or the billing of telecommunications equipment to accommodate a person's disability.</i>			
Priority Assistance fault rectification	26	36.1%	25 14.4%
<i>Complaint about the timeframe taken to rectify a fault where the complainant or member of their household suffers from a life-threatening medical condition.</i>			
Priority Assistance connection	11	15.3%	32 18.4%
<i>Complaint about the timeframe for connection of a service where the complainant or member of their household suffers from a life-threatening medical condition.</i>			
Priority Assistance notification	8	11.1%	20 11.5%
<i>Complaint about provider not advising complainant of the existence of the Priority Assistance program and or how they may apply for Priority Assistance.</i>			
Priority Assistance rejection of application	4	5.6%	20 11.5%
<i>Complaint about the provider rejecting the complainant's application for Priority Assistance status.</i>			
Total	72		174

TIO scheme continued

PAYPHONES

Table 20 Payphone issues by category

	2006/07	2007/08
Payphones	34	27
<i>Complaint about payphone that is faulty or that has been vandalised. The consumer may not have been able to be connected.</i>		

The TIO can take complaints only about payphone faults and charging. It cannot investigate complaints about the location or removal of payphones. Where customers have complained to Telstra about the provision of a payphone and remain dissatisfied, they may direct their complaint to the Australian Communications and Media Authority (www.acma.gov.au). All payphone complaints are recorded under the landline category.

Mobile Premium Services Industry scheme

This financial year was the first full year of the MPSI (Mobile Premium Services Industry) scheme. A mobile premium service is one through which customers can access content, such as horoscopes, mobile ring tones, wallpapers, weather information and chat services, with their mobile phone. While fees for these services are charged by the customer's mobile provider on their mobile or telephone account, usually at higher rates than normal calls or messages, the premium services themselves are provided by a separate content provider.

Mobile premium services operate on different number ranges to normal phone calls. Those initiated via a premium rate SMS typically involve sending a SMS to a number starting with 191, 193, 194, 195, 196, 197 or 199. Services that operate on these ranges are regulated under rules set by ACMA, set out in the *Telecommunications Service Provider (Mobile Premium Services) Determination 2005 (No.1)* (Cwlth).

Under the Determination, mobile carriage service providers and content service providers were required to develop a self-regulatory scheme that established clear rules about what information must be provided to users of premium mobile services. These rules include providing users with clear and transparent information about the costs and terms and conditions on which mobile premium services are offered and about handling complaints about mobile premium services.

The TIO, as the nominated escalated complaint-handling body under the MPSI scheme, began recording complaints on 1 December 2006. As the TIO's power to investigate MPSI complaints comes from the MPSI scheme rather than the TIO scheme, the TIO records and reports on MPSI complaints separately to other types of complaints.

This year, complaints recorded under the MPSI scheme almost doubled (7 086 to 13 899). This was mainly due to the longer period that the TIO recorded complaints rather than an increase in the rate of complaints. Despite the low escalation rate of complaints under the MPSI scheme, the growth in the number of complaints and complaint issues continues to be of concern.

Table 21 MPSI complaints and complaint issues

	Complaints	Complaint issues
2007/08	13 899	22 391
2006/07 (1 December 2006 to 30 June 2007)	7 086	10 083

Complaint classification

As noted earlier in the report (See Complaint classification, page 26) almost 97 per cent (97.3 per cent in 2006/07) of complaints handled under the MPSI scheme were resolved after being referred back to the provider. This compares with a level 1 resolution rate of 92.5 per cent for the TIO scheme.

MPSI complaint issues

This year, 68.4 per cent of MPSI complaint issues (74.2 per cent in 2006/07) related to disputed usage charges. These complaint issues included claims by consumers that:

- the disputed usage charges were incurred for services that were not requested (55.0 per cent of MPSI complaint issues compared with 59.9 per cent in 2006/07)
- opt-out requests were either not followed up or refused (7.1 per cent compared to 9.1 per cent)
- the disputed charges related to services for which prices, terms and conditions were not disclosed (4.7 per cent compared to 2.0 per cent).

There were several reasons for claims by consumers that they were charged for services that they did not request. These included consumers believing that they requested a one-off service and not an ongoing subscription or where they denied any knowledge of requesting such a service.

A quarter of MPSI complaint issues (17.6 per cent in 2006/07) were about claims of poor customer service or complaint handling. They included claims that service providers:

- failed to assist the complainants resolve their complaints (11.9 per cent compared to 2.4 per cent last year)
- were unable to be contacted (7.3 per cent compared with 1.0 per cent)
- failed to refer complainants to the TIO (4.7 per cent compared to 11.3 per cent).

Mobile Premium Services

Industry scheme continued

Table 22 Categories of MPSI complaint issues

	2006/07	2007/08
Disputed usage charges (service not requested)	6 040	12 325
Disputed usage charges (opt-out not actioned)	919	1 585
Disputed usage charges (prices, terms and conditions not disclosed)	198	1 054
Dispute usage charges others	325	329
Disputed usage charges (total)	7 482	15 293
Complaint handling (failure to assist)	244	2 660
Complaint handling (failure to refer to the TIO)	1 143	1 054
Complaint handling (others)	277	228
Complaint handling (total)	1 664	3 942
Customer service (unable to contact)	98	1 648
Customer service (discourtesy)	14	145
Customer service (total)	112	1 793
Information/advertising	382	479
Refund/credit	270	435
Credit management	93	261
Others <i>include complaints about alleged breaches of privacy, disputes about credit and access to prohibited content</i>	80	188
Total complaint issues	10 083	22 391

Systemic investigations closed during 2007/08

Systemic issues may affect a large number or class of customers, not just the person reporting the issue to the TIO. After formal investigative powers were introduced in July 2006, the TIO can now investigate systemic issues with a view to recommending resolutions to service providers that will benefit a wider “class” of people, rather than just those who have approached the TIO to lodge a complaint.

Macquarie Telecom Group Limited — automatic renewal of “Telesave” plan

Complaint

The TIO received a complaint from the owner of a small business who had signed a two-year contract with Macquarie Telecom to provide several lines under the Telesave plan. When the two-year term ended, the complainant transferred her services to a different provider. She subsequently was charged a large termination fee from Macquarie.

When the complainant disputed the fee, Macquarie advised that a term in the Telesave plan permitted it to automatically renew the initial minimum term for a period of equal duration (two years).

The TIO had a number of concerns with the terms and conditions of the Telesave plan:

- Macquarie Telecom renewed its Telesave plan contracts without telling customers, thereby committing them to a new minimum term subject to substantial early termination fees (ETF).
- Macquarie Telecom sought to recover an ETF where Telesave plan customers had fulfilled all of their obligations during the initial 24-month term.
- the ETF itself might not have been a genuine pre-estimate of loss because it was based on the individual expenditure on each account.
- the ETF hinged upon the final two months’ usage and, consequently, a customer could find it difficult to estimate the applicable ETF at any given point in the contract.
- the terms that Macquarie Telecom sought to rely on to (a) automatically renew the Telesave plan contract, and (b) recover an ETF might be inconsistent with ACIF’s *Consumer Contracts Code*. (See Codes, Glossary page 67)

Resolution

In resolution of the systemic issues, Macquarie Telecom agreed that it would allow all small business customers currently contracted to its Telesave plan, and who fell within the jurisdiction of the TIO, to leave the plan without penalty upon completion of the initial fixed-term contract of 24 months. In response to the issues raised in the systemic investigation, Macquarie Telecom said its customers were primarily from the corporate and government sector and this is why it was not a signatory to the *Consumer Contracts Code*. It explained that the *Consumer Contracts Code* would have limited application as its customers’ annual expenditure on telecommunications typically exceeded \$20 000 a year and that most of its customers would be outside of the TIO’s “small business” jurisdiction. It also confirmed that it had withdrawn the Telesave plan and this plan had not been offered to any customers since 2004.

The TIO accepted that Macquarie Telecom’s decision had resolved the complaint. The TIO also concluded that the clause that permitted the automatic renewal of the fixed term contract constituted an unfair contractual term. A breach of Clause 6.1.1 of the *Consumer Contracts Code* was recorded.

Systemic investigations closed during 2007/08 continued

TPG Internet Pty Ltd — automatic renewal of ADSL contracts

Complaint

The TIO received a complaint from a consumer who claimed that, after her telephone service was disconnected, her ADSL service was also disconnected. She said that she contacted TPG to arrange the reconnection of her ADSL service and discovered that TPG had placed her on a new 12-month fixed term contract instead of resuming the service from when she had been disconnected.

A clause within TPG's terms and conditions provided for the automatic renewal of a fixed-term contract for ADSL services when a consumer's phone line was disconnected.

Resolution

TPG told the TIO that the clause providing for the automatic renewal of contracts was intended to cover costs it had incurred with its wholesaler.

TPG advised, however, that it had negotiated a reduced contractual term for each consumer who had complained to the TIO about this issue. As all complainants had expressed satisfaction with the individual outcomes to their complaints, the TIO decided that further investigation was not warranted.

World Tel (Aust) Pty Ltd — "claw back" of transferred services

Complaint

The TIO received several complaints from consumers who had signed 12-month telephone contracts with World Tel. The complaints stemmed from a World Tel policy to "claw back" (or take back without the consent of the customer) landline services in circumstances where its customers had chosen to transfer their accounts away from World Tel to another provider within the 12-month minimum term.

The TIO notified World Tel of its concerns that :

- World Tel's Standard Form of Agreement (SFOA) (See Glossary, page 67) did not provide a contractual basis on which it could legitimately claw back a customer's telephone service, and such an act may breach the *Customer Transfer Code*
- World Tel's policy of requiring a customer to give 90 days notice to cancel the agreement might unfairly extend the duration of the agreement and may breach the *Consumer Contracts Code*.
- World Tel's SFOA, which stipulates that customers must pay all disputed charges before a billing dispute was resolved, may breach the *Complaint Handling and Credit Management Codes*.

Resolution

World Tel responded to the TIO's concerns by advising that it would:

- discontinue the claw back policy
- amend the cancellation clause to bring it into line with the *Consumer Contracts Code*
- remove entirely from future contracts the clause requiring customers to pay all disputed charges before a billing dispute was resolved.

Optus Mobile Pty Ltd

— pre-paid services accruing debt

Complaint

A consumer claimed that her son lost pre-paid credits on his mobile phone for premium service content from a content provider, 1800 MumDad, which he had not requested. She said a lump sum was debited from his service as soon as he recharged with new credits to cover premium-rate text charges that were accrued after he had run out of credit.

The TIO was concerned that if premium-rate charges could continue to be applied to pre-paid services that had no credit left on them, those pre-paid services would effectively be going into debt. The TIO was also concerned that the debiting of money from a pre-paid account for a service that had not been requested contravened the *Billing Code*.

Resolution

Having considered Optus's submissions to the TIO investigation as well as information provided by 1800 MumDad, the TIO was satisfied consumers did have a mechanism by which they could opt-out of the 1800 MumDad service. However, the TIO remained concerned about the manner in which pre-paid customers could continue to be debited for charges after the credit on their services had expired. Because the practice appeared to be consistent with the provisions of the Mobile Premium Services Industry scheme, the TIO decided that it would be more appropriate to raise its concerns in a submission to the Communications Alliance, which is drafting a new mobile premium service code.

The TIO closed its potential systemic complaint investigation and raised its concerns about the potential effect of premium services on pre-paid mobile users in its submission to the MPSI scheme review.

Systemic investigations closed during 2007/08 continued

Optus Networks Pty Ltd — notification of migration to Optus Direct network

Complaint

A consumer's ADSL service with another provider was disconnected after the transfer of her telephone line to the Optus Direct network. She said she had been told about the proposed migration, but said the Optus literature offered no warning of her existing internet services being disconnected. She subsequently decided to transfer her landline and internet services to another provider and incurred a charge of \$59 because the line had to be moved back from the Optus Direct network. The complainant said that Optus's notification also failed to advise her of the increased costs associated with transferring away from the Direct network.

The TIO considered the content of Optus's notification to customers that it intended to transfer to the Direct network. The TIO had three concerns:

- Optus had not provided adequate warning in its letters to customers of the impact the migration would have on existing ADSL services.
- Optus had not highlighted to customers that they were, in fact, being migrated to a new network and may in future have to pay to move their line away from the Direct network;
- customers migrated to the Optus Direct network could lose their number if they chose to transfer away from Optus.

Resolution

In resolving this investigation, Optus agreed to modify the pre-migration letter and the accompanying brochure. Specifically, Optus agreed to display more explicit warnings about the disconnection of other provider broadband services and about Easy Call Control not being available on the Direct network.

Optus Mobile Pty Ltd — early termination fees on Strathfield mobile plans

Complaint

The TIO received a complaint from a consumer who had his mobile service cancelled for non-payment. At the time of cancellation, he had been charged nine months' worth of access charges over an 11-month period. However, the early termination fee (ETF) that was applied to his account was equivalent to more than 20 months' worth of access fees. He was disputing the amount of the ETF.

The Strathfield mobile plans included a mobile handset and an iPod issued at point of sale. Optus Mobile advised that the provision of these items involved up-front costs to Optus Mobile that it deemed were recoverable through the ETF in circumstances where the contract was cancelled before the expiry of the fixed term.

The TIO considered the structure of the termination fees applicable to two Optus Mobile plans sold through Strathfield Group stores and it was concerned about whether:

- the fees were a genuine pre-estimate of loss
- how (if at all) the value of any equipment that may have been issued "free" at the point of sale was taken into account in calculating that termination fee
- whether the termination clause in the contracts was consistent with the *Consumer Contracts Code* and the TIO's position statement on ETFs.

Resolution

After the investigation, the TIO was satisfied with Optus's advice in relation to the means by which it had calculated the termination fee. The investigation was closed without any need for further action.

Industry codes

On 19 May 2008 ACMA registered the *Telecommunications Consumer Protections Code* (the TCP Code), an amalgamation of all consumer codes. The objective was to ensure that definitions were consistent across all consumer codes and that consumers and industry had access to a “one-stop shop” of consumer rights and supplier obligations. Registration of the TCP Code was not intended to result in a change in obligations, rights or the scope of the individual consumer codes.

As the code was intended solely as an amalgamation of existing codes, and not a change to the scope of consumer or supplier obligations or rights, the TIO adopted a flexible approach to the recording of potential code-related issues and has not required that the complaint event occur after registration of the TCP Code in order to log a complaint as having a potential code-related issue. Potential code issues are only recorded for complaints investigated at level 1 and 2.

The TIO only records confirmed code breaches for complaints investigated at level 3 and 4. The TIO only records confirmed code breaches against registered codes. This means that when a new code is registered, the TIO will check whether a complaint event took place before or after the new code was registered. If a complaint event occurred before the registration of a new code, the TIO will not record a confirmed breach.

Code statistics

The TIO recorded 66 501 potential code issues, and 414 confirmed code breaches in 2007/08, a 22.8 per cent increase in potential code issues, and an 18.9 per cent increase in confirmed breaches from 2006/07.

These increases are reflective of the percentage increase in complaints in 2007/08, as well as a percentage increase in the number of formal level 3 and 4 investigations. As noted, the TIO only records confirmed breaches against complaints that have been investigated at level 3 and 4.

Complaints relating to operational codes did not contribute significantly to the total number of potential code issues or confirmed code breaches, accounting for less than 0.5 per cent of all confirmed breaches, and 1 per cent of all potential code issues.

Potential code issues

During 2007/08, the TIO saw a 22.8 per cent increase in the number of potential code issues recorded at level 1 and 2.

Table 23 Potential code issues

2006/07 potential code issues	Code provisions*	2007/08 Potential code issues [^]	Per cent total
20 256	Billing	26 446	39.8 %
17 415	Complaint Handling	16 588	24.9 %
7 816	Prices, Terms and Conditions	11 647	17.5 %
5 395	Credit Management	7 476	11.2 %
2 331	Customer Transfer	2 696	4.1 %
	General Rules	867	1.3 %
244	Handling of Life Threatening and Unwelcome Calls	504	0.8 %
77	Commercial Churn	111	0.2 %
252	Consumer Contracts	108	0.2 %
1	Priority Assistance	42	-
16	Mobile Number Portability	11	-
5	Connect Outstanding	5	-
0	Calling Number Display	0	-
1	Local Number Portability	0	-
53 809	Total	66 501	100 %

* These figures include complaints that were recorded while the superseded codes were still registered (before May 19 2008) and after the TCP Code was registered (after May 19, 2008).

[^] Due to registration of the TCP Code, direct comparison of code clause numbers between financial years is not possible.

Industry codes continued

Potential Billing Code issues

89.8 per cent of potential *Billing Code* issues related to complaints from end users alleging that they were unable to identify what charges on their account were for and that the charges were levied for services they had not requested or used. The TCP code requires that suppliers must ensure that customers have sufficient information readily available to enable them to verify the accuracy of charges.

The TIO recognises that the complexity of bills may contribute to consumers not being able to readily identify charges. It is the TIO's view, however, that suppliers should ensure that bill clarity is not compromised by the inclusion of more billing information.

Potential Complaint Handling Code issues

66.9 per cent of potential *Complaint Handling Code* issues related to an alleged failure of suppliers to notify customers who were dissatisfied with the outcome of their complaint of other external avenues of complaint, such as the TIO. 14.2 per cent of potential code issues related to an alleged difficulty on the part of complainants to have their complaint escalated to a senior person at their supplier, despite specifically requesting that their complaint be escalated.

Potential Prices, Terms and Conditions Code issues

70.9 per cent of all potential *Prices, Terms and Conditions Code* issues related to the accuracy and quality of information provided by suppliers to a customer before the customer entered a contract. The nature of these issues raises a question as to whether the information provided to customers before they enter a contract is sufficiently accurate, current or relevant to the individual customer or gives sufficient advice as to the limitations of a service when the customer states the purpose for which they require the service.

Potential Credit Management Code issues

Potential code issues relating to Credit Management provisions have perhaps the largest mix of issues. A total of 22.2 per cent of code issues relate to insufficient notice from suppliers before restricting, suspending or disconnecting services. Under Chapter 7 of the TCP Code, as well as 5.41 and 5.6.1 of its predecessor, the ACIF *Credit Management Code*, suppliers are required to make reasonable attempts to inform customers of impending suspension/restriction/disconnection within certain timeframes.

16.3 per cent of potential *Credit Management Code* issues relate to complaints where a billing or service issue is identified after a debt has been sold or assigned to a third party. Under 7.4.14 of the TCP Code, the supplier must take all reasonable steps to resolve any billing issues that arise after the involvement of a third party.

Financial hardship policies are another source of complaint, contributing 11.9 per cent of potential *Credit Management Code* issues. Complaints may arise where suppliers appear to not have a policy, fail to advise customers of the policy, or fail to apply the policy to the individual circumstances of customers claiming to be experiencing financial hardship.

Potential Customer Transfer Code issues

55.7 per cent of potential *Customer Transfer Code* issues relate to claims from end users that their service was transferred without their consent. Under 8.1.3 (e) of the TCP Code, before effecting the transfer of a service, suppliers must ensure they obtain informed consent from the authorised customer or their authorised representative.

Confirmed code breaches

During 2007/08, the TIO amended the way in which it calculated the total numbers of confirmed code breaches.

Change in reporting of confirmed breaches:

Each confirmed code breach recorded by the TIO corresponds to a recorded complaint issue. For example, a *Prices, Terms and Conditions Code* breach may be linked to a “point of sale” complaint issue. In the past, if there were multiple confirmed breaches related to one particular complaint issue, only the first confirmed breach would be reported.

The TIO now reports on every confirmed breach related to each complaint issue. This has resulted in an increase in confirmed code breach numbers, as the TIO is now reporting on confirmed code breaches that it previously did not report. The increase is therefore to some extent due to the TIO improving its reporting of confirmed breaches. The TIO considers the new reporting is a more accurate reflection of industry’s performance against codes.

Table 24 Confirmed code breaches

Code	Number of confirmed breaches*	Per cent total
Complaint Handling	109	26.3 %
Billing Code	96	23.4 %
Prices, Terms and Conditions	90	21.6 %
Credit Management	80	19.3 %
Customer Transfer	22	5.3 %
Consumer Contracts	15	3.7 %
Handling of Life Threatening and Unwelcome Calls	1	0.2 %
Mobile Number Portability	1	0.2 %
Total	414	100 %

* All of these breaches were recorded against the previous registered consumer codes, prior to the registration of the TCP Code. The TIO had not recorded confirmed breaches of the TCP Code as of 30 June 2008.

Complaint Handling Code

The *Complaint Handling Code* recorded the highest number of confirmed code breaches in the 2007/08, with 109 confirmed breaches, or 26.3 per cent of all confirmed breaches. 42.2 per cent were recorded against Clause 7.3.5, which requires suppliers to have appropriate methods and mechanisms in place in order to take action and monitor undertakings made to customers in the resolution of complaints. Confirmed breaches of this clause are normally recorded when a supplier gives a complainant an undertaking to resolve a complaint in a particular manner, but fails to action its undertaking.

Billing Code

23.4 per cent of all confirmed code breaches were recorded against the *ACIF Billing Code*. Of these, half were recorded against Clause 7.3.1 for a failure by the supplier to ensure that all charges are verifiable by the customer as being consistent with the supplier’s published or contracted prices, and what the customer has requested, used or contracted to receive. 19.8 per cent of confirmed *Billing Code* breaches were against Clause 7.2.1 which required a supplier to ensure the accuracy of its billing.

Prices, Terms and Conditions Code

A total of 56.7 per cent of all confirmed breaches of the *Prices, Terms and Conditions Code* related to the accuracy and quality of information provided by suppliers to a customer before the customer entered a contract. Specifically, 27.8 per cent of confirmed breaches related to the information provided to customers not being either accurate, current or relevant to the customer and their service (Clause 6.1.1). 28.9 per cent of confirmed breaches related to customers not being given sufficient advice as to the limitations of a service, despite the customer stating the purpose for which they required the service (Clause 6.5.1).

Credit Management Code

30 per cent of all confirmed breaches of the *Credit Management Code* were recorded against Clause 5.7.1 which prohibits a supplier from taking credit management action in relation to genuinely disputed amounts while the disputed amount is being investigated and remains unresolved by the supplier, the TIO, or a relevant recognised agency. The TIO is concerned that a number of suppliers may have systems that are incompatible with the requirements of this clause and will be seeking to work closely with a number of suppliers to ensure compliance in the coming financial year.

Customer Transfer Code

While we are encouraged by the decrease in confirmed breaches of the *Customer Transfer Code*, which fell from 42 in 2006/07 to 22 this year, we believe much of it is due to registration of the new *Customer Transfer Code* by ACMA on 5 July 2007. The code was in force for most of 2006/07, but our processes only allowed us to confirm breaches of a registered code. While the TIO investigated several complaints about the transfer of services at level 3 in 2007/08, many related to events that occurred before 5 July 2007 for which the TIO was unable to record a breach even where evidence supported a breach occurred.

A total of 36.6 per cent of all confirmed breaches of the *Customer Transfer Code* related to suppliers failing to obtain the informed consent of the authorised customer before a transfer took place.

Case studies

Mobile – contracts

The complaint

In August 2007, Brian signed two mobile telephone contracts, but cancelled both within the cooling-off period. In September 2007, he complained to the provider after receiving a bill. He received bills and cancellation of service notices in October and November. He said a supervisor at his service provider then told him that the matter had been resolved, with the accounts cancelled. He asked for written confirmation, but received nothing. He continued to receive debt collection letters and was issued with a credit default (See Glossary, page 67), despite indicating that the bills were in dispute.

TIO response

As Brian had not made any progress trying to resolve the matter with the provider, the TIO decided to formally investigate. While the investigation was under way, Brian said he continued to receive debt collection letters from the provider and an external debt collection company.

The outcome

The TIO presented Brian's letters to the provider and detailed his grievances. The provider agreed to send him a written apology, although it could not explain the delay in resolving the complaint other than to say that it had no record of Brian previously contacting it and that it had a backlog in processing returned handsets. The provider agreed to remove the complainant's credit default listing and waive outstanding charges of \$480.

Internet – privacy

The complaint

Christine contacted the TIO in early February 2008 claiming that for the past year she had been receiving accounts addressed to a person who did not and, to her knowledge, had never lived at her address. She said she had returned a number of accounts marked "unknown at this address". The provider told Christine it could not authorise a change of address for the account as she was not an authorised account holder. She said that debt collectors had called her demanding payment of the debt.

TIO response

The TIO told Christine to give the provider a last chance at resolving the complaint. She came back in mid-March saying that the provider had sent her a letter confirming that it had fixed the matter.

Several weeks later, Christine started receiving letters and phone calls from the provider's debt collectors. The TIO contacted the provider on her behalf but did not receive a response. Christine said that in the meantime the provider had called her apologising for the problem and saying it had now correctly modified its systems. By this time, the TIO was formally investigating the case and it still required a written response from the provider. Over six weeks, the TIO sent five e-mails and made one telephone call seeking a record of the resolution. When the resolution finally came through, the provider merely attached a copy of the initial letter sent to Christine in February 2008 claiming that the matter had been resolved.

The outcome

After further follow up from the TIO the provider agreed to:

- cease all debt collection letters to Christine
- provide a letter to the TIO and Christine that the matter had been resolved
- provide Christine with a letter stating that she did not owe the provider any outstanding monies.

Since the TIO's intervention Christine has confirmed that the matter had been resolved to her satisfaction.

Mobile – contracts

The complaint

Melanie's wallet was stolen and the offenders used her identification and credit cards to open two false mobile phone contracts with a service provider. She subsequently received bills for the mobile phone accounts, which she refused to pay, and then a letter from a collection agency demanding \$4 182. The collection agency then had her default listed. (See Glossary, page 67)

Melanie, who was 19, said she knew the people who had committed the fraud, but refused to tell the service providers as she feared retribution. She said that she wanted the charges waived as they were the result of fraud, but the provider said it required the identities of the people before it would consider doing this. The debt collection agency referred Melanie to the TIO.

TIO response

The TIO called Melanie and was advised by her mother that one of the fraudsters was in jail and one was free, so her daughter's fears were justified. The TIO asked Melanie to send it the debt collection letter so it could arrange for the debt to be suspended while the matter was investigated. We then asked the provider to reopen the case where it was revealed that the signatures on the mobile phone contracts were unlike Melanie's. No customer identification had been attached to the contracts, which was a breach of the provider's sales protocols.

The outcome

The provider agreed with the TIO that no fair-minded person could conclude that Melanie's signature and that on the mobile phone contract were the same. It said it was also concerned about the conduct of the dealer as there were no identification documents attached to the contract as per company policy. It agreed for the charges to be waived and for the default listing to be removed.

Landline – disability

The complaint

Jenny has trouble gripping a handset for long periods and so she signed up for a landline service that offered a disability handset with SMS function. She discovered that she could not send SMS messages as she had a silent phone number.

Although the provider said it had told Jenny when the phone was installed that SMS was not available from silent phone numbers due to technical and privacy reasons, she denied being informed.

She said she would need the SMS function and a silent line as she had an abusive ex-husband who had made threatening calls. Jenny also asked for help with a \$700 phone bill that was incurred by her schizophrenic son on her account.

TIO response

The provider confirmed to the TIO that SMS messages could not be sent from silent lines as the receiving phone service needed a number in order to respond. The TIO recommended to Jenny that she buy a pre-paid mobile service in order to send SMS, and also ensure her son did not incur unpayable bills on her behalf.

The outcome

The provider said even if it were possible to develop telephone networks that allowed SMS services with silent lines, it was under no obligation to provide a customer with one. As a gesture of goodwill, the provider offered Jenny a credit of \$250 towards a pre-paid mobile that could be used to send SMS messages. It said the \$700 phone bill was in fact \$469 and arranged a \$30 a week payment plan for the outstanding debt. The TIO believed these outcomes were a fair and reasonable compromise and recommended that Jenny accept the offer, which she did.

Case studies continued

Internet - faults

The complaint

Peter had a wireless internet connection and he signed up for a Voice over Internet Protocol (VoIP) (See Glossary, page 67) service with a VoIP service provider. He said the VoIP service dropped out frequently and he was not able to hear calls due to garbled and broken sound quality. His VoIP service provider performed a number of tests and told him that the fault might have been caused by an unstable internet connection. It also said:

- that the quality of a VoIP service would not always be perfect
- he should provide documentation from his wireless service provider that proved his internet connection was stable and met the VoIP service provider's minimum requirements
- it would release him from his contract without penalty if quality issues could not be addressed after verification from his wireless service provider
- it did not believe that he was helping to resolve the complaint.

Peter disputed the VoIP service provider's claim that it had told him when he bought the service of VoIP's limitations.

TIO response

Based on the customer notes sent to the TIO by the VoIP service provider, the TIO did not agree that Peter was not helping to resolve his own complaint. Peter had contacted the VoIP service provider about the fault, conducted a connectivity test, reported the results to the VoIP service provider and installed a new router. The TIO asked the VoIP service provider to demonstrate what action it had taken to assist Peter in repairing the fault.

The outcome

Despite its best efforts, the VoIP service provider was unable to resolve the technical issues affecting the quality of Peter's VoIP, and agreed to:

- credit all access fees for the service for the duration of the connection; a total of \$149.50 for 10 months of service
- release Peter from the remainder of his contract without penalty (normally \$99) due to the VoIP service provider's inability to guarantee the quality of the VoIP service.

While the service provider was not able to solve the problem, the TIO believed it had offered a fair and reasonable outcome which was that Peter was released from any contractual obligations, and not financially disadvantaged as a result of his complaint.

Internet - provisioning

The complaint

A previous occupant of Nicola's house had had ADSL connected and she was surprised when her application to have the service connected was knocked back. The provider told her that she was too far away from the exchange and there was too much transmission loss on her line.

TIO response

The service provider told the TIO Nicola's number did not pass its qualification test. It said the previous service had been connected in error as the line had never met the minimum specifications required for an ADSL service.

The outcome

The TIO believed that the service provider's response was fair and reasonable as it had demonstrated to Nicola that ADSL could not be supported to a proper standard at her home. The TIO's jurisdiction does not extend to directing a service provider to upgrade its infrastructure so that an ADSL service can be delivered, nor does the TIO have the authority to force a service provider to make a decision that is not in its own commercial interest.

Mobile - billing and payments

The complaint

Sasha's phone was stolen while she was in Europe but she only discovered the theft once she arrived back in London. She immediately reported the theft to police but failed to inform her service provider. Once back in Australia, she received a bill for about \$12 000 which had accrued after her phone was stolen. The service provider offered to cut the bill to \$6 000, for charges incurred before the phone was barred for high usage. Sasha felt the service provider should provide her with a further reduction and approached the TIO.

TIO response

We considered what opportunities the service provider had had to detect the high use and what steps they could have taken to prevent further debt accruing. The TIO also examined how the provider monitored typical use by customers. We asked the provider for the bilateral agreement it had with the overseas carrier. Many of these agreements allow for the "home" carrier to be notified when the pre-bill total exceeds a prescribed amount during a fixed period.

The outcome

We concluded that as the charges accrued in such a short time, neither the provider nor the overseas carrier could have detected or acted upon the large amount of pre-bill charges any sooner than they did. We felt that the offer to waive charges accrued after Sasha was notified of the high pre-bill spend was a fair and reasonable resolution and Sasha should pay the remaining \$6 000. The TIO also concluded that Sasha was obliged to report the theft of her phone to them as soon as she discovered it, and this was a fair and reasonable expectation on behalf of the provider.

Mobile premium services

The complaint

Nadine received an unsolicited text message in December 2006 inviting her to download a free ring tone, which she did. She began receiving regular text messages, which she ignored. She believed they were junk mail as she was not charged for the messages. Nadine claimed that \$370 charges for premium text messages then appeared on her September 2007 bill. She sent a stop message to the third party SMS content provider. Nadine felt that had she been made aware that she was being charged for the premium text messages she would have instructed them to be stopped much sooner. Accordingly, she requested that the \$370 be waived by the provider.

TIO response

We asked the provider for an itemised copy of all text messages sent to Nadine by the content provider. It showed that charges for text messages only began to accrue after 13 March 2007. As no charges were accrued for the first three months, we thought that it was not unreasonable for her to assume that such messages were junk mail. Based on the information supplied the TIO did not believe it was fair and reasonable to assume that Nadine was aware that the services were accruing charges, particularly if no charges were being reflected in her monthly bills.

The TIO also noted that under the Guidelines to the Mobile Premium Services Industry scheme, a \$30 expenditure notification must be sent to the customer once they reach or exceed a \$30 expenditure increment. In Nadine's case this notification was not sent, despite her reaching the \$30 spend in March 2007. The TIO believed that had Nadine received a notification she would have become aware that charges were accruing on her account that she claims she felt were free, and would have had the opportunity to discontinue the service if she did not wish to incur additional charges.

The provider also requested that the TIO pursue the third party SMS content provider regarding Nadine's complaint. However, the TIO declined to do so as it does not have the jurisdiction to raise complaints against third party suppliers.

The outcome

Due to the complication of the billing issue as a result of the third party SMS content provider, the telecommunications provider offered to resolve the complaint by agreeing to waive the premium text charges of \$368.50. The TIO believed this was a fair and reasonable outcome for Nadine and she accepted the offer.

Case studies continued

Mobile Premium Services

The complaint

Stephen said his son used his pre-paid mobile phone to enter a competition. He said that his son followed the instructions to unsubscribe immediately after entering the competition. Soon thereafter, Stephen said he began to regularly receive premium messages, forcing him to top up his mobile phone credit weekly. Stephen said he contacted the content service provider and was told that he would no longer receive messages. This was confirmed through a message on his phone. However, Stephen said he continued to receive premium messages. Stephen claims that based on the frequency of topping up his credit on his pre-paid mobile phone, he estimates he lost \$250 – \$300 within a four to five month period. He believed that a reasonable outcome to his complaint would be for the service provider to stop all premium messages to his phone and refund the credits lost as a result of the unwanted premium messages.

TIO response

The TIO detailed Stephen's grievances to the service provider who said they had provided Stephen with step-by-step instructions on how to unsubscribe from the premium message service/competition, and how best to prevent any further unsolicited premium messages being sent to his service. The service provider also supplied the TIO with a spreadsheet detailing the premium messages received on Stephen's mobile and the charges incurred. The TIO acknowledged that the service provider was not directly responsible for Stephen receiving the alleged unsolicited premium messages, but emphasised that it did bill or deduct credits on behalf of the content provider, and as such did have responsibility to address and facilitate the resolution of Stephen's complaint. This was supported by the guidelines under the Mobile Premium Services Industry scheme (MPSI) which state: "the mobile carriage service provider is the first point of contact for the customer as it ensures that the customer's issue is dealt with by the party who is in the best position to offer a resolution".

The outcome

After intervention by the TIO, the service provider offered to pay Stephen \$278. This payment was reimbursement for premium messages received from the time Stephen first unsubscribed from the competition. The TIO believed this was a fair and reasonable offer from the service provider, and the offer was subsequently accepted by Stephen.

Member complaint statistics

Member specific complaints statistics are published by the TIO for all members of the Telecommunications Industry Ombudsman scheme and the Mobile Premium Services Industry scheme who have received 25 complaints or more in the course of the financial year.

It is important that readers bear in mind the varying sizes of the TIO's member organisations in order to avoid making inaccurate comparisons. The TIO does not standardise its member-specific complaint statistics and is unlikely to do so in the future.

Complaints and complaint issues

Four tables are presented here – two for the TIO scheme and two for the Mobile Premium Services Industry scheme.

The tables headed Complaints By Issue detail the issues raised in a complaint. As one complaint may raise more than one issue there are usually more issues than complaints raised against a member. Members are charged according to complaint numbers, not according to the number of issues raised.

The tables headed Complaints by Level detail the levels at which the complaints were resolved. This provides an indication of how quickly the company was able to resolve complaints raised by the TIO.

It is important to note that not all complaints are raised at Level 1. Land access objections, for example, are raised at Level 4 from the outset, due to the complexity and time-consuming nature of these complaints.

Complaints against TIO members by level - landline, mobile and internet

1 June 2007 - 30 July 2008 (Includes members that received 25 or more complaints logged for the financial year)

(t) = telephone service provider (i) = internet service provider (o) = other (c) = holds carrier licence

	Total number of complaints	Level 1	Level 2	Level 3	Level 4
154 Collins Street Pty Ltd (i) (c)	36	34	1	1	0
1800Mumdad Pty Ltd (t)	64	62	2	0	0
7Star Communications Pty Ltd (t)	52	48	1	2	1
AAPT Ltd (t&i) (c)	9,170	8,999	144	24	3
ACN Pacific Pty Ltd (t & i)	205	186	15	4	0
ActewAGL Retail (Grapevine) (i)	33	27	5	1	0
Adam Pty Ltd (i)	105	103	2	0	0
Allegro Networks Pty Ltd (i) (c)	35	31	3	1	0
Amcom Telecommunications Limited (i) (c)	31	27	3	1	0
AstraTEL Pty Ltd (i)	27	27	0	0	0
Astron Communication and Information Services Pty Ltd (t)	158	155	3	0	0
AUSTAR United Mobility Pty Ltd (t)	35	31	3	1	0
Australasia Telecommunications Consultants Pty Ltd (t & i)	63	49	8	5	1
Australia Internet Solutions Pty Ltd (i)	62	57	3	2	0
Australia Star Communications (t & i)	372	324	35	13	0
Australian Private Networks Pty Ltd (t & i) (c)	131	124	4	3	0
Australian Telecommunications Pty Ltd (t)	31	29	1	1	0
Axis Telecoms No. 1 Pty Ltd (t)	149	127	18	4	0
Axis Telecoms Pty Ltd (t)	96	80	11	5	0
Bell Networks Voice & Data Pty Ltd (t)	69	54	10	5	0
BEST Internet and Telecom Pty Ltd (t & i) (c)	31	28	3	0	0
Better Telecom Pty Ltd (t & i)	166	149	15	2	0
BigAir Group Limited (i) (c)	29	27	2	0	0
Blitz Telecom Australia Pty Ltd (t&i)	1,549	1,484	53	12	0
Bluemaxx Communications Pty Ltd (i) (c)	81	76	5	0	0
Bordnet Internet Pty Ltd (i)	66	57	6	3	0
BroadbandNet Pty Ltd	58	40	10	6	2
CardCall Pty Ltd (t & i)	232	215	13	4	0
Chariot Internet Ltd (i) (c)	151	139	11	1	0
Chilli Internet Solutions Pty Ltd (i)	81	70	10	1	0
Cirrus Communications Pty Ltd (i) (c)	97	82	13	2	0
Clarus Telecom Pty Ltd (t & i)	35	34	1	0	0
Clear Networks Pty Ltd (t & i) (c)	70	56	12	2	0
Clear Telecoms (Aust) Pty Ltd (t & i)	86	83	2	1	0
Commander Australia Pty Ltd (t&i)	162	140	15	6	1
CommodiTel (Australia) Pty Ltd (t)	27	27	0	0	0
Conceptual Internet Australia Pty Ltd (i)	168	139	24	5	0
CyberOne Pty Ltd (i)	84	75	7	2	0
Dodo Australia Pty Ltd (i)	5,749	5,437	275	36	1
Dragnet Internet Services Pty Ltd (i) (c)	26	24	2	0	0
Ecomtel Pty Ltd (t & i)	33	27	5	1	0
Edirect Pty Ltd (t)	377	364	10	3	0
EFTel Pty Ltd (t & i)	325	277	31	17	0
E-Talk Communications Pty Ltd (t & i)	51	45	5	1	0
Exetel Pty Ltd (i)	227	218	9	0	0
Ezycall Pty Ltd (t)	82	78	4	0	0
Forteconnect Pty Ltd (t)	44	31	9	4	0
G-Node Networks Pty Ltd (i)	103	96	7	0	0
GoBush Broadband Pty Ltd (i)	37	31	4	2	0
Golden IT Pty Ltd (i) (c)	27	15	7	5	0
GOTalk Australia Pty Ltd (t)	1,769	1,638	101	28	2
HarbourIT Pty Ltd (i)	35	33	2	0	0
Hutchison 3G Australia Pty Ltd (o)	8,828	8,128	606	91	3
Hutchison Telecoms (Aust) Pty Ltd (t)	72	64	6	2	0
iiNet (OzEmail) Pty Ltd (t & i)	32	29	2	1	0
iiNet Ltd (i)	1,488	1,392	73	21	2
Internode Systems Pty Ltd (i)	202	195	6	1	0
Jackar Australia Pty Ltd (i)	47	47	0	0	0
Koala Telecom (Australia) Pty Ltd (t & i)	173	135	25	13	0
Koala Telecom Pty Ltd (t & i)	53	48	1	4	0
Komtel Pty Ltd (t & i)	84	70	9	5	0
L.I.S.P Pty Ltd (Local Internet Service Provider) (i)	81	67	9	5	0
Lime Australia Pty Ltd (t&i)	52	47	5	0	0

	Total number of complaints	Level 1	Level 2	Level 3	Level 4
M2 Telecommunications Pty Ltd (t)	53	49	4	0	0
m8 Telecom Pty Ltd (o)	707	623	71	12	1
Macquarie Telecom Group Limited (t)	33	25	4	4	0
Max Telecom Pty Ltd (t & i)	86	82	3	0	1
McKay, Jason Kenneth (i)	143	98	29	16	0
Mibroadband Pty Ltd (t) (c)	258	242	12	4	0
Mobileworld Operating Pty Ltd (t)	93	90	3	0	0
Motion Telecom Pty Ltd (t)	73	57	11	5	0
My Net Fone Pty Ltd (t & i)	58	52	5	1	0
NC Cable Pty Ltd (t & i)	29	26	3	0	0
Netspace Online Systems Pty Ltd (i)	455	404	43	8	0
Ocean Broadband Ltd (i) (c)	44	37	6	1	0
Optus Broadband Pty Ltd (i)	3,328	3,176	135	17	0
Optus Mobile Pty Ltd (t) (c)	8,459	8,010	406	42	1
Optus Networks Pty Ltd (t) (c)	11,136	10,381	636	115	4
PacNet Internet (A) Pty Ltd (i)	106	89	13	4	0
People Telecom Limited (t&i)	926	868	48	8	2
Pivotal Satellite Pty Limited (t)	49	47	2	0	0
Prime Telecoms No. 1 Pty Ltd (t)	124	115	8	1	0
Prime Telecoms Pty Ltd (t)	39	38	1	0	0
Primus Telecommunications Pty Ltd (t & i) (c)	3,239	3,137	87	15	0
Pulse Telecom Pty Ltd (t)	47	38	8	1	0
Red Media Solutions Pty Ltd (t & i)	119	111	8	0	0
Reward Mobile Pty Limited (t)	109	102	4	3	0
Saunders Properties Pty Ltd (i)	74	68	4	2	0
Savvy Telecommunications Pty Ltd (t)	29	28	1	0	0
SIMplus Mobile Pty Limited (t)	1,041	918	107	16	0
Snoopa Community Geelong Pty Ltd (t & i) (c)	43	37	5	1	0
Soul Communications Pty Ltd (t & i)	6,503	6,144	308	49	2
Southern Cross Telco Ltd (t & i)	56	54	2	0	0
Southern Phone Company (t)	172	154	11	7	0
Spin Internet Services Pty Ltd (i)	60	50	8	2	0
Technical Aid to the Disabled Inc (i)	47	43	4	0	0
Tel.Pacific Prt Ltd (t & i)	116	112	3	1	0
Telco Blue Pty Ltd (t)	106	99	6	1	0
Telstra Big Pond (i)	10,894	10,125	653	110	6
Telstra Corporation (t) (c)	40,151	35,918	3,283	861	89
Thomas Ford Trading Pty Ltd (t)	40	29	10	1	0
TPG Internet Pty Ltd (i)	1,289	1,211	77	1	0
TransACT Capital Communications (t&i) (c)	253	230	17	6	0
Unisky Pty Ltd (t & i)	27	26	1	0	0
United Asia Pacific Telkom Pty Ltd (t)	42	33	7	2	0
Unwired Australia Pty Ltd (t & i) (c)	173	156	12	5	0
Virgin Mobile (Australia) Pty Ltd (t & i)	4,186	3,870	285	30	1
Vodafone Australia Limited (t) (c)	4,106	3,987	110	9	0
Westnet Pty Ltd (t & i)	304	298	5	1	0
World Tel (Aust) Pty Ltd (t)	202	165	30	7	0
Your Telecom Pty Limited (t)	36	34	2	0	0

Complaints against TIO members by issue - landline, mobile and internet (non-standardised)

1 July 2007 - 30 June 2008 (Includes members that received 25 or more complaints logged for the financial year)

* Other includes: directories, disability, land access, payphones and phonecards

^ Other includes: directories, disability, land access, provisioning and privacy

(t) telephone service provider

(i) internet service provider

(o) other

(c) holds carrier licence

Other includes: directories, disability, land access, privacy and customer transfer

	Land Line											
	Total issues	Billing and payments	Credit management	Complaint handling	Customer transfer	Customer service	Contracts	Faults	Privacy	Provisioning	Other*	Total land line
154 Collins Street Pty Ltd (i) (c)	71	0	0	0	0	0	0	0	0	0	0	0
1800Mumdad Pty Ltd (t)	99	0	0	0	0	0	0	0	0	0	0	0
7Star Communications Pty Ltd (t)	80	10	8	4	1	26	6	9	0	0	0	64
AAPT Ltd (t&i) (c)	16,879	3,663	1,233	1,044	340	4,348	372	1,249	79	630	53	13,011
ACN Pacific Pty Ltd (t & i)	327	41	36	24	21	26	5	41	4	8	1	207
ActewAGL Retail (Grapevine) (i)	52	0	0	0	0	0	0	0	0	0	0	0
Adam Pty Ltd (i)	174	0	0	0	0	0	0	0	0	0	0	0
Allegro Networks Pty Ltd (i) (c)	71	0	0	2	1	5	1	3	0	0	0	12
Amcom Telecommunications Limited (i) (c)	55	0	0	0	0	0	0	0	0	0	0	0
AstraTEL Pty Ltd (i)	40	1	0	0	0	6	0	1	0	0	2	10
Astron Communication and Information Services Pty Ltd (t)	273	54	22	17	54	44	24	7	17	0	1	240
AUSTAR United Mobility Pty Ltd (t)	59	0	0	0	0	0	0	0	0	0	0	0
Australasia Telecommunications Consultants Pty Ltd (t & i)	127	26	5	13	1	17	40	18	0	3	0	123
Australia Internet Solutions Pty Ltd (i)	110	0	0	0	0	0	0	0	0	0	0	0
Australia Star Communications (t & i)	677	59	9	26	12	39	49	24	1	5	7	231
Australian Private Networks Pty Ltd (t & i) (c)	213	0	0	1	0	0	0	2	0	0	0	3
Australian Telecommunications Pty Ltd (t)	54	14	4	4	3	4	12	4	0	0	0	45
Axis Telecoms No. 1 Pty Ltd (t)	179	30	1	14	10	32	54	23	0	2	0	166
Axis Telecoms Pty Ltd (t)	303	37	14	42	16	25	76	36	2	6	1	255
Bell Networks Voice & Data Pty Ltd (t)	127	11	0	5	2	4	15	0	0	1	0	38
BEST Internet and Telecom Pty Ltd (t & i) (c)	73	15	3	6	16	17	3	0	0	0	1	61
Better Telecom Pty Ltd (t & i)	288	70	8	32	98	32	29	10	9	0	0	288
BigAir Group Limited (i) (c)	51	0	0	0	0	0	0	0	0	0	0	0
Blitz Telecom Australia Pty Ltd (t&i)	2,959	85	20	29	22	251	56	183	0	12	2	660
Bluemaxx Communications Pty Ltd (i) (c)	153	2	0	0	1	0	0	0	0	0	0	3
Bordernet Internet Pty Ltd (i)	114	0	0	0	0	0	0	0	0	0	0	0
BroadbandNet Pty Ltd	103	0	0	0	0	0	0	0	0	0	0	0
CardCall Pty Ltd (t & i)	350	0	0	0	0	0	0	0	0	0	350	350
Chariot Ltd (i) (c)	261	0	0	0	0	0	0	0	0	0	0	0
Chilli Internet Solutions Pty Ltd (i)	155	0	0	0	0	0	0	0	0	0	0	0
Cirrus Communications Pty Ltd (i) (c)	167	0	0	1	0	0	0	3	0	0	0	4
Clarus Telecom Pty Ltd (t & i)	55	6	0	6	14	8	7	4	9	0	0	54
Clear Networks Pty Ltd (t & i) (c)	117	0	0	0	0	0	0	0	0	0	0	0
Clear Telecoms (Aust) Pty Ltd (t & i)	164	45	2	18	2	18	33	14	0	4	0	136
Commander Australia Pty Ltd (t&i)	275	50	13	39	8	46	50	26	0	10	1	243
CommodiTel (Australia) Pty Ltd (t)	38	1	0	1	0	0	0	2	0	0	0	4
Conceptual Internet Australia Pty Ltd (i)	296	0	0	3	13	3	1	19	0	13	0	52
CyberOne Pty Ltd (i)	166	5	3	3	6	1	0	0	0	0	0	18
Dodo Australia Pty Ltd (i)	11,278	1,047	94	467	246	620	425	302	119	317	7	3,644
Dragnet Internet Services Pty Ltd (i) (c)	44	0	0	0	2	3	1	1	0	0	0	7
Ecomtel Pty Ltd (t & i)	66	13	0	4	2	1	4	5	2	0	0	31
Edirect Pty Ltd (t)	731	0	0	0	0	0	0	0	0	0	0	0
EFTel Pty Ltd (t & i)	618	55	8	21	12	35	6	18	0	10	2	167
E-Talk Communications Pty Ltd (t & i)	83	6	0	2	0	7	7	2	0	3	0	27
Exetel Pty Ltd (i)	371	16	0	7	9	17	8	29	0	6	0	92
Ezycall Pty Ltd (t)	140	32	4	14	35	25	20	1	6	1	2	140
Fortconnect Pty Ltd (t)	81	18	9	11	1	10	27	2	0	0	0	78
G-Node Networks Pty Ltd (i)	174	0	0	0	0	0	0	0	0	0	0	0
GoBush Broadband Pty Ltd (i)	72	0	0	0	0	0	0	0	0	0	0	0
Golden IT Pty Ltd (i) (c)	55	0	0	0	0	0	0	0	0	0	2	2
GOTalk Australia Pty Ltd (t)	3,250	506	89	245	229	311	205	183	36	36	127	1,967
HarbourIT Pty Ltd (i)	58	0	0	0	0	0	0	0	0	0	0	0
Hutchison 3G Australia Pty Ltd (o)	15,592	0	0	0	0	0	0	0	0	0	0	0

Biling and payments	Mobile							Total mobile
	Contracts	Credit management	Customer service	Complaint handling	Faults	Customer transfer	Other^	
0	0	0	0	0	0	0	0	0
70	1	0	21	6	0	0	1	99
4	2	0	1	1	1	1	0	10
169	43	129	198	54	40	17	12	662
29	22	7	18	17	23	0	0	116
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
2	0	3	3	0	0	2	1	11
13	16	4	9	5	11	0	1	59
0	0	0	4	0	0	0	0	4
0	0	0	0	0	0	0	0	0
79	152	12	43	69	18	8	7	388
0	0	0	0	0	0	0	0	0
4	0	0	0	0	0	0	0	4
2	7	2	0	0	0	0	0	11
5	18	4	6	3	3	0	0	39
18	46	3	13	3	5	1	0	89
2	0	0	0	0	0	3	0	5
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
2	2	1	8	8	10	2	0	33
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
4	12	0	5	3	1	0	0	25
5	3	0	3	0	1	1	0	13
14	2	2	4	2	6	4	0	34
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
235	188	47	182	136	51	48	64	951
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
158	192	78	157	74	28	5	39	731
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
1	0	0	1	1	0	0	0	3
0	0	0	0	0	0	0	0	0
0	0	0	0	0	2	1	0	3
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
43	15	8	44	22	11	7	3	153
0	0	0	0	0	0	0	0	0
2,929	1,970	1,102	2,566	1,722	3,301	95	215	13,900

Biling and payments	Internet							Total internet
	Contracts	Credit management	Customer service	Complaint handling	Faults	Provisioning	Other#	
8	7	1	18	7	28	2	0	71
0	0	0	0	0	0	0	0	0
0	0	0	3	0	3	0	0	6
735	215	163	1,068	254	384	303	84	3,206
2	0	1	0	1	0	0	0	4
14	12	2	3	6	14	1	0	52
34	20	4	39	23	32	17	5	174
15	8	0	22	3	10	0	1	59
9	2	1	17	3	17	4	2	55
2	0	0	12	3	13	0	0	30
8	5	0	2	3	1	1	2	22
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
27	12	1	26	15	18	9	2	110
27	11	6	8	3	3	0	0	58
14	14	0	42	32	29	78	1	210
1	0	0	1	2	1	0	0	5
0	0	0	0	0	1	1	0	2
1	3	0	2	2	1	0	0	9
0	0	0	0	0	0	0	0	0
5	1	0	0	0	1	0	0	7
0	0	0	0	0	0	0	0	0
18	9	6	11	3	4	0	0	51
299	112	101	967	94	670	15	8	2,266
19	6	0	28	21	61	15	0	150
18	11	8	12	17	45	2	1	114
0	6	0	9	21	64	3	0	103
0	0	0	0	0	0	0	0	0
68	39	9	37	43	50	12	3	261
39	22	6	26	24	33	5	0	155
11	4	0	38	25	81	2	2	163
0	0	0	0	0	1	0	0	1
15	3	1	16	20	58	3	1	117
1	1	0	0	0	1	0	0	3
4	2	1	4	0	3	2	3	19
0	0	0	0	0	0	0	0	0
17	25	1	35	29	114	21	2	244
25	22	6	26	22	41	3	3	148
1,708	1,207	104	1,189	942	902	432	199	6,683
11	1	0	7	3	11	1	3	37
11	12	0	9	3	0	0	0	35
0	0	0	0	0	0	0	0	0
128	62	9	103	67	57	16	9	451
15	11	1	11	5	13	0	0	56
38	22	5	65	29	93	22	2	276
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
22	22	2	66	10	44	7	1	174
13	3	1	13	11	27	3	1	72
18	4	0	9	3	19	0	0	53
315	162	23	203	135	188	68	36	1,130
7	4	0	10	5	31	1	0	58
510	359	159	251	179	209	20	5	1,692

Complaints against TIO members by issue
- landline, mobile and internet (non-standardised) continued

	Land Line											
	Total issues	Billing and payments	Credit management	Complaint handling	Customer transfer	Customer service	Contracts	Faults	Privacy	Provisioning	Other*	Total land line
Hutchison Telecoms (Aust) Pty Ltd (t)^	124	0	0	0	0	0	0	0	0	0	0	0
iiNet (OzEmail) Pty Ltd (t & i)	46	2	0	0	0	1	0	0	0	0	0	3
iiNet Ltd (i)	2,687	126	11	110	61	174	15	278	9	117	4	905
Internode Systems Pty Ltd (i)	297	1	0	1	1	1	0	4	0	0	0	8
Jackar Australia Pty Ltd (i)	74	0	0	0	0	0	0	0	0	0	0	0
Koala Telecom (Australia) Pty Ltd (t & i)	323	14	8	12	6	14	1	15	2	3	0	75
Koala Telecom Pty Ltd (t & i)	117	5	1	2	0	8	0	0	0	1	0	17
Komtel Pty Ltd (t & i)	186	54	0	22	10	18	55	14	1	1	0	175
L.I.S.P Pty Ltd (Local Internet Service Provider) (i)	119	1	0	1	0	0	0	0	0	0	1	2
Lime Australia Pty Ltd (t& i)	102	0	0	0	0	2	1	1	0	0	0	4
M2 Telecommunications Pty Ltd (t)	93	14	1	6	4	14	6	6	1	0	0	52
m8 Telecom Pty Ltd (o)	1,386	0	0	0	0	0	0	0	0	0	0	0
Macquarie Telecom Group Limited (t)	50	4	6	2	1	7	4	4	0	6	1	35
Max Telecom Pty Ltd (t & i)	145	31	7	10	21	26	20	8	2	0	0	125
McKay, Jason Kenneth (i)	287	0	0	0	0	0	0	0	0	0	0	0
Mibroadband Pty Ltd (t) (c)	457	98	6	48	8	116	37	124	0	18	2	457
Mobileworld Operating Pty Ltd (t)	164	0	0	0	0	0	0	0	0	0	0	0
Motion Telecom Pty Ltd (t)	130	45	2	16	9	21	17	0	1	0	7	118
My Net Fone Pty Ltd (t & i)	97	23	1	12	1	15	17	25	1	2	0	97
NC Cable Pty Ltd (t & i)	47	4	1	0	2	5	1	2	1	0	0	16
Netspace Online Systems Pty Ltd (i)	888	58	3	37	20	31	19	26	1	30	1	226
Ocean Broadband Ltd (i) (c)	76	0	0	0	0	0	0	0	0	0	0	0
Optus Broadband Pty Ltd (i)	6,067	0	0	0	0	0	0	0	0	0	0	0
Optus Mobile Pty Ltd (t) (c)	15,263	0	0	0	0	0	0	0	0	0	0	0
Optus Networks Pty Ltd (t) (c)	20,283	3,659	1,030	2,124	1,230	3,640	1,328	2,188	244	1,649	195	17,287
PacNet Internet (A) Pty Ltd (i)	171	2	1	1	1	1	1	3	0	1	0	11
People Telecom Limited (t&i)	1,752	174	60	86	132	134	157	50	8	16	1	818
Pivotal Satellite Pty Limited (t)	85	2	2	1	0	0	3	3	0	0	0	11
Prime Telecoms No. 1 Pty Ltd (t)	210	56	5	19	11	20	79	13	0	5	1	209
Prime Telecoms Pty Ltd (t)	80	20	3	2	6	6	31	5	0	0	0	73
Primus Telecommunications Pty Ltd (t & i) (c)	6,079	771	221	463	278	887	228	779	25	223	37	3,912
Pulse Telecom Pty Ltd (t)	99	23	3	15	30	15	12	1	0	0	0	99
Red Media Solutions Pty Ltd (t & i)	198	58	0	14	51	22	15	14	0	1	0	175
Reward Mobile Pty Limited (t)	189	0	0	0	0	0	0	0	0	0	0	0
Saunders Properties Pty Ltd (i)	127	5	0	0	0	3	0	1	0	3	0	12
Savvy Telecommunications Pty Ltd (t)	42	0	0	0	0	0	1	0	0	0	1	2
SIMplus Mobile Pty Limited (t)	1,963	0	0	0	0	0	0	0	0	0	0	0
Snoopa Community Geelong Pty Ltd (t & i) (c)	71	0	0	0	0	0	0	0	0	0	0	0
Soul Communications Pty Ltd (t & i)	13,214	1,376	283	442	153	1,216	247	218	16	88	17	4,056
Southern Cross Telco Ltd (t & i)	85	10	8	5	5	7	1	19	3	4	1	63
Southern Phone Company (t)	288	31	1	21	41	17	25	37	22	3	1	199
Spin Internet Services Pty Ltd (i)	116	4	4	2	3	10	1	3	0	7	0	34
Technical Aid to the Disabled Inc (i)	83	4	2	1	1	9	3	4	0	1	2	27
Tel.Pacific Prt Ltd (t & i)	189	12	0	11	0	17	4	4	0	0	116	164
Telco Blue Pty Ltd (t)	201	37	8	18	30	20	40	8	2	4	0	167
Telstra Big Pond (i)	19,364	0	0	0	0	0	0	0	0	0	0	0
Telstra Corporation (t) (c)	71,210	7,117	3,233	4,860	2,040	7,325	2,283	6,829	1,046	3,956	1,419	40,108
Thomas Ford Trading Pty Ltd (t)	79	25	1	4	6	9	21	1	0	2	0	69
TPG Internet Pty Ltd (i)	2,199	14	3	21	6	15	6	33	0	6	6	110
TransACT Capital Communications (t&i) (c)	434	78	23	26	16	55	62	23	5	28	9	325
Unisky Pty Ltd (t & i)	50	0	0	0	0	0	0	0	0	0	0	0
United Asia Pacific Telkom Pty Ltd (t)	68	20	4	9	7	10	10	3	0	0	0	63
Unwired Australia Pty Ltd (t & i) (c)	293	0	0	0	0	0	0	0	0	0	0	0
Virgin Mobile (Australia) Pty Ltd (t & i)	8,145	132	17	151	144	407	76	489	1	42	10	1,469
Vodafone Australia Limited (t) (c)	6,965	0	0	0	0	0	0	0	0	0	0	0
Westnet Pty Ltd (t & i)	491	36	5	13	20	35	5	43	11	33	0	201
World Tel (Aust) Pty Ltd (t)	389	78	7	32	27	45	128	4	11	1	0	333
Your Telecom Pty Limited (t)	65	25	1	8	0	14	3	4	0	0	0	55

Mobile								
Billing and payments	Contracts	Credit management	Customer service	Complaint handling	Faults	Customer transfer	Other^	Total mobile
19	7	45	13	23	14	2	1	124
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
2	0	0	2	0	0	0	0	4
0	0	0	1	3	3	0	0	7
1	3	0	0	3	3	1	0	11
0	0	0	1	1	0	0	0	2
27	34	4	13	7	8	4	1	98
12	14	0	4	4	1	2	0	37
328	372	157	221	198	79	21	10	1,386
3	2	0	2	1	1	0	0	9
2	0	0	0	1	0	1	0	4
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
37	47	6	29	10	29	2	4	164
1	0	0	0	0	0	2	0	3
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
3,447	2,137	1,683	3,267	2,020	2,062	217	430	15,263
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
114	170	39	44	57	21	3	0	448
6	14	2	9	12	28	0	0	71
1	0	0	0	0	0	0	0	1
3	3	0	1	0	0	0	0	7
26	17	9	15	7	3	7	2	86
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
75	17	16	34	32	7	6	2	189
0	0	0	0	0	0	0	0	0
9	2	0	13	3	1	10	0	38
559	381	301	333	240	103	29	17	1,963
0	0	0	0	0	0	0	0	0
1,520	1,026	680	2,079	705	468	92	75	6,645
3	1	0	1	0	0	5	0	10
15	21	1	14	9	8	3	1	72
0	0	0	0	0	0	0	0	0
2	0	0	1	0	1	1	1	6
0	0	0	0	0	0	0	0	0
4	2	5	1	1	0	0	0	13
0	0	0	0	0	0	0	0	0
5,995	6,506	2,734	6,019	3,637	4,991	352	868	31,102
5	3	0	0	0	1	0	1	10
0	0	0	0	0	0	0	0	0
12	21	3	7	9	4	0	0	56
0	0	0	0	0	0	0	0	0
2	0	0	1	1	1	0	0	5
0	0	0	0	0	0	0	0	0
693	589	287	1,093	541	601	153	94	4,051
1,249	872	966	1,331	611	1,084	100	188	6,401
0	0	0	0	0	0	0	0	0
18	25	0	6	5	1	1	0	56
0	0	0	0	0	0	0	0	0

Internet								
Billing and payments	Contracts	Credit management	Customer service	Complaint handling	Faults	Provisioning	Other#	Total internet
0	0	0	0	0	0	0	0	0
11	2	0	10	2	10	4	4	43
336	124	55	367	213	372	272	43	1,782
60	22	6	55	22	75	40	9	289
8	2	0	33	5	26	0	0	74
61	36	9	35	27	60	14	2	244
22	9	2	20	15	19	1	5	93
0	0	0	0	0	0	0	0	0
24	2	5	39	17	27	1	0	115
0	0	0	0	0	0	0	0	0
1	1	0	0	0	1	0	1	4
0	0	0	0	0	0	0	0	0
2	0	0	2	2	0	0	0	6
5	2	1	5	2	1	0	0	16
133	8	0	88	37	17	3	1	287
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
7	2	0	0	0	0	0	0	9
0	0	0	0	0	0	0	0	0
10	5	3	2	3	3	1	4	31
144	124	20	108	82	103	70	11	662
3	0	0	13	15	40	5	0	76
1,342	881	182	1,370	782	897	451	162	6,067
0	0	0	0	0	0	0	0	0
582	404	85	630	370	450	343	132	2,996
30	31	13	25	24	25	6	6	160
110	73	16	101	55	79	26	26	486
0	1	0	0	1	1	0	0	3
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
439	338	53	475	251	264	198	63	2,081
0	0	0	0	0	0	0	0	0
3	1	2	6	5	5	1	0	23
0	0	0	0	0	0	0	0	0
29	24	8	18	14	15	7	0	115
0	0	0	1	0	0	1	0	2
0	0	0	0	0	0	0	0	0
4	6	0	23	3	34	0	1	71
487	312	101	723	250	436	166	38	2,513
3	1	0	1	3	3	1	0	12
7	3	1	0	2	2	2	0	17
13	29	3	11	6	14	6	0	82
2	4	0	18	4	17	4	1	50
8	2	0	5	2	8	0	0	25
3	5	0	4	2	3	1	3	21
4,467	2,881	935	3,775	2,478	2,597	1,736	495	19,364
0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0
360	300	11	364	290	524	196	44	2,089
16	16	1	6	1	3	8	2	53
11	0	0	9	5	23	2	0	50
0	0	0	0	0	0	0	0	0
83	68	6	48	35	48	1	4	293
233	244	42	783	293	964	48	18	2,625
79	95	44	121	60	156	9	0	564
61	26	20	40	35	56	42	10	290
0	0	0	0	0	0	0	0	0
5	0	0	3	2	0	0	0	10

Complaints against TIO members by level - MPSI scheme (non-standardised)

1 July 2007 - 30 June 2008 (Includes members that received 25 or more complaints in 2007/08)

(t) telephone service provider

(i) internet service provider

(o) other

(c) holds carrier licence

Member Name	Total number of complaints	Level 1	Level 2	Level 3	Level 4
AAPT Ltd (t&i) (c)	273	270	3	0	0
ACN Pacific Pty Ltd (t & i)	38	34	3	1	0
Dodo Australia Pty Ltd (i)	41	38	3	0	0
Hutchison 3G Australia Pty Ltd (o)	1,445	1,394	43	8	0
m8 Telecom Pty Ltd (o)	145	132	12	1	0
Mobileworld Operating Pty Ltd (t)	28	26	2	0	0
Optus Mobile Pty Ltd (t) (c)	2,759	2,697	52	10	0
Reward Mobile Pty Limited (t)	76	71	5	0	0
SIMplus Mobile Pty Limited (t)	243	222	19	2	0
Soul Communications Pty Ltd (t & i)	544	515	25	4	0
Southern Cross Telco Ltd (t & i)	28	28	0	0	0
Telstra Corporation (t) (c)	5,995	5,818	161	16	0
TransACT Capital Communications (t&i) (c)	34	32	1	1	0
Virgin Mobile (Australia) Pty Ltd (t & i)	597	565	29	3	0
Vodafone Australia Limited (t) (c)	1,429	1,388	37	4	0

Complaints against TIO members by issue - MPSI scheme (non-standardised)

1 July 2007 - 30 June 2008 (Includes members that received 25 or more complaints logged for the financial year)

(t) telephone service provider

(i) internet service provider

(o) other

(c) holds carrier licence

	MPSI scheme										Total MPSI
	Total issues	Access to content	Complaint handling	Customer service	Credit management	Disputed admin charges	Disputed usage charges	Information / advertising	Refund / credit	Other*	
AAPT Ltd (t&i) (c)	443	2	71	41	1	1	300	16	11	0	443
ACN Pacific Pty Ltd (t & i)	73	0	14	4	3	0	51	1	0	0	73
Dodo Australia Pty Ltd (i)	78	1	14	7	3	0	52	1	0	0	78
Hutchison 3G Australia Pty Ltd (o)	2,297	11	441	122	50	8	1,536	77	45	7	2,297
m8 Telecom Pty Ltd (o)	257	0	54	19	14	0	165	2	3	0	257
Mobileworld Operating Pty Ltd (t)	50	2	3	13	2	0	29	1	0	0	50
Optus Mobile Pty Ltd (t) (c)	4,380	40	747	307	75	3	2,991	94	113	10	4,380
Reward Mobile Pty Limited (t)	131	1	21	10	0	0	88	7	4	0	131
SIMplus Mobile Pty Limited (t)	407	0	85	30	11	3	262	6	9	1	407
Soul Communications Pty Ltd (t & i)	954	1	169	100	11	0	627	18	24	4	954
Southern Cross Telco Ltd (t & i)	41	0	8	2	0	0	31	0	0	0	41
Telstra Corporation (t) (c)	9,685	35	1,722	866	39	6	6,645	182	170	20	9,685
TransACT Capital Communications (t&i) (c)	56	0	13	4	1	0	37	0	1	0	56
Virgin Mobile (Australia) Pty Ltd (t & i)	944	7	164	80	6	1	658	10	17	1	944
Vodafone Australia Limited (t) (c)	2,260	13	365	169	42	1	1,574	56	33	7	2,260

* Other includes contracts and privacy.

Glossary

ACCC (Australian Competition and Consumer Commission)

The government body responsible for administering price caps related to Telstra and for regulating competition policy, anti-competitive conduct or unfair business practices and enforcing the *Trade Practices Act 1974* (Cwlth). (www.accc.gov.au)

ACMA (Australian Communications and Media Authority)

The Australian Communications and Media Authority (ACMA) is responsible for the regulation of broadcasting, radiocommunications, telecommunications and online content. (www.acma.gov.au)

Alternative dispute resolution (ADR)

Any means of settling disputes outside of the courtroom. The TIO is an ADR body.

ADSL (Asymmetric Digital Subscriber Line)

A type of xDSL service, ADSL is technology that allows for internet and voice to be used simultaneously via an ordinary phone line (a copper pair).

The distance between the user and the local telephone exchange will affect the availability of an ADSL service

ADSL2

ADSL2 increases data rates available through ADSL, as well as extending the reach from the exchange to subscriber. It is theoretically capable of providing maximum data rates of 12 Mbit/s downstream and 3.5 Mbit/s upstream

ADSL2+

Extended bandwidth ADSL2. The technology provides three times better performance than traditional ADSL technology. ADSL2+ services are theoretically capable of download speeds up to 24 Mbit/s.

AMTA (Australian Mobile Telecommunications Association)

The national body representing the mobile telecommunications industry in Australia.

Board

The TIO scheme, a company limited by guarantee, is accountable to its Board of directors. The Board has corporate governance responsibilities, including risk management, financial management of the scheme, strategic affairs, budgeting and ensuring compliance with the TIO's *Memorandum and Articles of Association* and its *Constitution*.

Broadband

Broadband is a general term that refers to high-speed connections such as cable, ADSL and satellite. For broadband services, internet access is not time-based as it is an "always on" connection, the exception being the uplink for satellite.

Carriage service provider (CSP)

Person supplying or proposing to supply certain carriage services, including a commercial entity acquiring telecommunications capacity or services from a carrier for resale to a third party. Internet and pay-TV service providers fall within the definition of carriage service providers under the *Telecommunications Act 1997* (Cwlth).

Carrier

An organisation that holds a carrier licence as defined by the *Telecommunications Act 1997* (Cwlth). In very general terms, a carrier provides the physical infrastructure used to supply carriage services to the public.

Codes

Performance standards set by the Communications Alliance and the telecommunications industry. While compliance with codes is voluntary, once a company is a signatory to a code it is bound by the standards set in that code. ACMA has the power to direct a provider to comply with a registered code even where the company is not a signatory to the code. The TIO gathers data on code compliance for the Communications Alliance and ACMA. Codes are listed at <http://commsalliance.com.au/documents/codes>.

Constitution

The TIO *Constitution* outlines the roles, responsibilities and powers of the Board, Council, members and the Ombudsman. The *Constitution* may be changed with the approval of the TIO Council and Board after consulting with the federal ministers responsible for communications and consumer affairs.

Cooling-off period

A "cooling-off period" is a specific time frame after a buyer agrees to a contract, during which the buyer can change their mind and exit the contract. Whether a cooling-off period applies, and for how long, depends on the sales channel and may vary from state to state. A cooling-off period will usually apply to door-to-door sales and may apply to telemarketing. Some service providers offer a cooling-off period to all their sales. Consumers should check with their relevant state or territory consumer body to determine whether a cooling-off period applies to their circumstances.

Council

The TIO Council is comprised of an independent Chair and an equal number of representatives from TIO members and consumer interest groups. The Council provides advice to the Ombudsman on policy and procedural matters and ensures that complaint handling procedures are effective.

Glossary continued

Customer Service Guarantee (CSG)

A set of performance requirements placed by ACMA on providers of the standard telephone service. The CSG sets time limits and other standards for rectification of faults, connections and appointments. The CSG entitles customers to a set scale of compensation payments if the standards are not met. To view or download a fact sheet on the CSG, please visit www.acma.gov.au.

Default listing

If a customer does not pay a phone or internet bill by 60 days after the due date, the provider may report the name and details of the overdue account to a credit reporting agency (CRA).

The CRA keeps information about the overdue account on file as a “default listing”. The default listing stays on file for five years even if the customer pays the account after it was listed, though the file should show that the customer did this.

If a consumer applies to a company for a loan or some other type of credit, the loan or credit provider can check whether they have a default listing on file. The credit provider may reject their application if there is a default listing on file in their name.

Default listings are also known as “credit defaults” and “credit listings”.

The Department of Broadband, Communications and the Digital Economy

The department, formerly known as the Department of Communications Information Technology and the Arts, provides strategic advice and professional support to its Minister on a wide range of policy areas, including:

- a national broadband network and telecommunications
- broadcasting and digital switchover
- cyber-safety
- the digital economy.

The department also administers legislation, including regulations, and delivers programs.

DIST benchmarks

In 1997 the Department of Industry Science and Tourism, produced benchmarks for industry-based customer dispute resolution schemes. These benchmarks were developed in consultation with industry dispute resolution schemes, consumer organisations, government and regulators. The purpose of the benchmarks was to guide industry in developing and improving industry alternative dispute resolution schemes. They were developed to apply primarily to nationally based schemes set up under the auspices of an industry. Most industry alternative dispute resolution schemes operate in accordance with the *Benchmarks for Industry-Based Customer Dispute Resolution Schemes*. This benchmark sets out key ADR practices, within the principles of accessibility, independence, fairness, accountability, efficiency and effectiveness.

Early termination fee (ETF)

An ETF is a charge levied when a consumer ends a fixed-term contract early. The fee (or how it will be calculated) will usually be specified in the contract or agreement and is designed to recover the provider’s costs due to the customer leaving sooner than expected. The fee might reflect any equipment (such as a handset or modem) provided to the customer without charge on signup, in the expectation of the customer remaining with the service provider for a minimum period of time.

Enquiry Officer

TIO staff member who handles level 1 complaints, both written and oral.

Gigabyte

A gigabyte is a unit of information or computer storage equivalent to 1 000 megabytes or one billion bytes.

Depending on compression methods and file format, a gigabyte of data can roughly hold around 17 hours of MP3 music.

Investigation Officer

TIO staff member who handles written and oral enquires and level 1 complaints in addition to investigating and resolving higher level complaints.

Informed consent

Chapter 8 of the *Telecommunications Consumer Protections Code* (the complete code is available at www.commsalliance.com.au) says that informed consent occurs when, before seeking agreement to a transfer, the gaining supplier informs the authorised customer or their authorised representative of the following and the authorised customer or their authorised representative clearly conveys agreement to the transfer:

- that the authorised customer is entering into a new contract by agreeing to the transfer
- which telecommunications service is being transferred
- the terms and conditions of the transfer
- the identity of the gaining supplier
- whether equipment they have for their existing service will be compatible with the gaining supplier’s service
- the relevant terms and conditions relating to any telecommunications goods purchased from the gaining supplier for use with the telecommunications service being transferred
- that there may be consequences arising from their existing telecommunications services contract, which the customer must check.

ISP (internet service provider)

A company that provides internet access services to the public. All ISPs are required to be members of the TIO. ISPs represent by far the largest group of TIO members.

Life-threatening calls.

A life-threatening call is a call that is connected with an event actually or potentially perilous to human life. Examples include where a person is seriously injured, a bomb threat or an extortion demand. Matters involving a threat to a person's life or health should be reported directly to police using the 000 emergency call service.

Mass service disruptions

Mass service disruptions (MSDs) are caused by circumstances beyond the control of the phone company. For example, damage to facilities caused by a third party, natural disasters or extreme weather conditions. In these situations, mass outages of phone services may occur and the phone company may be restricted in its connection and fault rectification activities.

Phone companies are exempt from complying with the Customer Service Guarantee for services affected by a MSD, or for areas that are affected by the need to move staff or equipment to an area affected by an MSD.

When a phone company relies on an exemption from complying with the CSG, it must inform its customers by publishing a public notice in a newspaper and on a website on the internet specifying the services affected and the range of phone numbers to which the exemption relates.

Low-impact facility

Low-impact facilities include underground cabling such as optical fibre, as well as small antennae and radiocommunications dishes erected on existing towers or buildings.

The *Telecommunications (Low-Impact Facilities) Determination 1997* (Cwlth) and its *Amendment No.1* of 1999 specify the low-impact facilities regulated by the Telecommunications Act and the areas, residential, commercial, industrial or rural, where they can be installed.

Megabyte

A megabyte is a unit of information or computer storage equal to 1 000 000 bytes.

Depending on compression methods and file format, a megabyte of data can roughly hold one minute of MP3 compressed music.

Member

A telecommunications service provider that is a member of the TIO scheme. The *Telecommunications Act 1997* (Cwlth) requires all carriers and eligible carriage service providers to be members of the TIO.

Memorandum and Articles of Association

Document outlining the rules and principles governing the TIO and its members. It is broader and more comprehensive than the *Constitution*, and covers areas such as administration and funding. This document may be amended with the approval of two-thirds of TIO members in attendance at an annual general meeting.

Porting

The process by which a customer's telephone number is transferred to another carrier's network.

Position statements

Position statements set out the TIO's approach to investigating and resolving particular categories of complaints. They apply equally to residential and small business complainants, unless specifically stated otherwise. While the position statements reflect and acknowledge industry practice/legislation about various telecommunication issues, they more often concern issues about which there is no or minimal regulatory guidance. The TIO's position statements do not have the force of legislation or industry codes of practice. Our position statements are available at www.tio.com.au.

Resolution

The fair and reasonable settlement of a complaint between a customer and a provider with the assistance of the TIO.

Roaming (global)

Roaming is the word used to describe a customer using a mobile phone on another network for a short period, while still being billed by their existing provider. The customer's mobile phone number remains the same while roaming. When the customer is roaming on another network the temporary mobile phone company will bill their usual mobile phone company for calls they make while roaming on their network.

Scheme

The TIO scheme is a company limited by guarantee and is accountable to its Board of directors.

Shaping or throttling

Shaping or throttling involves a telecommunications provider dropping broadband connection speeds once the user reaches an agreed monthly download limit.

(SFOA) Standard Form of Agreement

A document setting out the terms and conditions of the supply of telecommunications goods and services where an individual contract has not been agreed between the customer and the carriage service provider.

Spam

Unsolicited marketing e-mail and SMS messages to mobile phones.

Standard telephone service

A telephone service providing two-way voice communication for local, long-distance and international calls, commonly provided by landline but in certain circumstances by a mobile or satellite service.

VoIP

Voice over Internet Protocol (VoIP) is a technology that allows the user to make voice calls using a broadband internet connection instead of a regular (or analogue) phone line.

At 30 June 2008

TIO Member List

Includes "Three-Month Cessation Period", "Current Member",
"In Liquidation", "Unable to Contact", "Under Administration"

Member category	Total	%
Internet service provider	568	51
Other	53	5
Telephone and internet service provider	309	28
Telephone service provider	176	16
Total	1,106	100

Internet Service Provider	date joined	Internet Service Provider	date joined	Internet Service Provider	date joined
Internet Service Provider	568	Armadillo Applied Computer Technologies Pty Ltd	2/09/2005	Bon Media Pty Ltd	30/06/2005
154 Collins Street Pty Ltd	9/03/2004	Auction Classifieds Pty Ltd	10/09/2002	Bordernet Internet Pty Ltd	23/06/2003
1990 Multiline BBS Pty Ltd	8/09/1998	AUSTAR United Broadband Pty Ltd	10/11/2003	Bravo Internet Pty Ltd	13/08/2007
2000 Computers and Networks Pty Ltd	27/01/2006	AustLink Pty Ltd	6/05/2008	Bribie Island Internet Pty Ltd	7/04/2004
2B Wise Pty Ltd	19/07/2005	Australia Internet Solutions Pty Ltd	13/10/1997	Broadband Phone Pty Ltd	7/12/2005
3 Guys Broadband Internet	20/11/2006	Australia On Line Pty Ltd	25/03/1998	Broadband Wireless Pty Ltd	9/01/2006
A & R Computer Services Pty Ltd	15/08/2006	Australian Corporate Technology Pty Ltd	18/08/2005	BroadbandNet Pty Ltd	11/01/2006
Access Net Internet Services Pty Ltd	25/05/2002	Australian Internet Billing Pty Ltd	21/04/2004	Broadcast Engineering Services (Australia) Pty Ltd	19/09/2002
Access Plus Pty Ltd	24/04/2001	Australian Regional Networks Pty Ltd	18/07/2006	Broadway Web (Internet) Services	15/03/2004
Accsoft Computer Technology Pty Ltd	27/10/1997	AustraliaNet IT Pty Ltd	14/03/2000	Bucan Holdings Pty Ltd	1/07/1997
Accsys IT Pty Ltd	21/02/2002	Auzynet Pty Ltd	1/02/2002	Buijk Finance Pty Ltd	2/11/2005
Ace Internet Services Pty Limited	1/09/1997	AW Communications Pty Ltd	11/03/2003	Bush Telecommunications Pty Ltd	11/04/2006
Acenet Internet Services	18/01/1999	Awebit Pty Ltd	26/02/2004	C.S. Sutherland Corporation Pty Ltd	8/09/2003
ActewAGL Retail (Grapevine)	7/06/2001	Azure Wireless Pty. Ltd.	14/07/2005	C1 Consulting Pty Ltd	18/10/2002
Activ Australia Pty Ltd	20/10/1998	Banana Shire Council	17/05/1999	CafeOz Internet	14/11/2006
Acure Technology Pty Ltd	1/06/2004	Barcode Solutions Pty Ltd	23/09/1999	Caloundra Internet Services Pty Ltd	3/06/2005
Adam Pty Ltd	15/10/1997	Barden, Paul William	1/03/2006	CanDo Internet Pty Ltd	17/11/2004
ADNET Holiday Coast Internet	7/08/1998	Barnetwork Pty Ltd	7/10/2003	CBIT Pty Limited	22/11/2005
Advanced Internet Services Pty Ltd	21/07/1997	BBIT Pty Ltd	27/08/1998	Central Coast Internet Pty Ltd	13/11/1997
Advatel Wireless Pty Ltd	15/04/2004	Beagle Internet Pty Ltd	9/06/2004	Central Data Pty Ltd	3/11/2000
Airweb Connect Pty Ltd	18/03/2005	Belmont Computer Centre Pty Ltd	22/05/2008	Central Online Pty Ltd	10/09/2001
Albury Local Internet Pty Ltd	30/11/2000	Berabung Pty Ltd	11/10/2005	Channel Communications Pty Ltd	14/03/2006
All IP Services Pty Ltd	16/02/2004	Betterlink Pty Ltd	21/12/1998	Chariot Ltd	30/10/1997
Allegro Networks Pty Ltd	3/02/2006	Big Button Pty Ltd	14/01/1998	Charter Resources Security Solutions Pty Ltd	21/09/2005
Alpha Dot Net Australia Pty Ltd	31/10/1997	BigAir Group Limited	25/11/2002	Cheapanet Pty Ltd	6/07/2006
Alphalink Australia Pty Ltd	1/07/1997	Bigdy Pty Limited	20/12/2004	Chilli Internet Solutions Pty Ltd	26/03/1998
Alphawest Services Pty Ltd	9/07/1998	Bizyweb Internet Services	25/07/2002	Ciphertel Pty Ltd	21/04/2005
Always Online Pty Ltd	29/01/2001	BKB Internet Pty Ltd	5/02/2004	Cirrus Communications Pty Ltd	18/05/2005
Amcom Telecommunications Limited	1/06/2007	Blitzwave Pty Ltd	11/07/2005	Citisystems (Aust) Pty Ltd	7/05/1999
Amisoft	13/11/1997	Blubroadband Pty Ltd	19/12/2007	City Cable Pty Ltd	19/09/2006
Analyst Programmers Pty Ltd	22/07/1999	Blue Net Pty Ltd	19/11/2002	ClariNET Internet Solutions Pty Ltd	25/07/1997
ANS Communications Pty Ltd	2/04/1998	Bluefire Corporation Pty Limited	28/06/1999	Clear Technology Pty Ltd	22/11/2006
Arachnet Pty Ltd	24/08/1998	Bluemaxx Communications Pty Ltd	26/07/2005	Clever Communications Operations Pty Ltd	6/01/2003
Arcadia Technology	10/12/1997			Clover Computing	10/06/1998
Argonaut Internet Service	21/07/2000			Club Australasia Pty Ltd	9/11/2001

Internet Service Provider	date joined	Internet Service Provider	date joined	Internet Service Provider	date joined
ClubNet International Pty Ltd	18/01/1999	Down Under Consultants Pty Ltd	12/05/1998	Gamexpress Glen Waverley Pty Ltd	21/06/2002
Cmon.com.au Pty Ltd	15/12/2003	Dragnet Internet Services Pty Ltd	26/11/1997	Geecko	21/05/2002
CNN Internet Pty Ltd	29/06/2000	E-Sharp Technology Pty Ltd	6/08/2002	Gel Works Pty Ltd	22/07/1999
Comaxes Corporation Pty Ltd	29/06/1999	Easemail.net Pty Ltd	26/04/2005	General Communicatons Business Pty Ltd	18/06/2003
ComCen Pty Ltd	17/07/1997	Eastcoast Internet	10/07/1999	Genisyst Pty Limited	1/07/1997
Commerce Australia Pty Ltd	3/04/1998	Eastern Wireless Pty Ltd	20/06/2005	Geo Media Broadband Pty Ltd	26/04/2006
Commslogic Pty Ltd	28/06/2005	Easy Internet Services Pty Ltd	3/10/2003	Geocel Pty Ltd	16/02/2006
Communicat Pty Ltd	1/07/1997	Easynet Pty Ltd	28/11/1997	GeoNet Pty Ltd	26/04/2006
Community Information Strategies Australia Inc	22/11/2004	EasyTel Communications Pty Ltd	14/06/2006	GetOnIt Pty Ltd	22/09/2003
Computers Now Pty Ltd	9/08/2002	Echobreeze Pty Ltd	20/01/2003	GKY Distributors Pty Ltd	1/07/1997
Comstar Internet Services Pty Ltd	12/02/2003	ECN Pty Ltd	13/03/2003	Global Dial Pty Ltd	3/05/2000
Comstech Systems	23/04/2003	Ecopost Pty Ltd	4/08/1997	Global Solutions Network Pty Ltd	25/08/2003
Conceptual Internet Australia Pty Ltd	3/07/2000	Edition Education Services Limited	1/07/1997	Global Wire Internet Pty Ltd	5/07/2000
Connect West Pty Ltd	22/10/2004	Eftel Radio Pty Ltd	6/05/2002	GoBush Broadband Pty Ltd	26/04/2006
Contal Information Technology Pty Ltd	12/06/1998	Elders Telecommunications Pty Ltd	16/06/2006	GoConnect Australia Pty Ltd	25/11/1999
Coretech Aust Pty Ltd	3/08/2007	Elmtree Consulting Services Pty Ltd	28/05/1999	Golden IT Pty Ltd	12/12/2003
Corinthian Engineering Pty Ltd	6/04/1998	Elu Information Systems Pty Ltd	27/10/1997	Goulburn Internet Pty Ltd	14/11/2003
Cornish Business Solutions	11/09/2003	Emerge Technologies Pty Ltd	15/11/1999	GPC Pty Ltd	30/11/1998
Corpita Pty Ltd	15/04/2003	Ensyst Pty Limited	13/05/2005	Graham C Maltby & Klaus D Boehme	7/08/2007
Coulston, Evan James	2/10/2000	Enter Net Australia Pty Ltd	12/06/1998	Gratesand Pty Ltd	20/11/1998
Country Energy	9/12/2002	EON Technology Pty Ltd	18/05/1998	Graytech Hosting Pty Ltd	18/01/2008
CQ Net Pty Ltd	22/03/2002	Escape Communications Pty Ltd	9/08/2002	Green Tree Frog Pty Limited	15/08/2006
Creagh McGlasson Pty Ltd	29/03/2004	Escape.Net	12/01/1998	GreenBay Communications Pty Ltd	17/04/2003
Cross Link Pty Ltd	28/05/2002	EtherTech Pty Ltd	2/06/1999	Greenhatch Nominees Pty Ltd	17/06/1999
CSI Holdings Pty Ltd	18/07/1997	ETT Limited	20/11/2007	GRHAnet Ltd	12/12/2007
Cyberlink Network	28/06/1999	Evanscorp Pty Ltd	2/11/2001	Haddow, Shane Robert	7/07/2006
CyberOne Pty Ltd	3/09/1997	Evolving Technology Solutions Pty Ltd	5/12/2006	Hande Pty Ltd	31/03/2003
Cynergic Pty Ltd	11/09/2006	Exetel Pty Ltd	21/04/2004	Hanod Investments Pty Ltd	29/08/2001
D & M Technologies Pty Ltd	2/04/2001	Export Mission Information Systems Pty Ltd	10/01/2000	HarbourIT Pty Ltd	16/01/2006
D.J HOOTON & Kingtone Pty Ltd		Extentia Corporation Pty Limited	24/03/2004	Hermes Internet	24/07/1997
& B.P RANDALL & M.J SWEET	2/08/2005	EZ ADSL Pty Ltd	24/01/2007	Highlands Internet Pty Ltd	21/12/1997
Data Traffic Services Pty Ltd	3/08/2007	Ezylink Internet Pty Ltd	19/01/1999	Highlevel Innovations Pty Ltd	11/03/1998
Datalan Australia Pty Ltd	16/06/2003	F1 (Formula One) Internet Services		Highway Internet Services Pty Ltd	3/07/2001
Davis, Catherine Marie	24/06/2005	18/01/1999		Hissey & Associates Pty Ltd	6/01/2003
DAYTEC Australia Pty Ltd	20/02/2000	F1 Computer Services	16/06/1999	Hitech Support Pty Ltd	23/06/2002
DCS Internet Pty Ltd	15/10/1997	Firestorm Computing Pty Ltd	21/01/2004	Home Secure (Aus & Nz) Pty Ltd	26/11/2007
Demand Broadband Pty Ltd	22/05/2008	First Link Internet Service Pty Ltd	1/07/1997	Hood Sweeney Technology Pty Ltd	4/01/2007
Depot IT Pty Limited	23/08/2004	Fish Telecom Pty Ltd	1/07/2002	Horizen Enterprises Pty Ltd	8/09/1999
Diggy Australia Pty Ltd	13/09/1999	Fleet Broadband Holdings Pty Ltd	9/05/2003	Hosting HQ Pty Ltd	8/11/2007
Digimedia Pty Ltd	30/08/2002	Flexinet Pty Ltd	14/06/2006	Hosting Technologies Pty Ltd	26/08/2003
Digital River Pty Ltd	23/11/2005	Foundation IT Services Pty Ltd	28/03/2008	Hot-Link DDS	15/07/1999
Digital Signal Solutions Pty Ltd	10/07/2006	Fox All Service Pty Ltd	24/08/1998	Hotkey Glen Waverley Pty Ltd	7/05/2003
Digital Technologies & Telecommunications Pty Ltd	1/01/2006	Freemate Networks	1/09/1999	Hotkey Internet Services Pty Ltd	29/10/1997
Domain Network Solutions Pty Ltd	2/09/1999	Frontier ISP Pty Ltd	6/04/2001	Hotline Support Pty Ltd	12/02/2004
DotAussie.com	1/04/2003	Futureweb Pty Ltd	9/07/1998	Hotspotzz Pty Ltd	1/07/2005
DoveNetQ	15/08/1997	G-Node Networks Pty Ltd	21/09/2006	Howard IT Operations Trust	4/09/2006
		G.A Wigzell & M.E Wigzell	18/01/2007	HTML Net	9/07/1998

Internet Service Provider	date joined	Internet Service Provider	date joined	Internet Service Provider	date joined
Hudson Data	2/03/1999	Keishen Pty Ltd	19/12/2006	MJ Anderson & AM Batrouni & KP Fuessel t/as Shiftreload	11/02/2004
Hussain, Dawud Ameen	4/05/1998	Ketteridge, Peter Walter	13/04/2004	Modern Pty Ltd	16/11/1999
Hyperlink Pty Ltd	11/09/2003	King Island Internet Service	12/08/1999	Monaro IT Pty Ltd	11/11/2004
I-Connect Internet Pty Ltd	31/07/2003	L.I.S.P Pty Ltd (Local Internet Service Provider)	8/01/1998	Multibase Web Australis	1/07/1997
I-magnet.com Pty Ltd	21/03/2001	LANcare IT Pty Ltd	29/12/2004	My ISP Australia Pty Ltd	28/02/2003
IDXNET Computing Pty Ltd	3/12/1997	LastMileAccess Pty Ltd	4/03/2004	MyDoor.Com.Au Pty Ltd	20/11/2006
iForm	21/07/1997	Launch Pty Ltd	1/07/1997	MyLink Wireless Pty Ltd	28/05/2004
Independent Computer Retailers	11/01/2000	LB & GL Rodda Pty Ltd t/as Quik Internet NNSW	13/11/2003	Nanoetek Pty Ltd	30/04/2003
Infinite Networks Pty Ltd	27/10/2003	Leading Edge Internet Pty Limited	2/07/2001	Nareg Internet Pty Ltd	30/08/2001
Information Systems Technology Network Pty Ltd	15/05/2000	Legion.com.au Pty Ltd	29/09/2005	NEC Australia Pty Ltd	2/08/2002
InfoXchange Australia	15/09/2006	Library Board of Victoria	26/03/1998	Net Solutions Pty Ltd	16/07/1999
Instra Corporation Pty Ltd	20/06/2007	Link Innovations Pty Ltd	28/11/2003	Net2000 Pty Ltd	14/07/1998
Integrated Data Labs Pty Ltd	1/09/1999	Linkit Internet Services	10/11/1998	Netbay Internet Pty Ltd	2/01/2001
Integrity Network Solutions Pty Ltd	21/02/2003	Linknet Communications NSW Pty Ltd	16/03/1999	NetCentral.com.au Pty Ltd	14/08/2000
Intek Pty Ltd	21/08/2000	Locall Pty Ltd	27/05/2002	Netcomm Broadband Pty Ltd	1/08/2001
Intelogy Pty Ltd	19/05/2003	Lockyer Internet Pty Ltd	2/12/2002	Netcommplete Pty Ltd	25/10/2001
Interact Computer Centre	15/10/1998	LoginDSL	9/12/2002	Netcore Pty Ltd	1/07/1997
Interactive Globalnet (IGN) Pty Ltd	10/11/1997	M.T Newham & R.M Newham & J.B Quinn	16/04/1999	Netforce Pty Ltd	14/12/2001
InterDomain Pty Ltd	1/01/1998	M.W Frahn & A.J Stevens t/as Copper Wire	8/01/2004	Netmagic Internet	25/07/2002
InterNet Australis	1/02/2000	Mackay Computer Services Pty Ltd	11/02/2000	Netmail Axxess Pty Ltd	7/06/1999
Internet Plus Pty Ltd	11/11/1997	Magnafield Technology Distribution Pty Ltd	29/12/1997	Netmastery Pty Ltd	23/08/1999
Internet Tasmania Pty Ltd	19/12/2006	MainLink Internet Services	27/10/1999	Netpacket Pty Ltd	1/12/1998
Internet Victoria Pty Ltd	28/10/1997	Matilda Internet Pty Ltd	17/09/1998	Netracom	11/02/1999
InterNex Australia Pty Ltd	10/03/1998	Maurie Fountain & Sons Pty Ltd	7/07/2003	Netspace Online Systems Pty Ltd	1/07/1997
Internode Systems Pty Ltd	1/07/1997	Maxi Internet Services Pty Ltd	23/04/2002	Network Computer Training Pty Ltd	15/11/2000
Intertask Pty Ltd	6/06/2003	McCarthy, Peter Lawrence	11/06/2002	Network Synergy Corporation Pty Ltd	11/05/2006
Interwerks Pty Ltd	7/12/2001	McCullagh Family Trust	23/09/2005	Network Technology (Aust) Pty Ltd	20/05/2002
Intrapower Pty Ltd	29/07/1998	McKay, Jason Kenneth	21/12/1998	Networks Multimedia Pty Ltd	26/03/2001
IntraPower Satellite Pty Ltd	23/05/2005	McLean, Ian Duke	21/08/2007	NetXP	8/10/2002
IP Exchange Pty Ltd	8/11/2007	McPherson Media Pty Ltd	21/01/1998	NetYP	10/11/1998
Isage	7/06/1999	MedEmail Pty Ltd	18/05/2000	New Millennium Networking	19/02/2001
ISPACE Pty Ltd	10/01/2007	Megalink Australia Pty Ltd	29/04/2003	Newman Pty Ltd	19/02/2003
Issa, Michael	18/04/2006	Melbourne PC User Group Inc	13/10/1997	Nexacom Pty Ltd	16/07/1999
ITD Group Pty Ltd	14/09/2004	Melbourne Wireless Incorporated Association	2/12/2005	Nexon Asia Pacific Pty	11/09/2003
iWireless Pty Ltd	10/10/2003	Merday Pty Ltd	16/01/2004	Nicholas Childs t/as GoCentral	26/04/2004
J C McInerney Pty Ltd & Cabeat Pty Ltd	18/01/1999	Metro Net Corporation Pty Ltd	28/03/2001	Nissen Technologies Pty Ltd	27/08/2004
J.R Hawthorn and L.W Mckay	13/11/2007	MICHAEL PARNELL PTY LTD	10/09/1999	No More Wires.com Pty Ltd	31/10/2000
Jackar Australia Pty Ltd	2/03/2006	Micronica	30/04/1998	Nomad Networks Pty Ltd	20/06/2006
Jaspar Solutions	19/01/2001	Microsystems Support	18/12/1997	Nornet Enterprises Pty Ltd	29/08/2002
JaziNET	7/01/2004	Mikka International Pty Ltd	23/07/1997	North Industries Pty Ltd	10/10/2003
Jigsaw Technology Pty Ltd	20/04/1998	Mindvision Interactive Pty Ltd	20/08/1997	Northern Technology Holdings	24/07/2003
Jimojo Pty Ltd	9/01/2007	Minerva Micro Pty Ltd	2/04/1998	Nowires Pty Limited	31/07/2006
Justin Fultiak & Goldline Technologies Pty Ltd	15/08/2007	Minopher Pty Ltd	31/12/1997	NT Technology Pty Ltd	27/08/1998
JWC Internet Services	15/07/2002			Nuskope Pty Ltd	6/05/2008
Kaphoops Pty Ltd	11/06/2008			Nvision Pty Ltd	27/08/1999
				Ocean Broadband Ltd	22/03/2005
				OCTEC Incorporated	11/02/1999

Internet Service Provider	date joined	Internet Service Provider	date joined	Internet Service Provider	date joined
OfficeLink Plus Pty Ltd	17/03/2003	Qwest Australia Pty Ltd	6/05/2002	South West Communications Company Pty Ltd	8/01/2004
Offis Pty Ltd	20/11/1998	Rabbit International - Pink Link		Southern Aurora Web Designs	8/07/2002
Omninet	14/07/1998	- Physic Friends Network Pty Ltd	4/02/1999	Southern Matrix International Pty Ltd	17/06/1999
On The Net Pty Ltd	31/10/1997	Radcomp Pty Ltd	7/12/2005	Southern Star Communications Pty Ltd	1/07/1997
Online 2000	3/05/1999	RAJA Computers Pty Ltd	17/07/2003	Spacelink Communications Pty Ltd	25/07/2002
Operations & Technology Group Pty Limited	20/06/2007	Ram Network Services Pty Ltd	8/05/1998	Speednet Communications Pty Ltd	27/07/1999
OPOC Solutions Pty Ltd	18/08/2003	Rapid Telecom Pty Ltd	11/05/2006	Spencer Gulf Telecasters Ltd	20/09/2002
Optic Fibre & Wireless Pty Ltd	24/02/2004	Rascal Internet Pty Ltd	29/10/2003	SPI Electricity Pty Ltd	31/07/2006
Optus Broadband Pty Ltd	29/06/2000	RBE Internet Services	10/11/1998	Spiderweb Access	14/07/1998
Orion Online	6/04/1998	Redgum Software & Support Pty Ltd	17/09/2000	Spin Internet Services Pty Ltd	20/04/1998
Orli-Tech Pty Ltd	20/04/1999	Regional Wireless Pty Ltd	7/08/2006	Spitfire Internet Services Pty Ltd	18/04/2000
Ossini Pty Ltd	27/03/2000	Relax Internet Enterprises Pty Ltd	12/06/1998	Sprint International Australia Pty Ltd	25/07/2000
Our Haven Pty Ltd	17/06/2002	Restless Online Services	17/09/1998	Steal Internet Pty Ltd	31/01/2006
Output DSJ Pty Ltd	27/06/2003	Reverence Earthlink Internet Services	2/01/2001	Stenzel Farming Enterprises Pty Ltd	1/08/2006
Over The Wire Pty Ltd	26/03/2007	Reynolds & Reynolds Pty Ltd	12/05/2000	Sublime IP Pty Ltd	11/08/1998
Overflow Internet Services	17/06/1998	Reynolds Technology Pty Ltd	23/07/2001	Switch.Com Pty Ltd	14/07/1998
Oxnee Pty Ltd	18/11/1999	Rimway Holdings Pty Ltd	21/11/2002	Sympac Computing Pty Ltd	3/06/1998
Ozcom Consulting Services	1/06/2007	Ripper IT Pty Ltd	7/07/2006	Synapse I.T Pty Ltd	20/06/2007
OzConnect Internet	28/04/2003	Robert Michael Barker	22/09/2005	Tacom Pty Ltd	23/03/1999
OzGuide	15/06/1999	ROK Technology Pty Ltd	20/01/2000	Tas Communications Pty Ltd	9/06/2005
OzISP Pty Ltd	18/11/2002	Rubix Computers Pty Ltd	14/05/1999	Tasmanet Pty. Ltd.	27/10/2005
Ozzieweb Pty Ltd	11/07/2001	Runswift Pty Ltd	29/05/2007	TCSI Pty Ltd	22/09/2003
P.G. Brown Services Pty Ltd	7/04/2004	Rural & Peninsula Disability Support Inc	15/09/2003	Tech 2U Pty Ltd	10/08/1999
Pacific Wireless Australia Pty Ltd	19/03/2002	Rural Business Machines Pty Ltd	3/02/1998	Tech Info Pty Ltd	16/06/1999
PacNet Internet (A) Pty Ltd	30/04/1999	Satellite and Wireless Pty Ltd	15/08/2006	Technical Aid to the Disabled Inc	13/10/2005
Paragon Systems Pty Ltd	10/12/2002	Saunders Properties Pty Ltd	31/07/2002	Techno Access	12/05/1998
Patash Pty Ltd	14/10/1997	Savvis Australia Pty Ltd	22/10/1999	Techsus Pty Ltd	18/08/2005
PCA NU Systems Pty Ltd	21/09/2006	ScoastNet Pty Ltd	15/10/1997	Teklogik Pty Ltd	8/02/2006
Personal Broadband Australia Limited	18/12/2003	SCS Narrandera Pty Ltd	17/02/2004	Teksupport Pty Ltd	3/10/1997
Perth international Exchange		Sebastopol College	10/08/1999	Telco Talk Communications Pty Ltd	2/05/2006
ATF the Perth IX Trust	18/04/2006	SecureTelecom Pty Ltd	18/05/2000	Tellurian Pty Ltd	6/01/2005
Petersen's Online Services	4/12/1998	SELTEK Australia Pty Ltd	10/01/2000	Telstra Big Pond	1/07/1997
Pivot Pty Ltd	27/05/2005	Shopsafe Pty Ltd	30/05/2003	Teragen International Pty Ltd	23/10/2003
Planet Ozi Pty Ltd	14/03/2006	SHS Holding Pty Ltd	15/05/2003	Terra Tech Computers Pty Ltd	29/03/2005
Platform Computing Pty Ltd	9/03/2000	Silver Telecom Pty Ltd	3/07/2006	The Australian Internet Company Pty Ltd	1/07/1997
Port Of Brisbane Corporation	31/07/2006	SIS Group Pty Ltd	12/03/2003	The Boss Group Pty Ltd	24/03/2006
Powernet Communications Pty Ltd	29/06/2006	Sixty Second Crater Pty Ltd	15/08/2005	The Emery Corporation Pty Ltd	14/07/1998
Precision Wireless Pty Ltd	28/02/2007	Skymesh Pty Ltd	10/06/2005	The Friendly Giant Pty Ltd	28/10/1999
Precisium	12/05/1999	SmartyHost Pty Ltd	22/06/2006	The Info Xchange Inc	3/12/1997
Preferred Internet Provider	26/11/1997	Smith, Alwyn Laurence	16/12/2005	The Murray Pioneer Pty Ltd	9/12/1997
Primebase Pty Ltd	14/12/2004	SMV & GJ Bambrick	1/09/2003	The Trustee for Hurst Family Trust & Trustyrom	31/07/2006
Project Eclectic R&D (SA) Pty Ltd	20/10/2005	Snowsports Interactive Pty Ltd	5/04/2006	The Trustee for RO Family Trust	17/11/1997
Prokop, Gerard Michael	20/06/2007	Sohonet Pty Ltd	23/10/2003	The Trustee for WireFree Networks	6/09/2004
Proxyconn Australia Pty Ltd	4/09/2006	South Sydney Junior Rugby League Club Ltd	12/11/2001		
QLDWIDE.NET.AU	19/01/2000	South West Alliance of Rural Health (Vic)	15/04/2008		
Quicknet Internet Provider Pty Ltd	17/12/1997				
Quik Internet Australia Pty Ltd	13/11/2003				
Quintessa Holdings Pty Ltd	5/07/1999				

Internet Service Provider	date joined	Internet Service Provider	date joined	Other	date joined
Tisgroup	16/01/2004	Wireless Systems Australia Pty Ltd	25/08/2004	OMNIconnect Pty Ltd	18/09/1997
Total Microsystems Pty Ltd	8/07/2003	Wireless Telecommunications Pty Ltd	31/07/2006	OPENetworks Pty Ltd	26/02/2007
TouchTV Pty Ltd	26/02/2004	Wizz Pty Ltd	14/06/2006	Optus Vision Pty Ltd	8/12/1997
Tourist Facilities Pty Ltd	29/07/2002	Wobygong Pty Ltd	3/12/2002	Oziplex Pty Ltd	27/09/2002
Tower Computer Aid Pty Ltd	19/08/2004	Wood Dragon Pty Ltd	18/12/2002	Powertec Telecommunications Pty Ltd	9/02/2006
Townsville Division Of General Practice Ltd	29/05/2007	World.Net Services Pty Ltd	20/03/2000	PowerTel Ltd	1/07/1997
TPG Internet Pty Ltd	1/07/1997	Worldwide Internet	2/09/1998	Puddlenet Pty Ltd	18/07/2006
Trumpnet Pty Ltd	16/12/1997	Worth IT	2/04/2003	Quantum Multimedia Communications Pty Ltd	30/08/2002
Turbonet Pty Ltd	13/06/2003	XYZed Pty Ltd	21/07/2000	ReelTime Media Limited	7/07/2006
TX Communications Pty Ltd	23/11/1998	Yates, Daniel Alan	22/10/1997	RP 25 Pty Ltd	12/07/2006
Unistar Enterprises Pty Ltd	24/07/2007	Yea Computing Services	23/09/1999	Sensis Pty Ltd	1/07/1997
UnitedIP Pty Ltd	29/11/2004	Yless4U Pty Ltd	23/05/2006	Silk Telecom Pty Ltd	12/09/2002
University of Queensland Information Technology Services	17/06/1998	Your ASP Pty Ltd	27/05/2002	Silogen Pty Ltd	29/05/2007
Velocity Internet Pty Limited	25/08/2003	Zion Internet Services	10/02/2003	Smart Charge Australia Pty Ltd	11/05/2006
Vertical Telecoms Pty Ltd	8/02/2001	Other	date joined	Soul Pattinson Telecommunications Pty Ltd	5/05/1999
Vintek Consulting Pty Ltd	24/05/2001	Other	53	Startel Communications Pty Ltd	13/03/2007
Virtual Communities Ltd	7/04/2003	1800 FREECALL PTY LTD	6/02/2007	Suretek Pty Ltd	8/04/2004
Virtual Computers Pty Ltd	3/11/1997	Air Portal Pty Ltd	5/12/2000	Suretel Pty Ltd	10/11/2004
Virtualcity Pty Ltd	22/03/2004	Alinta Asset Management (2) Pty Ltd	31/01/2008	Symbio Networks Pty Ltd	23/05/2006
Visiontek Pty Ltd	17/09/1997	Australia-Japan Cable (Australia) Limited	2/02/2001	Telstra Multimedia Pty Ltd	16/07/1997
W Connect Pty Ltd	8/04/2004	Boeing Australia Limited	24/01/2001	The Trustee for The Kwietniak Family Trust	1/03/2006
WA Telecentre Exmouth Inc.	21/07/1998	Broad IP Pty Ltd	20/03/2006	Verizon Australia Pty Limited	26/06/1998
Wackado Communications Pty Ltd	22/07/2005	C.J Scafe & S Scafe	4/04/2006	Vernet Pty Ltd	30/05/2006
Warianne Investments Pty Ltd	2/09/2003	C10 Communications Pty Ltd	18/04/2006	Windytide Pty Ltd	28/09/1998
Warick Grubb J	4/08/2004	Card & Go International Pty Ltd	21/03/2006	World Without Wires	19/06/2006
Waterfront Internet Service	11/01/1999	Clarinet Australia Pty Ltd	8/12/2005	Xantic B.V.	17/02/2003
We Solve It Pty Ltd	28/04/2004	D.J BLACKER & M.J BLACKER	23/05/2005	Telephone and Internet Service Provided	date joined
Web Australis Pty Ltd	1/07/1997	Dialogue Communications Pty Ltd	30/08/2004	Telephone and Internet Service Provider	309
Web Prophets Pty Ltd	22/10/2003	Digital Distribution Australia Pty Ltd	12/02/2001	1410 Communications Pty Ltd	18/09/2002
Webcentral Pty Ltd	30/06/2003	ETSA Utilities	15/01/2001	AAPT Ltd	1/07/1997
Webzone Holdings Pty Ltd	21/03/2003	FaktorTel Pty Ltd	24/03/2006	Aardvark Internet Pty Ltd	16/07/2003
Wellington Communications Pty Ltd	25/07/2000	Fiber Vision Networks Pty Ltd	14/11/2006	Access Wireless & Cable Pty Ltd	21/07/2006
Westconnect Pty Ltd	8/09/1998	Fibrelite Networks Pty Ltd	11/05/2006	Ace Communications Group Pty Ltd	17/04/2003
Western Advance Pty Ltd	18/10/2007	Hutchison 3G Australia Pty Ltd	20/08/2002	ACN Pacific Pty Ltd	22/03/2006
Western Internet Services	15/06/1999	Index Consultancy - Australia Pty Ltd	21/07/2006	Acquire Enterprises Pty Ltd	17/07/2007
Westvic Broadband Pty Ltd	6/08/2004	Ipera Communications Pty Ltd	20/03/2000	Active Utilities Pty Ltd	31/07/2006
Westway Nominees Pty Ltd	14/07/2005	iPSTAR Australia Pty Ltd	21/09/2006	Aeon Group Pty Ltd	16/03/2006
Wide Blue Ocean Pty Ltd	23/08/2004	Jam Networking Pty Limited	29/05/2007	AI Tel Pty Ltd	21/07/2006
Willis, Donna Michelle	18/07/2007	Kallistrate Pty Ltd	6/09/2006	All2Connect Pty Ltd	28/10/2004
Winderee investments Pty Ltd	19/02/2008	Kazatky, Samuel Joshua	6/12/2005	Alpha Network Shop Pty Ltd	31/05/1999
Windspeed	29/04/1999	New Skies Satellites Australia Pty Ltd	2/01/2006	Alphanet Pty Ltd	6/10/1997
Winshop Internet Pty Ltd	1/07/2002	Nextgen Networks Pty Ltd	14/02/2001	AMD Telecom Pty Ltd	29/08/2006
Wired Sky Pty Ltd	2/05/2006	Office Advisors Pty Ltd	11/03/2004	AmityOne Network Pty Ltd	13/05/2003
Wirefree Networks Pty Ltd	15/08/2006				
Wireless Broadband Services Pty Ltd					

Telephone and Internet Service Provided	date joined	Telephone and Internet Service Provided	date joined	Telephone and Internet Service Provided	date joined
Answer Plus Communications (Aust) Pty Ltd	25/03/2003	Clarus Telecom Pty Ltd	21/07/2006	Enterprise IP Pty Ltd	6/05/2008
Arcon Communications Pty. Ltd.	5/10/2005	Clear Networks Pty Ltd	19/04/2005	Esmonde, David John	25/07/2005
Asian Pacific Telecommunications Pty Ltd	13/07/2000	Clear Telecoms (Aust) Pty Ltd	3/03/2008	ETB Qld Pty Ltd	27/04/2004
Aspark Pty Ltd	1/08/2005	Clove.net.au	30/01/2004	Fabfone Pty Ltd	12/07/2006
Astron Business Services Pty Ltd	17/08/2005	Clublinks Telco Pty Ltd	14/02/2006	First Reach Pty Ltd	17/05/2004
Auritel Australia Pty Ltd	22/11/2004	Clublinks Utilities Pty Ltd	4/08/2005	Focus Voice & Data	10/01/2007
Aurora Energy AAPT Pty Ltd	21/05/2001	Coast to Coast Telecoms Pty Ltd	20/06/2007	Freecall Connect Pty Ltd	16/02/2006
Australasia Telecommunications Consultants Pty Ltd	20/08/2007	Coghlan, Kim	20/06/2007	Fuzeconnect Pty Ltd	18/06/2008
Australian Communications Consortium Limited	23/05/2006	Commander Australia Ltd	21/08/2003	Gallagher Investments Qld Pty Ltd	29/05/2007
Australian Private Networks Pty Ltd	18/01/2006	Commsys Pty Ltd	11/10/2006	Gazal Telecom Pty Ltd	10/01/2008
Australian Technology Partnerships Pty Ltd	12/02/2004	Communicomm Pty Ltd	30/05/2006	GC Telecom Pty Ltd	3/03/2006
Axis Telecoms Pty Ltd	19/12/2007	Community Assets Ltd	13/08/2007	Geelong Community Investments Ltd	29/05/2007
Ballarat Community Enterprise Limited	18/04/2005	Community Solutions Australia Pty Ltd	9/10/2003	Global Connect Communications Pty Ltd	23/08/1999
Basejump Pty Ltd	13/05/2005	Community Telco Australia Ltd	22/10/2003	Global Net Media Pty Ltd	9/03/2006
Baycrown Management Pty Ltd	1/08/2006	Convergence Pty. Ltd.	14/11/2005	Glocomm Pty Ltd	31/10/2006
BEACHLEY, PHILIP PAUL	23/06/2003	Connect Essential Services Pty Ltd	7/04/2005	Gould, Simon David	1/06/2004
Bendigo Community Telco Ltd	15/09/2000	Convergent ComCo Pty Ltd	31/01/2005	GTel Pty Ltd	21/12/2007
BEST Internet and Telecom Pty Ltd	10/10/2007	Corporate Telecom Pty Limited	4/10/2005	Have-A-Chat	1/07/2004
Better Telecom Pty Ltd	7/02/2006	Country Telecommunications Pty Ltd	26/07/2005	Heit, Cody Glen	16/08/2007
Blackstump Solutions	29/01/2007	Crave Communications Pty Ltd	30/05/2006	Highway 1 (Australia) Pty Ltd	21/07/1998
Blitz Telecom Operations Pty Ltd	22/03/2007	Creative Telcom Pty Ltd	20/07/2005	HomeLinX Pty Ltd	7/04/2004
Blue Orb Telecommunications Pty Ltd	29/05/2007	customONLINE Pty Ltd	22/06/2006	Hub Business Services Pty Ltd	20/12/2004
BlueIQ Pty Ltd	29/05/2007	D. Seeto Nominees Pty Limited	22/04/2005	IF Telecom Pty Ltd	12/10/2005
Bluestar Telecoms Pty Ltd	29/08/2006	D2P Pty Ltd	23/10/2006	ihug Pty Ltd	3/11/2003
Botel Communication Pty Ltd	19/09/2006	Dart Global Pty Ltd	23/10/2003	iiNet (OzEmail) Pty Ltd	10/03/2005
Broadband Anywhere Pty Ltd	19/07/2005	Datawave Internet Pty Ltd	23/03/2007	iiNet Ltd	25/08/1998
Broadband Solutions Pty Ltd	22/01/2007	Deep Blue Telecoms Pty Ltd	29/05/2007	Imagine Global Pty Ltd	18/06/2008
Budget Telecom Pty Ltd	23/02/2005	Dell Telecom Pty Ltd	24/06/2008	In-Tech Telecommunications Pty Ltd	28/08/1998
Business Services Direct Pty Ltd	27/10/2005	Destra Corporation Ltd	22/02/2006	IndiTel Pty Ltd	8/11/2007
Buzz Broadband Pty Limited	25/05/2005	Dodo Australia Pty Ltd	10/09/2001	Infinity Plus Communications Pty Ltd	1/04/2005
Bwired Group Pty Ltd	5/07/2005	Dombec Pty Ltd	19/02/2008	Information Service Providers Pty Ltd	10/10/2007
Caliad Pty Ltd	5/12/2006	Dow Telecom Pty Ltd	2/09/2005	Infynite Technologies Pty Ltd	11/09/2006
Canard Pty Ltd	24/12/2007	Down Under Communication Pty Limited	2/05/2005	Innoveight Pty Ltd	15/09/2005
CardCall Pty Ltd	18/09/1997	E-Talk Communications Pty Ltd	21/08/2007	Inspired Communications Pty Ltd	29/05/2007
Charitel Australia Pty Ltd	24/09/2007	E-Tel Communications Pty Ltd	8/04/2004	Inspired Island Pty Ltd	5/08/2005
Chime Communications Pty Ltd	31/08/2000	Ecomtel Pty Ltd	13/07/1999	Integrity Automation Pty Ltd	11/08/2005
Christmas Island Internet Administration Limited	25/03/2001	Efficient Data Communications Pty Ltd	6/05/2008	IP Systems Pty Ltd	10/12/2003
City Telecom (Australia) Pty Ltd	1/07/1999	EFTel Limited	17/02/2000	ISP Networks Pty Ltd	25/10/2005
Clarkson McLaren Corporate Communications Pty Ltd	6/05/2004	EFTel Pty Ltd	2/01/2001	Isphone Australasia Pty Ltd	26/07/2005
		EHW Technology Pty Ltd	14/06/2006	iTEL Community Telco Ltd	14/11/2002
		Emerald Communications Pty Ltd	18/10/2007	Ivery Holdings Pty Ltd	23/07/2007
		Empcom Pty Ltd	17/02/2003	J.L Reichman & K Reichman	4/06/2007
		Empicentre Systems	5/12/2006	Jaamax Pty Ltd	27/02/2008
		Endeavour Clever Networks Pty Ltd	17/07/2007		
		Endeavour Connect Pty Ltd	11/11/2006		

Telephone and Internet Service Provided	date joined
James Anthony Byrnes	23/03/2007
Jaminca Pty Ltd	23/02/2006
JKR Holdings Pty Ltd	19/07/2004
Join Internet Corporation Pty Ltd	27/11/2007
Join Internet Services Pty Ltd	27/11/2007
Jonaro Pty Ltd	11/05/2007
Jordan Telecommunications Australia Pty Ltd	12/03/2007
KDDI Australia Pty Ltd	11/02/1999
Kevin Paget	16/03/2007
Kia Communications Pty Ltd	27/07/2004
Kironet Pty Ltd	29/05/2007
KJT Holdings Pty Ltd	31/12/2004
Knowledge By Design Pty Ltd	1/07/1997
Koala Telecom (Australia) Pty Ltd	13/08/2007
Koala Telecom Pty Ltd	
Komtel Pty Ltd	29/08/2006
LG Communications Pty Ltd	
Liberty Telecoms Pty Ltd	16/05/2006
Lime Australia Pty Ltd	28/11/2005
Living Networks Enterprises Pty Ltd	27/11/2007
LMHA Network Ltd	27/11/2007
Loaded Net Pty Ltd	19/06/2007
Logitel Communications Pty Ltd	20/03/2002
Lucidity Enterprises Pty Ltd	21/07/2005
M Dunne & G Donohoe	18/07/2007
m8 Telecom Pty Ltd	11/03/2003
Mach Technology Group Pty Ltd	15/09/2005
Macquarie Telecom Network Carrier Services Pty Limited	22/12/2000
Managed Solutions Pty Ltd	29/03/2000
Max Telecom Pty Ltd	3/08/2005
MBV Ltd	16/05/2006
Message Stick Telecommunications Pty Ltd	11/02/2004
Meucci Pty Ltd	9/07/2004
Miracom Telecommunications Pty Ltd	22/09/2005
Morrtel Pty Ltd	6/09/2005
Multelink Australia Limited	14/02/2000
My Net Fone Pty Ltd	13/02/2006
My Telecom Holdings Pty Ltd	21/12/2007
National Phone & Data Pty Ltd	31/10/2006
National Telecoms Group (No. 2) Pty Limited	
NC Cable Pty Ltd	15/05/2000
Neoinvent Pty Ltd	1/03/2006
Neptune Communications Pty Ltd	22/03/2007

Telephone and Internet Service Provided	date joined
Net2Phone Global	15/10/1999
Netscapade Pty Ltd	26/08/2004
Network Company Australia Pty Ltd	27/06/2005
Network Infrastructure Holdings Pty Limited	3/07/2007
New Telecom Australia Pty Ltd	24/09/2007
New Telecom Pty Ltd	12/01/2004
NewSat Networks Pty Ltd	6/08/2001
Next Business Telecommunications Pty Ltd	16/01/2006
Next Generation Voice Pty Ltd	31/01/2008
Next Telecom Pty Ltd	27/02/2008
NEXT WAVE COMMUNICATIONS PTY LTD	12/03/2007
North Queensland Telecom Pty Ltd	24/11/2004
One Earth Telecoms Pty Ltd	23/10/2006
OneNetwork Pty Ltd	18/07/2006
Optus Networks Pty Ltd	1/07/1997
Orion Satellite Investments Pty Ltd	16/06/2006
Orion Satellite System Pty Ltd	2/07/2003
Ouriptel Holdings Limited	24/12/2007
Outside Edge Australia Pty Ltd	19/10/2005
OzeFone Pty Ltd	3/07/2007
Ozetel Pty Ltd	23/09/2005
Paladin Communications Pty Ltd	11/09/2007
People Telecommunications Ltd	13/12/2000
Perracom Pty Ltd	10/11/2005
Pipe Networks Limited	10/07/2002
Platform Networks Pty Ltd	3/08/2007
Powercom Pacific Pty Ltd	19/04/2004
Prime Call (Australia) Pty Ltd	21/06/2005
Primus Online Pty Ltd	8/08/2003
Primus Telecommunications Pty Ltd	1/07/1997
PTC Communications Pty Ltd	24/05/1999
QR Tel Pty Ltd	11/09/2006
Qualitel Pty Ltd	20/08/2007
Quantum Telecom Pty Limited	13/10/2005
R.J Hicks & B.D McIntosh & N Somner	13/07/2005
Rate Squeeze Pty Ltd	6/09/2006
RCOM International Pty Ltd	6/05/2008
Real Telecom Pty Ltd	3/12/2004
Real World Technology Solutions Pty Ltd	22/05/2008
Rebtel Services S.a.r.l	12/03/2007
Red Media Solutions Pty Ltd	24/02/2006
Redback Communications Pty Ltd	2/06/2008
Richard A & Elizabeth J Monty	27/04/2006

Telephone and Internet Service Provided	date joined
RickSure Pty Ltd	16/02/2001
Royle Holdings (Aust) Pty Ltd	5/09/2005
RSL COM Business Communications Pty Ltd	21/08/2003
RSL COM Business Solutions Pty Ltd	21/08/2003
Saands Marketing Australia Pty Ltd	6/11/2003
Sabacorp (Aust) Pty Ltd	4/06/2007
Sancom Pty Ltd	4/12/2007
SC Communications Pty Ltd	3/03/2005
Schilling, Adrian Thomas	23/10/2006
Scott Raymond Gibson	23/01/2007
Servcorp Digital Strategy Pty Ltd	31/10/2001
Silk Telecom (WA) Pty Ltd	16/06/2006
Silver Communities Pty Ltd	28/03/2005
Sirius Telecommunications Ltd	1/02/2002
Skywave Communications Australia Pty Ltd	8/03/2005
Snoopa Community Geelong Pty Ltd	3/08/2007
Snoopa Systems Pty Ltd	5/03/2004
Snowy Mountains Telecommunications	10/12/2003
Soft Telcom Pty Ltd	2/06/2005
Soul Communications Pty Ltd	26/05/1999
Southern Cross Telco Ltd	5/09/2007
Spectrum Networks Pty Ltd	12/05/2000
Spinosa-Catella, Richard David	10/05/2005
Spirit Telecom (Australia) Pty Ltd	24/05/2005
Sprint Telecommunication Pty Ltd	31/01/2008
Spungold Nominees Pty Ltd	6/09/2004
ST Telecom Pty Ltd	5/02/2002
Star Telecom Pty Ltd	18/10/2007
Staticcom Pty Ltd	11/02/2004
Student Administration Pty Limited	28/08/2006
Sunshine Coast Community Enterprises Ltd	24/02/2005
Sydney Internet Exchange (SIX) Pty Ltd	14/10/2004
T4 Communications Pty Ltd	15/04/2008
Talk Down Under Pty Ltd	6/08/2007
Tanguinya Pty Ltd	23/05/2005
Team Telco Pty Ltd	13/11/2006
Telair Pty Ltd	29/05/2007
Telarus Pty Ltd	12/02/2004
Telco Plus Pty Ltd	4/08/2004
Telcogreen Pty Ltd	24/12/2007
Telcoinabox Australia Pty Ltd	25/08/2003
Telefa Pty. Limited	12/11/2004
TellStar Pty Ltd	7/11/2005
Texcel Communications Pty Ltd	29/08/2006

Telephone and Internet Service Provided	date joined
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The Access Solutions Group Pty Ltd	18/08/2005
The Cornish Family Trust	10/10/2007
The Credit Union Financial Services (Tas) Pty Ltd	8/11/2007
The Halogen Group Pty Ltd	10/01/2008
The Mercuri Group Pty Ltd	1/08/2005
The Trustee for Calltext Unit Trust	5/03/2008
The Trustee for Diamond Telecom Unit Trust	17/01/2006
The Trustee for the AllTell Trust	11/09/2007
The Trustee for THE TELECOMMUNICATIONS TRUST	3/05/2005
The Trustee for Vtree Trust	16/02/2006
TKM Australia Pty Ltd	9/10/2006
Trans Pacific Communications Pty Ltd	24/05/2005
TransACT Capital Communications Pty Ltd	22/09/2000
Trinity Telecom Pty Ltd	29/05/2007
Uecomm Ltd	1/07/1997
Unisky Pty Ltd	24/05/2007
Unwired Australia Pty Ltd	19/09/2002
US Telecom Pty Ltd	29/06/2006
V8 Telecom Pty Ltd	10/10/2005
VCall Services Pty Ltd	11/09/2006
VE Telecommunications Pty Ltd	7/03/2008
Virgin Mobile (Australia) Pty Ltd	11/09/2000
Vocal Pty Ltd	8/06/2004
Voicecom Group	21/12/2007
VOIPEX Pty Ltd	3/07/2007
Voncom NZ Limited	11/09/2006
Voxcom Pty Ltd	11/05/2006
Walsh and Marshall Pty Ltd	9/12/2004
Westnet Pty Ltd	14/07/1998
White, Nathan John	29/05/2007
Wideband Networks Pty Ltd	10/05/2004
Widelinx Pty Ltd	17/01/2006
Wild Internet & Telecom Pty Ltd	11/02/2004
Yodial Pty Ltd	24/08/2004
Your Local Telecom Trust	25/07/2005
Yourtility Pty Ltd	7/02/2006
Z & K Investments Pty Ltd	30/08/2005

Telephone Service Provided	date joined
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Telephone Service Provider	176
0014 Pty Ltd	1/11/2000
1300 Words Pty Ltd	11/07/2005
1800 Reverse Pty Ltd	2/01/2001
1800Mumdad Pty Ltd	25/02/2004

Telephone Service Provided	date joined
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1World Telecommunications Pty Ltd	17/06/2003
7Star Communications Pty Ltd	28/10/2004
A1 Sytems Pty Ltd	29/08/2006
ABG Group Pty Ltd	29/06/2004
Advance Net Pty Ltd	11/03/2008
Advanced Future Technology Pty Ltd	25/01/2003
Agile Pty Ltd	8/09/1998
Alphawise Solutions Pty Ltd	25/11/1999
Asia Telco Investments Pty Ltd	24/06/2005
Aspire Telecom Services Pty Ltd	16/03/2006
Astracom Pty Ltd	15/01/2003
Astron Communication and Information Services Pty Ltd	16/07/1997
AT&T Communications Services Australia Pty Ltd	1/07/1997
AT&T Global Network Services Australia Pty Ltd	28/02/2000
Atex Pty Ltd	2/02/2004
Aussie Dial Pty Ltd	17/08/2006
AUSTAR United Mobility Pty Ltd	10/11/2003
Australia Star Communications Pty Ltd	21/08/2003
Australian Communication Exchange Ltd	1/07/1997
Australian Telecommunications Pty Ltd	18/03/2002
B33hive Pty Ltd	24/05/2004
Bareena Holdings Pty Ltd	12/09/2002
Bell Networks Voice & Data Pty Ltd	3/09/2007
Blue Call Pty Ltd	17/03/2004
Blue Ridge Telecom Systems, LLC	16/07/2004
Boost Tel Pty Ltd	26/11/2003
Bugal Pty Ltd	24/11/2004
Bugeja, Carmen	24/08/2007
Buzz-Tel Pty Ltd	18/01/2007
Call Australia Pty Ltd	26/08/2003
Callsave Pty Ltd	14/11/2001
Capital Business Solutions Pty Ltd	28/03/2008
ccgIT Pty Ltd	13/05/2005
ChannelIP Australia Pty Limited	28/12/2006
Chi Telecom Pty Ltd	4/01/2002
Commander Express Telecommunication Solutions Pty Ltd	8/04/2004
CommodiTel (Australia) Pty Ltd	11/08/2004
Connec2 Global Pty Ltd	30/06/2008
Cybertel Telecom Pty Ltd	18/01/2008
Danbaz Pty Ltd	27/02/2008
Direct Telecoms No 1 Pty Limited	25/03/2001
Direct Telecoms Pty Ltd	19/02/2008

Telephone Service Provided	date joined
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DRL Communications P/L	5/02/2007
E-Tone Corporation Australia Pty Ltd	10/01/2005
Eclipse Telecommunications Pty Ltd	1/07/1997
Edirect Pty Ltd	23/05/2006
Express Teleconferencing Pty Ltd	13/01/2005
Eztel Communications	22/05/2001
Ezycall Pty Ltd	4/06/2007
FoneBox Australia Pty Ltd	18/10/2007
Fortconnect Pty Ltd	12/12/2005
Freshtel Pty Ltd	30/07/2004
Global Card Services Pty Ltd	8/01/2003
Global Touch Solutions Australia Pty Ltd	23/10/2006
Globe Telecom Pty Ltd	19/05/2003
Globechat Communications Pty Ltd	20/11/2006
G0talk Australia Pty Ltd	8/01/2003
Gruze International Pty Ltd	18/10/2007
Hi Tech Telecom Pty Ltd	3/05/2005
ICB Telco Pty Ltd	28/12/2006
Idea Telecommunications Pty Ltd	9/10/2006
IDT Telecom Asia Pacific (Australia) Pty Ltd	28/08/2006
Intervoice Pty Ltd	24/09/2007
Ispire Networks Pty Ltd	6/03/2007
iTalk Pty Ltd	12/07/2006
J.M.D. Telecoms Pty Ltd	20/10/2004
Jet Interactive Pty Ltd	10/06/2008
Jonsa Ellis (Aust) Pty Ltd	1/08/2006
Just Mobile Telecoms Pty Ltd	6/02/2007
Kanga Talk Pty Ltd	15/08/2006
Kiss Mobile Pty Ltd	29/07/2005
Korpcorn Australia Pty Ltd	25/07/2002
Light Technologies Pty Ltd	4/07/2002
Lime Telecom Pty Ltd	30/08/2004
Linq Australia Pty Ltd	4/06/2007
M2 Telecommunications Pty Ltd	11/12/2001
Mach Communications Pty Ltd	31/10/2006
Macquarie Telecom Group Limited	1/07/1997
Magicism Pty Ltd	11/09/2007
McMillan, Alan Jackson	8/11/2005
Memphis Telecom Pty Ltd	18/01/2007
Mibroadband Pty Ltd	23/09/2004
Mirror Image Access (Australia) Pty Ltd	22/08/2006
Mobicom Communication Services Pty Ltd	20/04/2004
Mobiles2go Pty Ltd	11/10/2005
Mobileworld Operating Pty Ltd	28/09/2007

Telephone Service Provided	date joined	Telephone Service Provided	date joined
Motion Telecom Pty Ltd	11/02/2000	Technocash Pty Ltd	8/12/2006
Multelink Services Pty Ltd	21/10/2004	Tel.Pacific Pty Ltd	6/01/1998
MX Telecom Pty Ltd	15/09/2006	Telco Blue Pty Ltd	21/03/2003
Mytel Voice & Data Pty Ltd	4/10/2005	Telecom Connect Pty Ltd	23/02/2006
NationTel Pty Ltd	29/05/2003	Telecom International Group	24/03/2005
Nehos Communications Pty Ltd	13/08/2007	Telecorp Limited	8/01/2003
New Tel Services Pty Ltd	21/08/2003	Telesaver Pty Ltd	7/09/1997
NorthVoice Communications Pty Ltd	7/07/2000	Telstra Corporation	1/07/1997
Online IT Services Pty Ltd	16/04/2003	Tenzeng Pty Ltd	11/10/2006
Optus Mobile Pty Ltd	1/07/1997	Think Mobile Pty Limited	25/07/2006
Ozicom Solutions Pty Ltd	12/11/2001	Thirgood Holdings Pty Ltd	19/11/2007
Ozy Com Pty Ltd	8/01/2007	Thomas Ford Trading Pty Ltd	2/02/2006
Pacific Telco Australia Limited	22/01/2001	Ticehurst, Andrew Giles	19/02/2008
PayTel Australia Pty Ltd	15/12/2003	Time Telecom Pty Ltd	5/09/2005
Phone Business Pty Ltd	15/04/2004	Times Telecom (Australia) Pty Ltd	21/10/2003
Pipe International (Australia) Pty Ltd	18/10/2007	Traitel Telecommunications Pty Ltd	30/03/2006
Pivotel Group Pty Limited	27/03/2003	Trans Orbit Pty Ltd	15/09/2006
Pivotel Satellite Pty Limited	28/04/2003	Tritel Australia Pty Ltd	22/09/1999
Portney, Alex	24/07/2007	Unidial Pty Ltd	26/11/2002
Premier Technologies Pty Ltd	23/05/2006	United Asia Pacific Telkom Pty Ltd	13/08/2007
PrePaid Services Pty Ltd	3/07/2007	United Wholesale Communications Pty Ltd	1/12/2003
Prepaid World Pty Ltd	19/02/2008	Universal One Communication Pty Ltd	12/12/2002
Prime Telecoms No 1 Pty Ltd	13/12/2005	Valaiti Pty Ltd	9/05/2005
Prime Telecoms Pty Ltd	19/02/2008	Veetel Pty Limited	11/10/2006
Prodial Pty Ltd	22/03/2007	Viatel Communications Pty Ltd	26/04/2006
PROJECTION PLUS (AUSTRALIA) PTY LTD	10/09/2004	Vocaltone Networks Australia Pty Ltd	2/06/2008
PSR Group Pty Ltd	1/07/1997	Vodafone Australia Limited	1/07/1997
Pulse Telecom Pty Ltd	5/09/2007	Voicetek Pty Ltd	3/12/2001
Purple Oranges Pty Ltd	20/06/2007	Voiceworks Australia Pty Ltd	27/02/2008
Reliance Communications (Australia) Pty Ltd	20/07/2007	Voise Pty Ltd	4/07/2005
Reward Mobile Pty Limited	7/02/2005	VRoam Australia Pty Ltd	23/12/2002
Rich, Alex Lewis	4/06/2007	Welcome Telecom Pty Ltd	4/07/2005
Saise Telecommunications Pty Ltd	19/07/1999	Widetalk Pty Ltd	13/02/2002
Savvy Telecommunications Pty Ltd	7/03/2006	World Tel (Aust) Pty Ltd	19/04/2005
SBS Telecom Pty Ltd	24/09/2007	World Telecom Pty Ltd	10/07/2003
Select Telecoms Pty Ltd	22/01/2007	WorldPacific Communications Pty Ltd	6/01/2000
SIMplus Mobile Pty Limited	7/12/2001	Wow Tel Pty Ltd	19/11/2007
Skink Marketing Pty Ltd	24/08/2007	Xcelleron Pty Ltd	1/04/2008
Sky Telecom (Aust) Pty Ltd	4/01/2007	Your Telecom Pty Limited	19/02/2001
Solutions International Pty Ltd	2/01/2001	Zintel Communications Pty Ltd	5/12/2003
Southern Phone Company Ltd	17/01/2003		
Speed Communications Pty Ltd	28/07/2004		
Synergy Australia Pty Ltd	23/07/2003		
T-Networks Pty Ltd	23/07/2007		
T.One Telecommunications Pty Ltd	13/08/1999		
TCI Australia Pty Ltd	12/09/2003		
		Total	1,106

Financial Report

for the year ended 30 June 2008

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Directors' Report

Your directors present their report of Telecommunications Industry Ombudsman Ltd ("TIO") for the year ended 30 June 2008.

The TIO is a company limited by guarantee and incorporated in Australia in 1993 under the Corporations Act. The TIO was established to investigate, resolve, make determinations and give directions relating to complaints by residential and small business consumers of telecommunications services.

The principal place of business for the TIO is Level 3/595 Collins Street, Melbourne, Victoria.

Directors

The current composition and membership of the Board up to the date of this report is as follows:

Two (2) directors appointed by Telstra:

- J M Parkin
- T C Hill, with L J Fielding as an alternate director for both

Two (2) directors appointed by Optus:

- M J Elsegood
- A R Thomas, with G R Smith as alternate director for both.

One (1) director appointed by Vodafone:

- J F Rohan (Chairman)

One (1) director appointed by members who are other than Telstra, Optus, Vodafone and who are not internet service providers or internet service intermediaries:

- B S Chapman

One (1) director appointed by internet service provider or internet service intermediary members:

- S J Dalby

Independent Director:

- J M Harvey

Changes to Board composition are summarised in note 12 to the financial statements. The names of persons who were directors of TIO at any time during the financial year are as follows:

Name of Director	Date of Appointment	Date of Resignation
J Rohan	01 August 2001	Continuing
L Fielding	23 April 2008	Continuing
G Smith	4 March 2002	Continuing
T Hill	30 October 2002	Continuing
J Harvey	7 April 2003	Continuing
J Parkin	23 April 2008	Continuing
M Elsegood	2 October 2006	Continuing
S Dalby	7 December 2006	Continuing
B Chapman	7 December 2006	Continuing
A Thomas	12 September 2007	Continuing
M Davidson	18 January 2002	11 September 2007
M Lawrey	10 October 2003	23 April 2008

Operating Results

The TIO recorded an operating surplus for the year of \$1,505,576 (2006-2007, \$8,593). The TIO's total revenue has increased in line with the Scheme's complaint load while expenditure has been constrained to a lower level, resulting in an increase from the predicted surplus. The results for the year ended 30 June 2008 are as follows:

Year	Total Revenue	Total Expenditure	Surplus/ (Deficit)
2006-2007	\$10,156,213	\$10,147,620	\$8,593
2007-2008	\$15,194,799	\$13,689,223	\$1,505,576

Due to the surplus, members' funds were increased from \$1,060,241 at the start of the financial year to \$2,565,817 at the end of 2007-2008.

The TIO has been granted an exemption from income tax under Item 2.1 of Section 50-10 of the Income Tax Assessment Act 1997 until 30 June 2009.

Review of Operations

Long Term Growth

Overall contacts for 2007-2008 are presented below. Contacts include enquiries and complaints.

Year	Total Contacts	% Increase over previous year
2006-2007	122,721	14
2007-2008	173,005	41

This increase is in excess of the long term trend.

Debt Recovery

Bad debts of \$113,768 (GST inclusive) were written-off during the financial year. The provision for bad debts was increased to \$284,526 (GST inclusive) for specific provisions. Debts were settled with a small number of members.

Cash Flow

The TIO's bankers, Commonwealth Bank of Australia, have provided the TIO with an overdraft facility of \$150,000. This facility was established to alleviate any temporary cash flow variations associated with the TIO's quarterly billing cycle. The overdraft was not utilised during the year.

Performance

The TIO operational year featured a 41% growth in enquiry/complaint levels. To respond to this growth the TIO increased staff numbers by approx 50% and occupied additional office space. Despite this, over the course of the year complaint demand put pressure on the capacity of the TIO to handle complaints. This was due to a significant increase in call numbers throughout the year.

The TIO monitors levels of complainant satisfaction and confidence with the service provided by the TIO. Issues identified through the monitoring process are addressed as they arise by the Ombudsman and the Ombudsman's team.

Directors' Report (continued)

• Industry Development

During 2007-2008 the TIO continued to work collaboratively with industry and the community to identify, prevent and/or address systemic problems. The TIO also actively participated in industry forums to assist in achieving this objective, and continued to contribute to the development of Consumer Codes of Practice. The TIO also entered a Memorandum of Understanding with the Australian Communications and Media Authority designed to formalise and improve information flows between both organisations

• Communications

The TIO worked to maintain general access to the Scheme and particularly identified consumers in rural and regional Australia, youth, people with disabilities and small business as targeted demographics.

• Governance

The Board concentrated on maintaining the financial stability of the TIO throughout the year. It progressed a number of changes to the Articles of Association through a Special General Meeting, related to improved governance of the Scheme.

• Maintenance of the financial reserve

The Board ensured that the financial reserve continued to accumulate during 2007-2008 to ensure the TIO is protected from an increasing volume of bad debts and insulated from cash flow variations inherent in the three monthly billing cycle.

• Fee Increases

Based on the budgeted demand for the year and an external review of the costs of handling each level of complaint, the Board increased the direct price of Level 1 complaints and Enquiries from \$33 to \$34, Level 2 complaints from \$242 to \$286, Level 3 complaints from \$475 to \$522, Level 4 complaints from \$1,650 to \$2,475 and Reviews remained constant at \$550 (all prices GST inclusive), effective from 1 July 2007.

• Membership

The *Telecommunications Act 1997* requires all carriers and eligible carriage service providers to be members of the TIO and comply with the Constitution and Memorandum and Articles of Association of the Scheme. Eligible carriage service providers are those which supply:

- a standard telephone service where some of the customers are residential or small business customers; or
- a public mobile telecommunications service; or
- a carriage service which enables end users to access the Internet.

A carriage service intermediary which arranges the supply of the services referred to above qualifies as an eligible carriage service provider.

These requirements are incorporated in the *Telecommunications (Consumer Protection and Services Standard) Act 1999*.

The total number of members decreased from 1,231 at 30 June 2007 to 1,106 at 30 June 2008. 120 new members joined the scheme and 245 members departed the scheme.

• Staffing

As at 30 June 2008, the TIO employed 155 staff, with 18 of these being part-time employees. This is an increase from 30 June 2007 when the TIO employed 109 staff (22 part-time).

Principal Activities

During the year, the principal continuing activity of the TIO was the investigation and resolution of telecommunications complaints from small businesses and residential consumers. There were no significant changes in the nature of the activities during the year.

Dividends

Under the terms of its Memorandum and Articles of Association, the TIO is not permitted to pay dividends to members.

Significant Changes in the State of Affairs

TIO staff numbers expanded to meet complaint demand during the year and the TIO was required to occupy an additional floor at 595 Collins Street, with half of that floor being sub-leased for two years.

Matters Subsequent to the End of the Financial Year

• Financial Model

The TIO has commissioned a review of elements of the TIO funding model which will be completed during 2008-2009. These elements are:

- 1 Monthly billing, cash management and the reserve;
- 2 The number of 'free' complaints and rebilling; and
- 3 Update on costs of complaints.

Except for the matters noted above, at the date of this report no matter or circumstance has arisen since 30 June 2008 that has significantly affected or may significantly affect:

- a) the operations of the TIO in future financial years; or
- b) the results of those operations in future financial years; or
- c) the state of affairs of TIO in future financial years.

Likely Developments and Expected Results of Operations

The TIO has budgeted for an increase in complaint numbers of 26% in 2008-2009 based on past trends, and will continue to manage for scalable growth.

Environmental Regulations

Apart from statutory provisions of general applicability, the TIO is not subject to any specific environmental regulation.

Insurance of Officers

During the financial year, the TIO paid a premium of \$13,244 (GST inclusive) to insure certain officers of the company.

The officers of the company covered by the insurance policy included all Directors as listed in this report, Council members, the Ombudsman, Deputy Ombudsman and General Manager (Business)/ Company Secretary.

The liabilities insured include costs and expenses that may be incurred in defending civil or criminal proceedings that may be brought against the officers in their capacity as officers of the company.

Directors' Report (continued)

Information on Directors

Director	Experience	Responsibility
J F Rohan, B Mech Eng, Grad Dip IE, MBA	John has been Executive Director, Vodafone Pacific, MD of Vodafone Australia Pty Ltd, Vodafone New Zealand Ltd and Vodafone Network Pty Ltd. Previous positions include Executive General Manager of James Hardie Building Services and Technologies, Chief Executive of McConnell Dowell's Building Product Group, Australia and New Zealand and General Manager of Comalco Building Products. John has previously served as Chairman of the TIO Board and as a member of the TIO Council.	Chairman from 1 August 2001
J M Parkin	An operational regional general manager with Telstra Corporation, John Parkin has enjoyed a 25-year career in the telecommunications industry in Australia, New Zealand and England. He has held a variety of senior management positions and currently manages all customer service delivery operations for Telstra in Queensland and Northern NSW.	Director from 23 April 2008
G R Smith, B Econ / Politics (Hons)	Manager Regulatory Operations, Optus. He has formerly worked with AUSTEL, the Reserve Bank of Australia and the Victorian state government.	Alternate Director from 4 March 2002
T C Hill	Group Manager, Consumer & Compliance, Public Policy & Communications, Telstra. Trevor has worked for Telstra in a variety of management and policy roles.	Director from 30 October 2002
J M Harvey, BCom, MBA, FCA, FAICD	Directorships include: Bayside Health Services, IOOF Holdings Ltd, Royal Flying Doctor Service (Vic), Boom Logistics Ltd, Colonial Foundation Trust and Medibank Private Ltd.	Director from 7 April 2003
A R Thomas	Director, Reitz Transformation at Optus and responsible for strategic IT and business transformation. Prior to this appointment Alexandra was the General Manager Strategy and Planning, Optus Consumer Customer Care.	Director from 12 September 2007
L J Fielding	Leisa Fielding was appointed Manager of Business Transformation for Telstra in 2007. She plays a key role in defining future business models whilst optimising the transformation program. She has worked for Telstra for 19 years and held positions in a variety of areas including retail, marketing, program management, information technology and operations.	Alternate Director from 23 April 2008
B S Chapman	Regulatory Manager - Fraud and Customer Complaints, AAPT Limited.	Director from 7 December 2006
M J Elsegood	Manager, Regulatory Compliance and Safeguards, Optus. Michael has extensive experience in the Australian telecommunications industry, having worked with regulators and carriers in a variety of planning, policy and compliance roles.	Director from 2 October 2006
S J Dalby	Chief Regulatory Officer, iiNet Stephen Dalby has been involved in the telecommunications industry for more than 35 years. Since 2003, he has been an executive with the iiNet Group, with wide experience in retail and wholesale business, Regulatory and Corporate Affairs, Quality Assurance and Corporate Social Responsibility. Steve is also CEO of Chime Communications Pty Ltd, iiNet's carrier subsidiary, and is based in Perth.	Director from 7 December 2006

Information on Company Secretary

Company Secretary	Experience	Responsibility
P J Carruthers BA, MBA, MComLaw, MAICD	Phillip has worked in similar roles with VicRoads and CSIRO and previously served as an officer in the Australian Army. Phillip has also been a Director on a mix of for-profit and not-for-profit boards.	Company Secretary from 5 March 2001

Directors' Report (continued)

Meetings of Directors

The numbers of meetings of the company's directors (excluding meetings of committees of directors) held during the year ended 30 June 2008, and the numbers of meetings attended by each director were

	Full Meetings of Directors	
	Number Eligible to Attend	Number Attended
Number of meetings held: 7		
Number of meetings attended by:		
J F Rohan	7	6
M K Davidson	2	0
M C Lawrey	7	6
A R Thomas	5	4
T C Hill	7	7
G R Smith (Alternate)	1	1
M J Elsegood	7	7
B S Chapman	7	5
S J Dalby	7	5
J M Harvey	7	4
JM Parkin	-	-
L J Fielding (Alternate)	-	-

Auditors

RSM Bird Cameron Partners continues in office in accordance with section 327 of the *Corporations Act 2001*.

Auditor Independence

A copy of the auditor's independence declaration, as required under Section 307C of the *Corporations Act 2001*, is set out on the following page.

Proceedings on behalf of the company

No person has applied to the Court under section 237 of the *Corporations Act 2001* for leave to bring proceedings on behalf of the company, or to intervene in any proceedings to which the company is a party, for the purpose of taking responsibility on behalf of the company for all or part of those proceedings.

This report is made in accordance with a resolution of the directors.



J F Rohan
Director
Melbourne
29 August 2008



J M Harvey
Director

Auditor's Independence Declaration

RSM Bird Cameron Partners Chartered Accountants

Level 8 Rialto South Tower
525 Collins Street Melbourne VIC 3000
PO Box 248 Collins Street West
Melbourne VIC 8007
T +61 3 9286 1800 F +61 3 9286 1999
www.rsmi.com.au

AUDITOR'S INDEPENDENCE DECLARATION

As lead audit partner for the audit of the financial statements of the Telecommunications Industry Ombudsman Limited for the financial year ended 30 June 2008, I declare that to the best of my knowledge and belief, there have been no contraventions of:

- (i) the auditor independence requirements of the *Corporations Act 2001* in relation to the audit; and
- (ii) any applicable code of professional conduct in relation to the audit.

RSM Bird Cameron Partners

RSM BIRD CAMERON PARTNERS
Chartered Accountants

R B Miano

R B MIANO
Partner

27 August 2008
Melbourne

Liability limited by a
scheme approved under
Professional Standards
Legislation

Major Offices in:
Perth, Sydney, Melbourne,
Adelaide and Canberra
ABN 36 965 185 036

RSM Bird Cameron Partners is an
independent member firm of RSM
International, an affiliation of independent
accounting and consulting firms.



Income Statement

for the year ended 30 June 2008

	Notes	2008 \$	2007 \$
Revenue	2	15,194,799	10,156,213
Expenses			
Bad debts expenses		241,936	193,784
Information technology		524,665	437,475
Consultancy expenses		168,709	272,938
Depreciation and amortisation expenses	3	264,028	182,790
Employee benefits expenses		10,305,790	7,159,007
Legal expenses		106,691	88,032
Loss on write off of fixed assets		-	429,520
Marketing expenses		306,956	172,555
Occupancy expenses		804,484	286,402
Relocation/fitout expenses		69,050	114,839
Travel expenses		149,337	159,269
Telephone and faxes		301,683	232,594
Other expenses	3	445,894	418,415
Total expenses		13,689,223	10,147,620
Surplus for the year	11	1,505,576	8,593

The above Income Statement should be read in conjunction with the accompanying notes.

Balance Sheet

as at 30 June 2008

	Notes	2008 \$	2007 \$
ASSETS			
Current Assets			
Cash and cash equivalents	4	3,406,749	2,269,996
Trade and other receivables	5	855,019	67,221
Total Current Assets		4,261,768	2,337,217
Non – Current Assets			
Plant and equipment	6	2,910,124	1,465,190
Total Non – Current Assets		2,910,124	1,465,190
Total Assets		7,171,892	3,802,407
LIABILITIES			
Current Liabilities			
Borrowings	14	233,899	128,755
Trade and other payables	7	999,334	765,701
Unearned lease incentive	8	139,997	131,998
Provisions	9	743,671	444,948
Total Current Liabilities		2,116,901	1,471,402
Non – Current Liabilities			
Borrowings	14	1,380,827	44,438
Unearned lease incentives	8	1,073,307	1,143,979
Provisions	9	35,040	82,347
Total Non - Current Liabilities		2,489,174	1,270,764
Total Liabilities		4,606,075	2,742,166
Net Assets		2,565,817	1,060,241
Members' Funds			
Accumulated Surplus	11	2,565,817	1,060,241
Total Members' Funds		2,565,817	1,060,241

The above Balance Sheet should be read in conjunction with the accompanying notes.

Statement of Recognised Income and Expenses

for the year ended 30 June 2008

	Notes	2008 \$	2007 \$
Total members funds at the beginning of the financial year		1,060,241	1,051,648
Surplus for the year		1,505,576	8,593
Total members funds at the end of the financial year	11	2,565,817	1,060,241

The above Statement of Recognised Income and Expense should be read in conjunction with the accompanying notes.

Cash Flow Statement

for the year ended 30 June 2008

	Notes	2008 \$	2007 \$
Cash Flows from Operating Activities			
Receipts from members		14,231,039	10,013,452
Payments to suppliers and employees		(13,063,283)	(9,617,334)
Rental Receipts		48,800	-
Interest paid		(11,691)	(25,626)
		1,204,865	370,492
Interest received		127,994	118,392
Net cash inflow from operating activities	17	1,332,859	488,884
Cash Flows from Investing Activities			
Purchase of plant and equipment		(1,708,962)	(1,549,793)
Proceeds from sale of plant and equipment		-	-
Net cash outflow from investing activities		(1,708,962)	(1,549,793)
Cash Flows from Financing Activities			
Lease incentive received		71,325	1,341,975
Loan received		1,600,000	-
Repayment of lease liabilities		(158,469)	(245,844)
Net cash inflow from financing activities		1,512,856	1,096,131
Net Increase in Cash Held		1,136,753	35,222
Cash at the beginning of the financial year		2,269,996	2,234,774
Cash at the End of the Financial Year	4	3,406,749	2,269,996

The above Cash Flow Statement should be read in conjunction with the accompanying notes.

Notes to the Financial Statements

30 June 2008

NOTE 1 Summary of Significant Accounting Policies

The principal accounting policies adopted in the preparation of the financial report are set out below. These policies have been consistently applied to all the years presented, unless otherwise stated.

(a) Basis of Preparation

This general purpose financial report has been prepared in accordance with Australian Accounting Standards, Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board and the *Corporations Act 2001*.

Australian Accounting Standards Board (AASB) set out accounting policies that the AASB has concluded would result in a financial report containing relevant and reliable information about transaction, events and conditions to which they apply. Compliance with Australian Accounting Standards ensures that the financial statements and notes also comply with International Financial Reporting Standards. Material accounting policies adopted in the preparation of this financial report are presented below.

The financial report has been prepared on an accrual basis and in accordance with the historical cost convention. Unless otherwise stated, the accounting policies adopted are consistent with those of the previous year.

(b) Income Tax

The company is exempt from income tax under Item 2.1 of Section 50-10 of the *Income Tax Assessment Act 1997*. The TIO has been notified of its continuing tax-exempt status up to 30 June 2009 by the ATO.

(c) Plant and Equipment

The cost method of accounting is used for all acquisitions of assets. Cost is determined as the fair value of the assets given up at the date of acquisition plus costs incidental to the acquisition.

(d) Revenue Recognition

Volume and overhead billing fees are charged to members for complaint resolution services. Invoices are raised at the commencement of each quarter by reconciling actual complaint numbers against estimates for the following quarter. Revenue is recognised monthly based on the level of complaints received.

(e) Trade Receivables

Amounts due from members are recognised as amounts receivable. Collectibility is reviewed on an ongoing basis. Debts which are known to be uncollectible are written off. A provision for impairment of trade receivables is established when there is objective evidence that TIO will not be able to collect all amounts due according to the original terms of the receivables. Significant financial difficulties of the debtor, probability that the debtor will enter bankruptcy or financial reorganisation, and default or delinquency in payments are considered indicators that the trade receivable is impaired.

(f) Depreciation of Plant and Equipment

Depreciation is calculated on a straight line basis to write off the net cost of each item of plant and equipment over its expected useful life to the company. Estimates of remaining useful lives are made on a regular basis for all assets, with annual reassessments for major items. The expected useful lives are as follows:

Furniture and fittings	7 years;
Leasehold Improvements	7 years; and
Plant and equipment	3 years.

The TIO considered impairment of assets and no adjustment was deemed necessary.

(g) Leasehold Improvements

The cost of improvements to or on leasehold properties is amortised over the unexpired period of the lease or the estimated useful life of the improvement to the company, whichever is the shorter.

(h) Leased Non-Current Assets

A distinction is made between finance leases which effectively transfer from the lessor to the lessee substantially all the risks and benefits incidental to ownership of leased non-current assets, and operating leases under which the lessor effectively retains substantially all such risks and benefits.

Finance leases are capitalised. A lease asset and liability is capitalised at the inception of the lease and subsequently valued in the accounts at the lower of the fair value or present value of minimum lease payments. Lease payments are allocated between the principal component of the lease liability and the interest expense.

The leased asset is amortised on a straight line basis over the term of the lease, or where it is likely that the company will obtain ownership of the asset, the life of the asset.

Lease payments are allocated between interest (calculated by applying the interest rate implicit in the lease to the outstanding amount of the liability), rental expense and reduction of the liability.

Other operating lease payments are charged to the income statement in the periods in which they are incurred, as this represents the pattern of benefits derived from the leased assets.

(i) Trade and Other Creditors

These amounts represent liabilities for goods and services provided to the company prior to the end of the financial year and which are unpaid. The amounts are unsecured and are usually paid within 30 days of recognition.

(j) Amounts Due to Members

Amounts due to members represent funds owing as a result of estimated case numbers determined in the previous quarter being greater than actual case numbers recorded during the final quarter of the reporting period. The resulting adjustment represents amounts owed to members.

Amounts due from members represent funds owing as a result of estimated case numbers determined in the previous quarter being less than actual case numbers recorded during the final quarter of the reporting period. The resulting adjustment represents amounts owed from members.

Notes to the Financial Statements (continued)

30 June 2008

NOTE 1 Summary of Significant Accounting Policies (continued)

(k) Maintenance and Repairs

Maintenance and repair costs are charged as expenses as incurred.

(l) Employee Benefits

Provision is made for the company's liability for employee benefits arising from services rendered by employees to balance date. Employee benefits that are expected to be settled within one year have been measured at the amounts expected to be paid when the liability is settled. Employee benefits payable later than one year have been measured at the present value of the estimated future cash outflows to be made for these benefits. Those cashflows are discounted using market yields on national government bonds with terms to maturity that match the expected timing of cashflows.

(m) Finance Costs

Finance costs are recognised as expenses in the period in which they are incurred, and include finance lease charges.

(n) Cash and Cash Equivalents

For the purpose of the cash flow statements, cash includes deposits at call which are readily convertible to cash on hand and are subject to an insignificant risk of changes in value, net of any outstanding bank overdrafts.

(o) Critical Accounting Estimates and Judgements

Estimates and judgements are continually evaluated and are based on historic experience and other factors including expectations of future events that may have a financial impact on the entity and that are believed to be reasonable under the circumstances.

(p) Segment Information

The principal activity of the company was to investigate, resolve, make determinations relating to and give directions relating to complaints by residential and small business consumers of telecommunications services. All of this activity is carried out within Australia.

(q) Goods and Services Tax

Revenues, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of the GST incurred is not recoverable from the Australian Tax Office (ATO). In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense.

Receivables and payables are stated with the amount of GST included.

The net amount of GST recoverable from, or payable to, the ATO is included as a current asset or liability in the statement of financial position.

Cash flows are included in the statement of cash flows on a gross basis. The GST components of cash flows arising from investing and financing activities which are recoverable from, or payable to, the ATO are classified as operating cash flows.

(r) Impairment of Assets

Assets are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the assets carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

Where net cash inflows are derived from a group of assets working together, the recoverable amount is determined on the basis of the relevant group of assets. The decrement in the carrying amount is recognised as an expense in net profit or loss in the reporting period in which the recoverable amount write-down occurs.

The expected net cash flows included in determining recoverable amounts of non-current assets are discounted to their present values.

If a provision for impairment has been recognised, write-offs are made against the provision. If no provision has previously been recognised, write-offs for impairment losses are recognised as expenses in the profit before tax.

(s) Unearned Lease Incentive

All incentives for entering into an operating lease shall be recognised as an integral part of the net consideration agreed for the use of the leased asset, irrespective of the incentive's nature or form or the timing of payments.

TIO has recognised the aggregate benefit of incentives as a reduction of rental expense over the lease term, on a straight-line basis, representative of the pattern of the benefit from the use of the leased asset.

The lease incentive has been recognised as unearned revenue and amortised over the term of the lease, being 10 years.

(t) New Accounting Standards and Interpretations

Certain new accounting standards and interpretations have been published that are not mandatory for 30 June 2008 reporting period. These new accounting standards and interpretations do not have a material impact on the financial statements of TIO.

Notes to the Financial Statements (continued)

30 June 2008

NOTE 2 Revenue

	2008 \$	2007 \$
Revenue from Continuing Operations		
Complaint handling fees	15,018,005	10,037,821
Other Revenue		
Rent revenue	48,800	-
Interest received	127,994	118,392
Total Revenue	15,194,799	10,156,213

NOTE 3 Expenses

The surplus from operating activities includes the following net gains and expenses:

Write Off

Loss on write off of leasehold improvements	-	429,520
---	---	---------

Expenses

Depreciation		
Plant and equipment	19,370	32,554
Furniture, fittings and leasehold improvements	224,984	122,776
	244,354	155,330
Amortisation		
Leasehold improvements under finance lease	19,674	27,460
	19,674	27,460
Total Depreciation and Amortisation	264,028	182,790

Other expenses subject to specific disclosure:

Finance costs		
Finance charges on finance leases/loan liability	11,691	25,626
Other charges against assets		
Bad and doubtful debts - trade debtors	241,936	193,784
Other provisions		
Employee entitlements	251,416	41,684
Rental related to operating leases		
Lease payments – Rent, Communications and IT and Other	1,080,142	679,652

Occupancy Expenses

The TIO relocated to its new premises on Collins Street during the 2006-2007 financial year. Occupancy expenses significantly increased during the 2007-2008 financial year due to the inclusion of a full years' rent for level 3, 595 Collins Street and part year for level 4, 595 Collins Street. The space leased by the TIO during the 2007- 2008 financial year was significantly larger than that leased in the previous year.

Notes to the Financial Statements (continued)

30 June 2008

NOTE 4 Cash and Cash Equivalents

	2008 \$	2007 \$
Cash at bank and on hand	312,566	86,737
Deposits at call	3,094,183	2,183,259
	3,406,749	2,269,996

Deposits at Call

The deposits are bearing floating interest rates between 4.85% and 5.10% (2007: 4.85% and 5.10%). Deposits at call include a cash reserve of \$868,781.

NOTE 5 Trade and Other Receivables

	2008 \$	2007 \$
Trade receivables	340,951	151,193
Less: Provision for impairment of receivables (bad debts)	(258,660)	(120,150)
Amounts due from members	714,439	-
Interest Receivable	16,269	11,699
Prepayments	25,309	24,479
Other Receivables	16,711	-
	855,019	67,221

As at 30 June 2008 current trade receivables with a nominal value of \$340,951 (2007 - \$151,193) were impaired. The amount of the provision was \$258,660 (2007 - \$120,150). The individually impaired receivables mainly relate to members, which are in unexpectedly difficult economic situations. It was assessed that a portion of the receivables is expected to be recovered.

The aging of these receivables is as follows:	2008 \$	2007 \$
1 to 3 months	222,594	967
3 to 6 months	46,527	150,226
Over 6 months	71,830	-
	340,951	151,193

Notes to the Financial Statements (continued)

30 June 2008

NOTE 6 Plant and Equipment

	2008 \$	2007 \$
Plant and equipment		
Plant and equipment - at cost	145,285	133,401
Less: Accumulated depreciation	(134,367)	(114,997)
	10,918	18,404
Total plant and equipment	10,918	18,404
Furniture and fittings		
Furniture and fittings - at cost	1,614,336	1,569,599
Less: Accumulated depreciation	(347,797)	(122,813)
	1,266,539	1,446,786
Leasehold improvements under finance lease – at cost*	1,652,341	-
Less: Accumulated amortisation	(19,674)	-
	1,632,667	-
Total Furniture and fittings	2,899,206	1,446,786
Total Plant and Equipment	2,910,124	1,465,190

(The TIO entered into a Finance Lease for the fitout of level 4, 595 Collins Street during the 2007-2008 financial year).

Reconciliations

Reconciliations of the carrying amounts of each class of property, plant and equipment at the beginning and end of the current financial year are set out below:

2008

	Plant & Equipment \$	Furniture & fittings \$	Leasehold improvements \$	Leasehold improvements under finance lease \$	Total \$
Carrying amount at 1 July 2007	18,404	1,446,786	-	-	1,465,190
Acquisitions	11,884	44,737	-	1,652,341	1,708,962
Depreciation /amortisation	(19,370)	(224,984)	-	(19,674)	(264,028)
Carrying amount at 30 June 2008	10,918	1,266,539	-	1,632,667	2,910,124

2007

	\$	\$	\$	\$	\$
Carrying amount at 1 July 2006	50,388	30,447	143,913	302,959	527,707
Acquisitions	677	1,549,116	-	-	1,549,793
Net book amount of disposals	(107)	(24,390)	(130,274)	(274,749)	(429,520)
Net book amount of transfers	-	750	-	(750)	-
Depreciation /amortisation	(32,554)	(109,137)	(13,639)	(27,460)	(182,790)
Carrying amount at 30 June 2007	18,404	1,446,786	-	-	1,465,190

Notes to the Financial Statements (continued)

30 June 2008

NOTE 7 Current Liabilities – Trade Creditors and Other Payables

	2008 \$	2007 \$
Amounts due to members	68,346	162,808
Trade creditors	155,033	124,941
Taxation	325,892	299,212
Other creditors	450,063	178,740
	999,334	765,701

Financing Arrangements

The company has an overdraft facility of \$150,000 which may be utilised at any time and terminated by the bank without notice. This facility is unused at balance date. The interest rate is 13.970%. The overdraft facility is secured by a charge over the assets of the company.

NOTE 8 Unearned Lease Incentives

	2008 \$	2007 \$
Current		
Unearned lease incentives	139,997	131,998
Non-Current		
Unearned lease incentives	1,073,307	1,143,979

NOTE 9 Provisions

	2008 \$	2007 \$
Current Liability		
Provision for Annual Leave	547,831	323,536
Provision for Long Service Leave	195,840	121,412
	743,671	444,948
Non-Current Liability		
Provision for Long Service Leave	35,040	82,347

Notes to the Financial Statements (continued)

30 June 2008

NOTE 10 Financial Instruments

(a) Terms, conditions and accounting policies

TIO's accounting policies, including the terms and conditions of each class of financial asset and financial liability, both recognised and unrecognised at the balance date, are as follows:

Recognised Financial Instruments	Accounting Policies	Terms and Conditions
Financial Assets		
Cash and cash equivalents	Cash on hand and at bank are valued at face value. Interest revenue is recognised as it accrues.	On call deposits returned a floating interest rate.
Trade and other receivables	Receivables are carried at nominal amounts due, less any provision for impairment. A provision for impairment is recognised when collection of the full nominal amount is no longer probable. Collectability of overdue accounts is assessed on an ongoing basis.	Volume and overhead billing fees are invoiced quarterly. General debtors are unsecured.
Prepayments	Prepayments are carried at the lower of cost or net realisable value.	
Financial Liabilities		
Trade and other payables	Liabilities are recognised for amounts to be paid in the future for goods and services received, whether or not billed to TIO.	General creditors are unsecured, not subject to interest charge and are normally settled within 30 days, on receipt of invoice.
Interest bearing loans and borrowings	Loans are carried at their principal amounts, which represent the present value of future cash flows associated with servicing the debt. Interest is accrued over the period it becomes due and recognised as part of payables. Finance leases are accounted for at their principal amount with the lease payments discounted to present value using the interest rate implicit in the lease.	Borrowings are unsecured. As at balance date TIO had finance leases with average lease term of 9 years.

Notes to the Financial Statements (continued)

30 June 2008

NOTE 10 Financial Instruments (continued)

(b) Interest Rate Risk Exposures

Exposures arise predominantly from assets and liabilities bearing variable interest rates as the company intends to hold fixed rate assets and liabilities to maturity.

		Fixed interest maturing in:				
2008		Floating	1 year	over 1 to 5	Non-interest	Total
Financial assets		interest	or less	years	bearing	
	Notes	rate				
		\$	\$	\$	\$	\$
Cash assets	4	3,406,749	-	-	-	3,406,749
Receivables	5	-	-	-	855,019	855,019
		3,406,749	-	-	855,019	4,261,768
Weighted average interest rate		4.97%				
Borrowings	14	-	233,899	1,380,827	-	1,614,726
Payables and other liabilities	7	-	-	-	999,334	999,334
Unearned Lease Incentives	8	-	-	-	1,213,304	1,213,304
		-	233,899	1,380,827	2,212,638	3,827,364
Average interest rate			11.25%	11.25%		
Net financial assets (liabilities)		3,406,749	(233,899)	(1,380,827)	(1,357,619)	434,404

		Fixed interest maturing in:				
2007		Floating	1 year	over 1 to 5	Non-interest	Total
Financial assets		interest	or less	years	bearing	
	Notes	rate				
		\$	\$	\$	\$	\$
Cash assets	4	2,269,996	-	-	-	2,269,996
Receivables	5	-	-	-	67,221	67,221
		2,269,996	-	-	67,221	2,337,217
Weighted average interest rate		4.97%				
Borrowings	14	-	128,755	44,438	-	173,193
Payables and other liabilities	7	-	-	-	765,701	765,701
Unearned Lease Incentives	8	-	-	-	1,275,977	1,275,977
			128,755	44,438	2,041,678	2,214,871
Average interest rate			7.9%	7.9%		
Net financial assets (liabilities)		2,269,996	(128,755)	(44,438)	(1,974,457)	122,346

(c) Credit Risk Exposures

The credit risk on financial assets of the company which has been recognised on the statement of financial position, is the carrying amount, net of any provisions for doubtful debts.

Notes to the Financial Statements (continued)

30 June 2008

NOTE 10 Financial Instruments (continued)

(d) Net Fair Value

The carrying amounts and net fair values of financial assets and liabilities at balance date are:

	Carrying amount	2008 Fair value amount	Carrying amount	2007 Fair Value amount
	\$	\$	\$	\$
Recognised financial instruments				
Financial assets				
Cash Assets	312,566	312,566	86,737	86,737
Deposits	3,094,183	3,094,183	2,183,259	2,183,259
Receivables	855,019	855,019	67,221	67,221
	4,261,768	4,261,768	2,337,217	2,337,217
Financial liabilities				
Payables	999,334	999,334	765,701	765,701
Borrowings	1,614,726	1,614,726	173,193	173,193
Non-traded financial liabilities	2,614,060	2,614,060	938,894	938,894

None of the classes of financial assets and liabilities are readily traded on organised markets in standardised form.

Net fair value is exclusive of costs which would be incurred on realisation of an asset, and inclusive of costs which would be incurred on settlement of a liability.

(e) Risks and mitigation

Credit Risk

The possibility that a debtor will not repay all or a portion of an amount outstanding will not repay in a timely manner and therefore will cause a loss to TIO.

Debtors are actively monitored and follow-up actions taken as required.

Liquidity Risk

The risk that it may not have, or may not be able to raise cash funds when needed and therefore encounter difficulty in meeting obligations associated with financial liabilities.

TIO maintain a cash reserve and actively monitored its cash flow position to ensure its ability to meet its debts as and when they fall due. In addition, the TIO's Articles of Association provide that it can impose a special levy on TIO member companies.

(f) Sensitivity Analysis

TIO's borrowings and finance leases are on fixed interest rates and therefore not exposed to changes in interest rates. The main interest rate risk arises from cash and cash equivalents, and the interest income they derive.

Notes to the Financial Statements (continued)

30 June 2008

NOTE 11 Accumulated Surplus

	2008 \$	2007 \$
Accumulated Surplus at the beginning of the financial year	1,060,241	1,051,648
Surplus for the year	1,505,576	8,593
Accumulated Surplus at the end of the financial year	2,565,817	1,060,241

NOTE 12 Key Management Personnel Disclosure

(a) Directors

The following persons were directors of TIO during the financial year:

Name of Director	Date of Appointment	Date of Resignation
J Rohan	1-Aug-01	Continuing
J Harvey	7-Apr-03	Continuing
M Davidson	18-Jan-02	(Resigned 11 Sep 07)
G Smith (Alternate)	4-Mar-02	Continuing
T Hill	30-Oct-02	Continuing
J Parkin	23-Apr-08	Continuing
A Thomas	12-Sep-07	Continuing
L Fielding (Alternate)	23-Apr-08	Continuing
M Lawrey	10-Oct-03	(Resigned 23 Apr 08)
M Elsegood	2-Oct-06	Continuing
S Dalby	7-Dec-06	Continuing
B Chapman	7-Dec-06	Continuing

(b) Other Key Management Personnel

The following persons also had authority and responsibility for planning, directing and controlling the activities of TIO, directly or indirectly, during the financial year:

Name	Position
D O'Donnell	Ombudsman
S Cleary	Deputy Ombudsman
P Carruthers	Company Secretary/ Business Manager
T Staley (term ended 14 Aug 2007)	Chair of Council
V Hickey (commenced 22 Nov 2007)	Chair of Council
T Corbin (commenced 1 Jan 08)	Member of Council
L Kreet (commenced 1 Jul 07)	Member of Council
C Newell	Member of Council
P Marsh (term ended 31 Dec 07)	Member of Council
W Warburton	Member of Council
M Russell	Member of Council
M Pincott	Member of Council
N Mounsher	Member of Council
R Ziino (resigned 30 October 2007)	Member of Council
T Bean	Member of Council
R Wheeler	Member of Council
R Doyle (commenced 28 Jan 08)	Member of Council

(c) Key Management Personnel Compensation

	2008 \$	2007 \$
Short term employee benefits	901,409	946,107

Notes to the Financial Statements (continued)

30 June 2008

NOTE 13 Remuneration of Auditors

	2008 \$	2007 \$
Remuneration for audit of the financial reports of the company	24,000	24,000
Remuneration for other services	30,850	6,500
	54,850	30,500

NOTE 14 Borrowings

	2008 \$	2007 \$
Current		
Borrowings	44,438	128,755
Lease liability (a)	189,461	-
Total	233,899	128,755
Non-Current		
Borrowings	-	44,438
Lease liability (a)	1,380,827	-
Total	1,380,827	44,438

(a) Finance Leases

Commitments in relation to finance leases are payable as follows:

Not later than one year	356,547	-
Later than one year but not later than 5 years	1,796,474	-
Minimum lease payments	2,153,021	-
Less: Future finance charges	582,733	-
Total lease liabilities	1,570,288	-
Representing lease liabilities:		
Current	189,461	-
Non-current	1,380,827	-
	1,570,288	-

Notes to the Financial Statements (continued)

30 June 2008

NOTE 15 Commitments for Expenditure

	2008 \$	2007 \$
Lease Commitments:		
Representing:		
Non-cancellable operating leases	12,825,761	6,949,849
Operating Leases		
Commitments for minimum lease payments in relation to non-cancellable operating leases are payable as follows:		
Not later than one year	1,537,198	803,413
Later than one year but not later than 5 years	5,691,406	2,787,828
Later than 5 years	5,597,157	3,358,608
Commitments not recognised in the financial statements	12,825,761	6,949,849

NOTE 16 Related Parties Transactions

Directors

The names of persons who were directors of TIO at any time during the financial year are detailed in note 12.

Transactions with directors and director related entities

J Rohan is a current TIO director nominated by Vodafone Australia Ltd. TIO invoiced Vodafone Australia Ltd for \$425,714 during the year in respect of complaint handling fees. Vodafone entities invoiced the TIO for \$50 for the provision of telecommunications services during the reporting period.

Two current directors, J Parkin and T Hill, and one alternate director, L Fielding are employees of Telstra Corporation. One former director during the period, M Lawrey is also an employee of Telstra Corporation. TIO invoiced Telstra Corporation and Telstra Big Pond for \$5,777,138 and \$1,201,029 respectively for complaint handling fees incurred during the year. Telstra Corporation invoiced the TIO for \$34,823 for the provision of telecommunications services during the reporting period.

Two current directors, M Elsegood and A Thomas, and one alternate director, G Smith, are employees of Singtel Optus Pty Ltd. One former director during the period, M Davidson, is also an employee of Singtel Optus Pty Ltd. TIO invoiced Singtel Optus Pty Ltd and related entities for \$3,165,934. Optus entities invoiced the TIO for \$282,515 for the provision of telecommunications services during the reporting period.

One current director, B Chapman, is an employee of AAPT Ltd. TIO invoiced AAPT Ltd and related entities for \$963,983 during the year in respect of complaint handling fees. AAPT Ltd and related entities invoiced the TIO for \$43,466 for the provision of telecommunications services during the reporting period.

One current director, S Dalby, is an employee of iiNet Ltd. TIO invoiced iiNet Ltd and related entities for \$191,159 during the year in respect of complaint handling fees.

All of the above transactions with directors and director related entities were based on normal commercial terms and conditions.

Notes to the Financial Statements (continued)

30 June 2008

NOTE 17 Reconciliation of Surplus from Ordinary Activities after Income Tax to Net Cash Inflow from Operating Activities

	2008 \$	2007 \$
Surplus from ordinary activities after income tax	1,505,576	8,593
Depreciation and amortisation	264,028	182,791
Loss/(gain) on disposal of fixed assets	-	429,520
Lease Incentive amortised	(133,996)	(178,130)
Changes in operating assets and liabilities:		
Decrease (increase) in receivables	(787,798)	15,668
Increase (decrease) in payables	233,633	(11,239)
Increase in other provisions	251,416	41,682
Net cash inflow from operating activities	1,332,859	488,884

Note 18 Contingent Liabilities

The TIO has three contingent liabilities:

- During the 2006-2007 financial year, the TIO entered into a contractual agreement with the Sustainable Melbourne Fund who provided the office with a loan amounting to \$37,114. This financed the capital cost cash value of energy efficiency initiatives which will result in a reduced energy bill for the TIO over time. The loan is repayable over four years at an amount of \$2,685 per quarter and is contingent upon the TIO continuing to lease its current premises at level 3, 595 Collins Street.
- During the 2006-2007 financial year, the TIO signed a bank guarantee in favour of Investa Nominees Pty Ltd (the TIO's landlord) for an amount equal to 6 months rent, outgoings, car park licence fees and GST. The amount of the guarantee is \$172,870. In the event where the TIO is unable to meet its financial obligations under its lease for level 3, 595 Collins Street, Investa Nominees Pty Ltd may call on the bank guarantee held by the Commonwealth Bank of Australia.
- During the 2007-2008 financial year, the TIO signed a further bank guarantee in favour of Investa Nominees Pty Ltd (the TIO's landlord) for an amount equal to 6 months rent, outgoings and GST. The amount of the guarantee is \$387,877. In the event where the TIO is unable to meet its financial obligations under its lease for level 4, 595 Collins Street, Investa Nominees Pty Ltd may call on the bank guarantee held by the Commonwealth Bank of Australia.

Note 19 Events Occurring After Balance Date

There were no material subsequent events.

Directors' Declaration

In the directors' opinion:

(a) the financial statements and notes set out on pages 7 to 23 are in accordance with the Corporations Act 2001, including:

- (i) complying with Accounting Standards, the Corporations Regulations 2001 and other mandatory professional reporting requirements; and
- (ii) giving a true and fair view of the company's financial position as at 30 June 2008 and of its performance, as represented by the results of their operations, changes in equity and their cash flows, for the financial year ended on that date; and

(b) there are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the directors.



J F Rohan
Director



J M Harvey
Director

Melbourne
29 August 2008

Independent Audit Report

RSM Bird Cameron Partners

Chartered Accountants

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INDEPENDENT AUDIT REPORT

To the members of Telecommunication Industry Ombudsman Limited

Report on the Financial Report

We have audited the accompanying financial report of the Telecommunications Industry Ombudsman Limited ("the company"), which comprises the balance sheet as at 30 June 2008, and the income statement, statement of changes in equity and cash flow statement for the year ended on that date, a summary of significant accounting policies, other explanatory notes and the directors' declaration.

Directors' Responsibility for the Financial Report

The directors of the company are responsible for the preparation and fair presentation of the financial report in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the *Corporations Act 2001*. This responsibility includes establishing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances. In Note 1, the directors also state, in accordance with Accounting Standard AASB 101 *Presentation of Financial Statements*, that compliance with the Australian equivalents to International Financial Reporting Standards ensures that the financial report, comprising the financial statements and notes, complies with International Financial Reporting Standards.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Liability limited by a
scheme approved under
Professional Standards
Legislation

Major Offices in:
Perth, Sydney, Melbourne,
Adelaide and Canberra
ABN 36 965 185 036

RSM Bird Cameron Partners is an
independent member firm of RSM
International, an affiliation of independent
accounting and consulting firms.



Independent Audit Report

INDEPENDENT AUDIT REPORT (CONT.)

Independence

In conducting our audit, we have complied with the independence requirements of the *Corporations Act 2001*. We confirm that the independence declaration required by the Corporation Act 2001, provided to the directors of the Telecommunications Industry Ombudsman Limited on 29 August 2008, would be in the same terms if provided to the directors as at the date of this auditor's report.

Auditor's Opinion

In our opinion:

- (a) the financial report of the Telecommunications Industry Ombudsman Limited is in accordance with the *Corporations Act 2001*, including:
 - (i) giving a true and fair view of the company's financial position as at 30 June 2008 and of its performance for the year ended on that date; and
 - (ii) complying with Australian Accounting Standards (including the Australian Accounting Interpretations) and the Corporations Regulations 2001; and
- (b) the financial report also complies with International Financial Reporting Standards as disclosed in Note 1.



RSM BIRD CAMERON PARTNERS
Chartered Accountants



R B MIANO
Partner

3 September 2008
Melbourne

How to make a complaint

Before lodging a complaint with the TIO you should:

- try to solve the problem with your telephone company or Internet service provider
- try to get the name of the person you spoke to at the company
- gather any papers relevant to the complaint, such as contracts, bills or copies of correspondence (please do not send original documents to the TIO).

The TIO recommends that complainants:

- pay any undisputed portions of bills
- keep copies of any payment transactions relating to the complaint
- be prepared to write to the TIO with details of the complaint.

Achieving a resolution to a complaint may require compromise on one or both sides of the argument. However, a resolution found this way is almost always less expensive and speedier than one found in the courts. Complainants may take their dispute to court if they are not satisfied with the outcome reached by the TIO.

Bankers

Commonwealth Bank of Australia

Solicitors

Corrs Chambers Westgarth

Auditors

RSM Bird Cameron



Telecommunications
Industry
Ombudsman

Telecommunications Industry Ombudsman Limited

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