

Telecommunications  
Industry  
Ombudsman

## Telecommunications Industry Ombudsman 2009 Annual Report



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**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.**

#### **Our mission**

To provide free, independent, just, informal and speedy resolution of complaints

#### **Our values**

**Delivering on our mission statement** – TIO staff members are committed to the TIO's mission.

**Striving for excellence** – We are committed to delivering high quality and efficient complaint resolution services.

**Taking personal responsibility** – We accept responsibility for our actions and act in an ethical, fair manner, showing integrity in our dealings with everyone we have contact with.

#### **Cultivating a supportive and collaborative workplace**

– We value diversity and respect each other's differences and support each other to achieve the TIO's goals and enhance the culture of the TIO.

## ABOUT THIS REPORT

The Telecommunications Industry Ombudsman's *Annual Report* is a summary of our achievements and our complaint statistics and trends for the 2008/09 financial year. The report is an account of this year's performance against our five-year strategic plan, which is based on four goals. The goals were first articulated in the 2007/08 financial year and are:

- **Resolution** - to provide an effective and efficient complaint handling service
- **Reaching out** - to assist our stakeholders
- **Remarkable** - to be a successful organisation
- **Relevant** - to remain relevant in the co-regulatory environment.

The five principal sections of this report are:

- our scorecard - a rating of performance against our strategic goals
- the year at a glance
- an overview of our organisation including how we are governed, who we serve, and how we serve them
- an account of our performance against our strategic goals
- detailed reporting of our complaint statistics for the 2008/09 financial year.

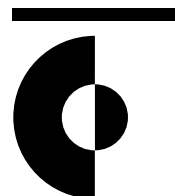
The report includes our financial results for the year, and introduces the members of our Council, Board, and management team. Also included are several profiles of TIO staff members and people who have used our service during the year.

The information in the report is for the benefit of Australian telecommunications consumers, members of the Telecommunications Industry Ombudsman Scheme and other stakeholders whom we have worked with during the year, including:

- our staff
- regulators and government departments that are part of the co-regulatory telecommunications framework
- consumer groups and consumer advocates such as financial counsellors
- telecommunications industry groups
- the media.

If you wish to provide feedback about this report or any other of our activities, you may do so at [webmaster@tio.com.au](mailto:webmaster@tio.com.au). This report and our past reports may be obtained online at [www.tio.com.au](http://www.tio.com.au). Hard copies are available on request to:

Communications Department  
Telecommunications Industry Ombudsman  
PO Box 276 COLLINS STREET WEST VIC 8007



Telecommunications  
Industry  
Ombudsman

## Our highlights

This year, we helped more than **200 000 Australians, up 60% from 125 000 last year**. We answered almost 300 000 telephone calls, and 57 000 letters and e-mails from consumers and small businesses Australia wide.

We dealt with a 54% increase in complaints to 230 000. A total of 90% of these complaints, 208 000, were resolved with a referral back to the service provider.

**See Our year: a snapshot – page 4**

In November 2008, with the cooperation of our members, a range of key stakeholders and the support of Senator Stephen Conroy, we launched **connect.resolve**, a campaign to raise awareness about the importance of good quality customer service and complaint handling in the telecommunications industry.

**See connect.resolve – page 25**

Our staff participated in almost 40 outreach events to a wide range of audiences in all states. We also visited 70 TIO members throughout the country.

**See Reaching Out – page 19**

In September 2008, we asked 500 consumers about their experiences with mobile premium services. Our detailed report was distributed to regulators and industry groups

**See Regulators and government – page 23**

It is available online under the Publications tab of our website ([www.tio.com.au](http://www.tio.com.au)).

In August 2008, we commenced a two-year program of consultation with financial counsellors nationwide with a meeting in Brisbane. Subsequent meetings were held in Melbourne and Coolangatta in May 2009.

**See Reaching Out – page 20**





## AT A GLANCE

HIGHLIGHTS | **OUR SCORECARD** | OUR YEAR – A SNAPSHOT

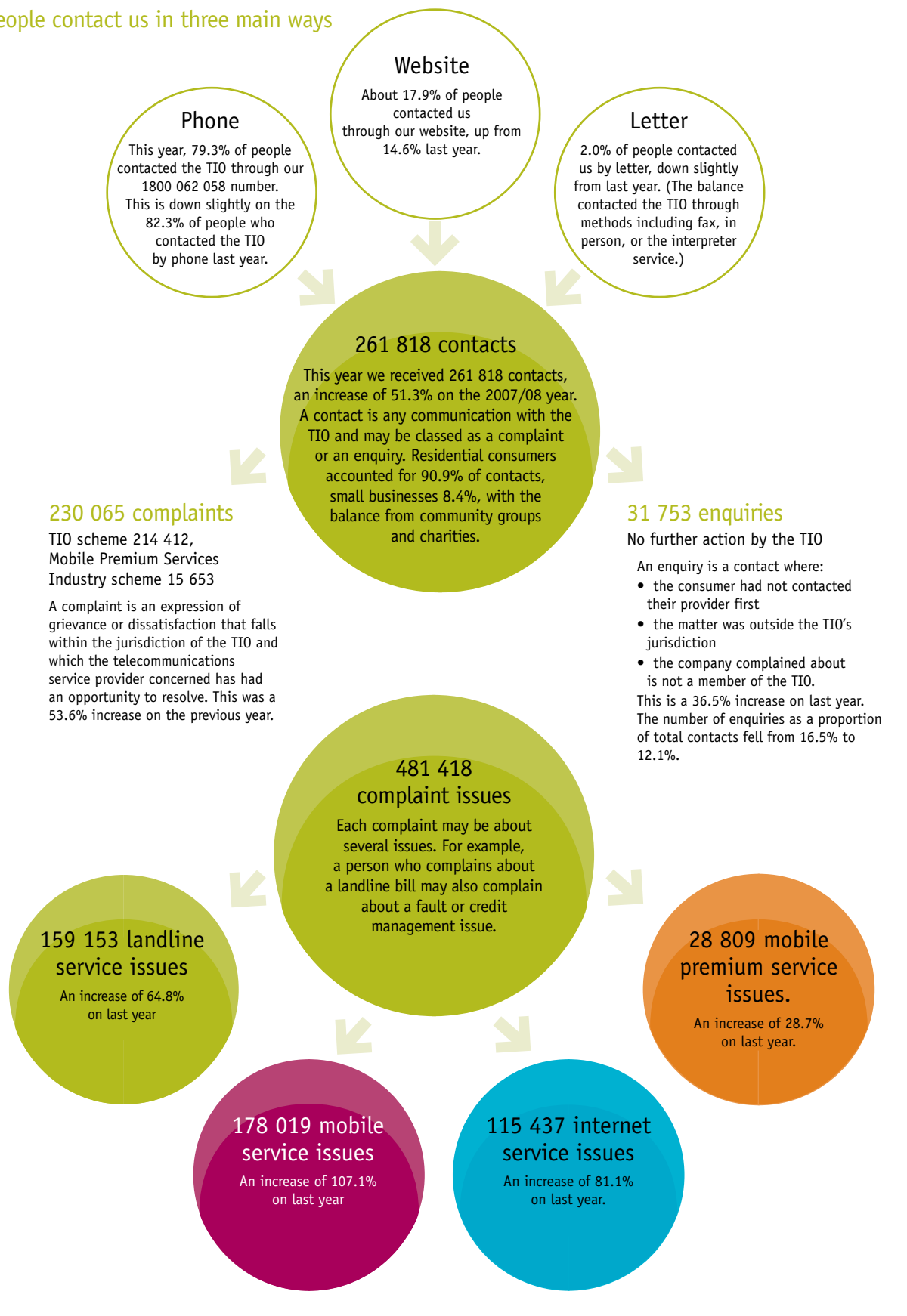
GOALS	STRATEGIES 2008/09
<b>RESOLUTION</b> To provide an effective and efficient complaint handling service	Incorporate the benchmarks of accessibility, efficiency, effectiveness, fairness, independence and accountability into all position descriptions and into training programs (see definition of DIST benchmarks in Glossary, page 114)
	Meet complaint demand through: <ul style="list-style-type: none"> <li>• implementing the organisational realignment plan</li> <li>• reviewing the end to end complaint handling process</li> <li>• developing a resourcing plan to complement the forecasting model</li> </ul>
	Provide flexible and responsive complaint handling for consumers and industry
	Improve accessibility by continuing to implement the Disability Action Plan
	Operate within a quality framework to service delivery by reviewing the TIO quality framework
	Lead international best practice by identifying best practice through a research paper
<b>REACHING OUT</b> To assist stakeholders	Assist members to resolve complaints by: <ul style="list-style-type: none"> <li>• Assisting them to minimise complaint drivers and assisting them with TIO complaint handling processes</li> </ul>
	Improve awareness of the TIO through: <ul style="list-style-type: none"> <li>• Developing and implementing plans to target vulnerable consumers and to promote the TIO in the public arena</li> </ul>
	Add value through business intelligence by providing useful data and analysis to regulators, the general community and industry
	Engage with members, consumers, regulators and policy makers
<b>RELEVANT</b> To remain relevant	Monitor the strategic environment by <ul style="list-style-type: none"> <li>• actively participating in ANZOA (the Australian and New Zealand Ombudsman Association)</li> </ul>
	Analyse and respond to developments in the strategic environment by: <ul style="list-style-type: none"> <li>• Developing a scenario planning capability</li> <li>• Considering the appropriate scope of the TIO's jurisdiction in consultation with Council</li> <li>• Developing a plan to provide complaint data to external stakeholders</li> </ul>
	Enhance our reputation as an authority on complaints
<b>REMARKABLE</b> To be a successful organisation	Be well governed by: <ul style="list-style-type: none"> <li>• Implementing an improved performance evaluation system</li> <li>• Monitoring performance against strategic objectives</li> </ul>
	Manage our people well by: <ul style="list-style-type: none"> <li>• Conducting a staff satisfaction survey</li> <li>• Developing and implementing a training and development plan and a "people plan"</li> </ul>
	Manage the business well by: <ul style="list-style-type: none"> <li>• Maintaining the financial viability of the business and operating within relevant business standards</li> <li>• Trialling a move towards the paperless office</li> <li>• Operating within a risk management framework</li> </ul>

ACHIEVED 2008/09	STRATEGIES 2009/10
✓	Incorporate the benchmarks of accessibility, efficiency, effectiveness, fairness, independence and accountability into all activities by implementing the agreed recommendations from the end-to-end process review
✓	Meet complaint demand by: <ul style="list-style-type: none"> <li>• Reviewing workforce management methods to optimise performance</li> <li>• Forecasting complaint demand and resourcing requirements monthly</li> </ul>
ongoing	Provide flexible and responsive complaint handling for consumers and industry by progressing the replacement of the TIO complaint handling system
ongoing	Improve accessibility by developing and implementing a W3C standard internet site
✓	Operate within a quality framework to service delivery by implementing the agreed recommendations of the review of the TIO quality framework
✓	Lead international best practice by identifying best practice for systemic complaints
ongoing	Assist members to resolve complaints by: <ul style="list-style-type: none"> <li>• Surveying them for data needs</li> <li>• Continuing to assist them with TIO complaint handling processes</li> </ul>
ongoing	Improve awareness of the TIO through: <ul style="list-style-type: none"> <li>• Implementing the plans to target vulnerable consumers and to promote the TIO in the public arena</li> </ul>
ongoing	Add value through business intelligence by providing quarterly data and analysis to regulators, the general community and industry, such as through TIO Talks
ongoing	Engage with members, consumers, regulators and policy makers
✓	Monitor the strategic environment by <ul style="list-style-type: none"> <li>• Identifying telecommunications and ADR industry issues emerging overseas that will impact the TIO</li> </ul>
✓	Analyse and respond to developments in the strategic environment by: <ul style="list-style-type: none"> <li>• continuing to support Council's consideration of the appropriate scope of the TIO's jurisdiction</li> </ul>
ongoing	Enhance our reputation as an authority on complaints
ongoing	Be well governed by: <ul style="list-style-type: none"> <li>• Developing and managing cascaded KPIs for the TIO</li> <li>• Monitoring performance against strategic objectives</li> </ul>
ongoing	Lead our people well by: <ul style="list-style-type: none"> <li>• Reviewing staff remuneration</li> <li>• Using competency profiling to guide training and development activities</li> </ul>
✓	Manage the business well by: <ul style="list-style-type: none"> <li>• Managing the business to the budget</li> <li>• Developing cost centre accountability</li> <li>• Developing and implementing the TIO's financial transition project</li> <li>• Revising effectiveness benchmarks on completion of the end-to-end process review</li> </ul>

## AT A GLANCE

HIGHLIGHTS | OUR SCORECARD | OUR YEAR – A SNAPSHOT

People contact us in three main ways



## AT A GLANCE

HIGHLIGHTS | OUR SCORECARD | OUR YEAR – A SNAPSHOT

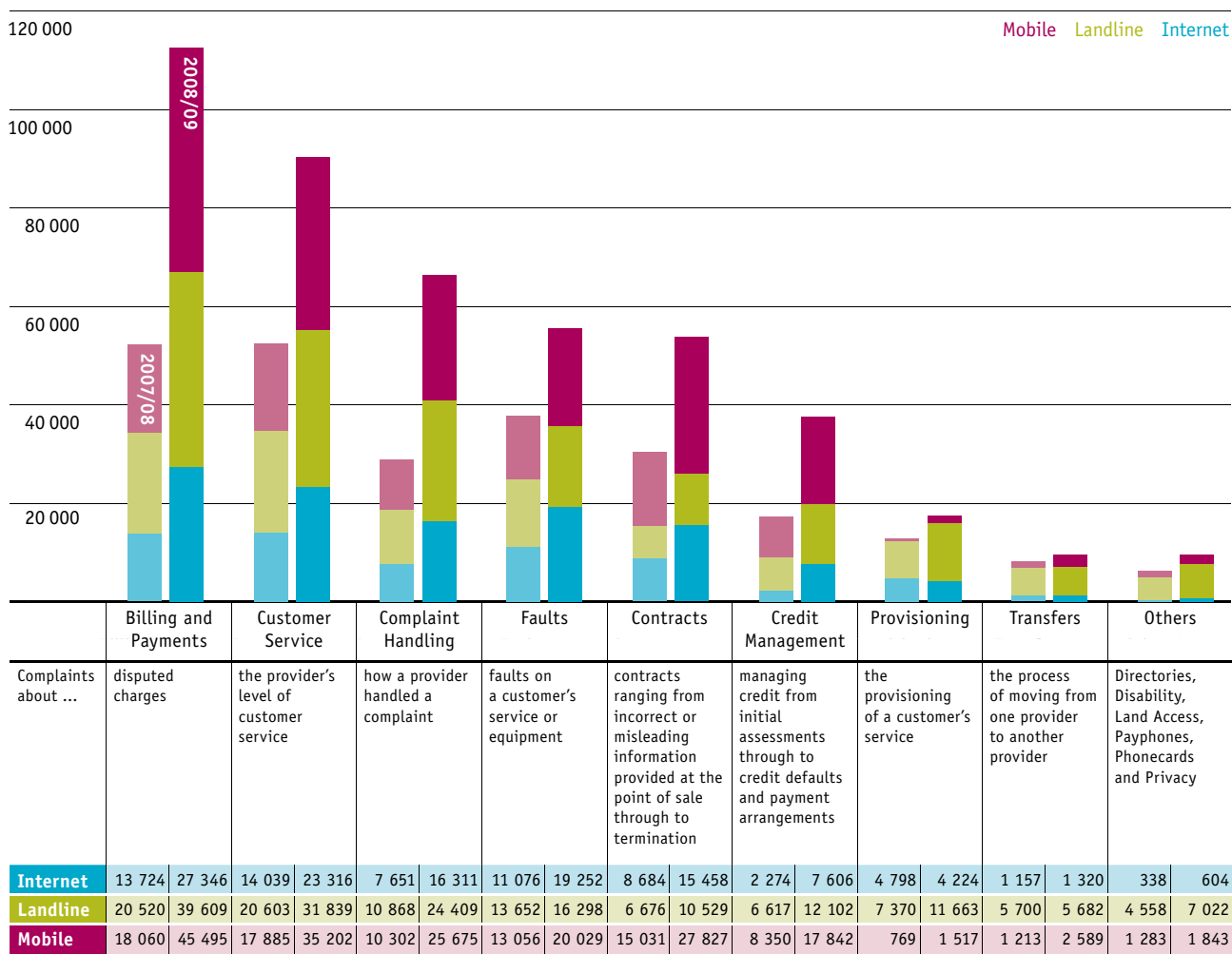
This year, mobile complaints took over from landlines as the service with the highest number of complaints. Landlines were the leading source of complaints in the 2006/07 year and also last year. The change reflects the increasing penetration and breadth of mobile services.

Complaints about mobile premium services increased slightly over the previous year (from 13 899 to 15 653). Complaints about these services declined significantly in the last quarter of 2009, which may reflect an early acknowledgement by providers of the tighter restrictions imposed by the Australian Communications and Media Authority from 1 July 2009.

While the most numerous, the growth rate in billing and payments complaint issues was third to complaint handling (130% increase) and credit management (118% increase) complaint issues.

A complete breakdown of our complaint statistics appears under Major Complaint Categories on page 40. A breakdown of statistics by providers who have received more than 25 complaints is listed at the back of this report.

Figure 1 Complaint issues by category



## OUR ORGANISATION

STATEMENT FROM THE TWO CHAIRS | MEMBERS OF THE BOARD | MEMBERS OF THE COUNCIL |  
OMBUDSMAN'S OVERVIEW | ABOUT THE TIO | THE YEAR AHEAD



### CHAIRMAN OF THE BOARD

The TIO has completed an extremely challenging year with complaint demand increasing 53.6% after an increase of 46.1% in the previous year. The positive news is that there has been a plateau in complaint demand over the past few months and hopefully this will continue across the year. While it may be early to judge, the **connect.resolve** campaign may have had an impact on this stabilisation of complaints in the latter part of the year.

Membership of the Scheme remained fairly static at 1 125, although 113 new members joined and 94 departed.

#### Strategic initiatives

The Board undertook a number of strategic initiatives throughout the year. In particular, it commissioned a review of the TIO funding model by PricewaterhouseCoopers. The review addressed a number of issues, including the frequency of billing and the level of the TIO reserve. The Board and management acted on these recommendations. The Board also appointed new external auditors and introduced internal auditors to the company. Other initiatives included a revised financial reporting and risk management framework and the introduction of a formal delegations manual. The Board also undertook further skills development through the Australian Institute of Company Directors.

**The Board undertook a number of strategic initiatives throughout the year, including commissioning a review of the TIO funding model.**

The TIO recorded a surplus in 2008/09 which was developed to fund capital expenditure in the coming year. In particular the company will commence to upgrade its core IT systems to cope with the growth in the Scheme over the last eight years and to match the effectiveness and efficiency of its systems with the levels of service required by both complainants and industry member companies.

#### Changes to the Board

There have been some changes to the Board during the year, with Leisa Fielding (Telstra) replacing John Parkin (Telstra) as a Director, and John assuming Leisa's previous role of Alternate Director.

I would like to thank all the Directors for their efforts in a difficult year. I would also like to thank the TIO Council for their hard work and contribution and particularly the new Chair of Council, Virginia Hickey.

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 management team.

A handwritten signature in black ink, appearing to read 'John Rohan'.

**John Rohan**

Chairman of the Board



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### CHAIR OF THE COUNCIL

The TIO was able to service 230 065 complaints in 2008/09. The rapid growth of the scheme dictated that much of Council's and management's time was spent on strategies to address growth. In particular, growth resulted in an increase in complaints that recruitment was unable to keep pace with. Strategies to address the backlog of complaints caused by this growth were put in place and resulted in positive outcomes by the end of the financial year.

In addition to dealing with growth, the Council gave consideration to a number of strategic issues during the year. A significant review of the scope of jurisdiction of the scheme was initiated and will be finalised in the coming year. An 'end-to-end' complaint process review was also commissioned, using external consultants, and the report has now been examined in detail by Council.

**I believe that the TIO is now well placed to consolidate on the period of enormous growth it has experienced over the past few years and will continue to provide value to complainants and members alike over the coming year**

The complaint process review has consumed much of Council's time and effort in the past year. The review has resulted in the establishment of a process review program comprising a series of projects aimed at increasing the effectiveness and efficiency of TIO processes. The program is interlinked with a number of other significant strategic activities, most notably the replacement of the TIO complaint handling system.

### Changes to the Council

After many years of service to the Council, Neil Mounsher (Telstra) departed and was replaced by Anne Howells. Neil's dedication to the TIO, his unwavering commitment to helping the TIO be as effective and efficient as it possibly could be and the outstanding personal integrity he brought to his role was enormously valued by Council and the staff of the TIO and he will be missed. Trudi Bean (Optus) was replaced by Sue Sdregas. Trudi's insights and her legal and regulatory experience were invaluable to the performance of Council. Anne and Sue have already begun making contributions to Council and the broader TIO and I look forward to their continued contribution. Rohan Doyle also departed the TIO after serving first on the Board for a number of years and then on Council. He brought a balanced industry perspective to Council deliberations and his contribution to the TIO in both of these areas was greatly appreciated. He was recently replaced by Leroy Parkinson from iiNet.

I would like to congratulate the Ombudsman and her team for their performance in a year of enormous challenge and change. I believe that the TIO is now well placed to consolidate on the period of enormous growth it has experienced over the past few years and will continue to provide value to complainants and members alike over the coming year.

Finally, I would also like to thank the Chairman and members of the Board for their diligence in carrying out their governance role and particularly for ensuring that the scheme was appropriately funded to meet demand.

A handwritten signature in dark ink, reading 'Virginia Hickey'. The signature is stylized with a large, sweeping 'V' and a cursive 'Hickey'.

**Virginia Hickey**  
Chair of Council

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### Chairman of the Board

#### John Rohan

*Commenced 1 August 2001*  
Vodafone

John Rohan has been the 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.

#### Leisa Fielding

*Alternate representative from 23 April 2008 to 23 July 2009, Telstra representative 23 July 2009*  
Telstra

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.

#### Jane Harvey

*Commenced 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

*Commenced 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.

#### John Parkin

*Telstra representative from 23 April 2008 to 23 July 2009, alternate representative from 23 July 2009*  
Telstra

As an operational regional general manager with Telstra, John Parkin 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

*Commenced 2 October 2006*  
Optus

Michael Elsegood supervises Optus's Disability Action Plan, and 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.

#### Alexandra Thomas

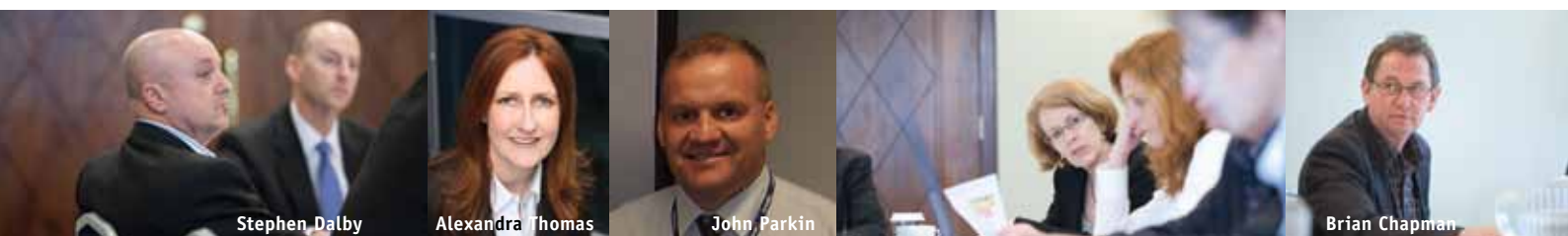
*Commenced 12 September 2007*  
Optus

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

*Commenced 7 December 2006*  
AAPT Ltd

Brian Chapman manages the overall customer external complaint experience with 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

*Commenced 7 December 2006*

iiNet

Stephen Dalby 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.

## Gary Smith

*Commenced 4 March 2002*

Optus

Alternate 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.

## Georgia-Kate Schubert

*Commenced 1 January 2009, departed 30 June 2009*

Vodafone

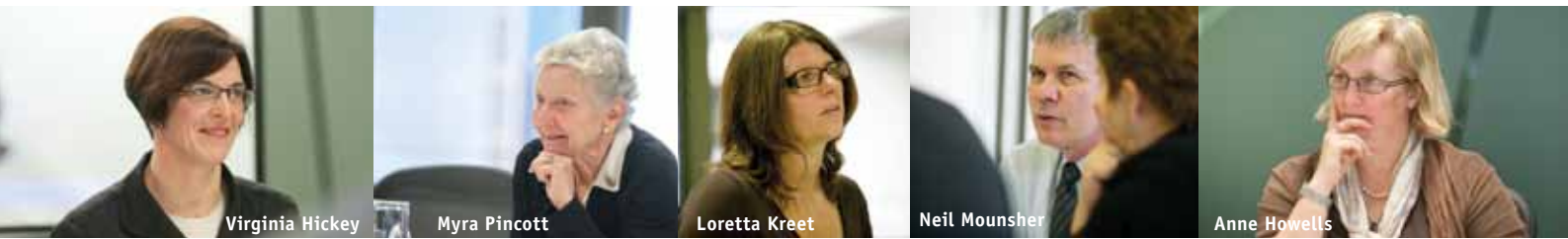
Alternate director

Georgia-Kate was the general manager of public policy and corporate responsibility at Vodafone Australia. Previously Georgia-Kate was an adviser in the Howard Government.

*Vodafone Australia Limited and Hutchison 3G Australia Pty Limited merged businesses on 29 May 2009, after receiving approval from the ACCC. The new company is called Vodafone Hutchison Australia.*

## OUR ORGANISATION

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### Chair of the Council

#### Virginia Hickey

*Commenced 22 November 2007*

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

#### Dr Wayne Warburton

*Commenced 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.

#### Teresa Corbin

*Commenced 1 January 2008*

Australian Communications Consumer Action Network

*from 1 July 2009*

She was the CEO of the Consumers' Telecommunications Network, which closed on 30 June 2009

Teresa Corbin is deputy chief executive officer of the Australian Communications Consumer Action Network (ACCAN), a new peak consumer body for the telecommunications industry. Teresa led the project to establish ACCAN, which began operating on 1 July 2009. 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

*Commenced 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 and the ACMA's Consumer Consultative Forum.

#### Loretta Kreet

*Commenced 1 July 2008*

Legal Aid Queensland

Loretta Kreet has spent the last 10 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 Parent to Parent Inc and a member of the Brisbane Consumers' Association.

#### Chris Dodds

*Commenced 28 August 2008*

Chris Dodds represents the Australian Council of Social Service (ACOSS) on Telstra's Low Income Measures Assessment Committee (LIMAC), in the position of chair. He is immediate past president of the Council of Social Service of NSW (NCOSS). He has been involved in community services for over 30 years and in telecommunications issues for the last 10 years. While not representing any particular organisation on the TIO Council, Chris has a keen interest in the challenges facing those on low incomes or confronting other disadvantage.

### Industry representatives

#### Anne Howells

*Commenced 6 February 2009*

Telstra

Anne Howells is the general manager of the TIO Governance Team at Telstra. Anne has worked at Telstra for five years, starting as the assistant company secretary with responsibility for compliance. She is a chartered accountant by profession and, before Telstra, worked at PricewaterhouseCoopers. While there she gained extensive experience in governance, risk management and compliance.



### Neil Mounsher

*Commenced 31 March 2003 – departed 12 November 2008*  
Telstra

Neil Mounsher was Telstra's nominee on the Council from 2003. He was the group manager, TIO policy and liaison, Telstra regulatory and worked with Telstra for more than 35 years in various engineering and managerial roles.

### Sue Sdregas

*Commenced 28 November 2008*  
Optus

Sue Sdregas has worked in the telecommunications industry for the past 19 years, with 15 of those spent at Optus. In her current role she manages a broad range of functions within the customer care arena including the escalated complaints team and the customer knowledge management team, as well as strategy and planning.

### Matt Russell

*Commenced 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 ninems in Sydney.

### Ross Wheeler

*Commenced 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.

### Leroy Parkinson

*Commenced 22 June 2009*  
iiNet

Leroy Parkinson has worked for iiNet since 2002, and manages a team that handles issues such as law enforcement, compliance, liaising with the TIO, wholesale customer relations and credit risk assessment. Before joining iiNet, he worked at Optus as a business account manager.

### Rohan Doyle

*Commenced 21 January 2008 – departed 6 April 2009*  
Ustel Limited

Rohan Doyle has worked in the telecommunications industry since deregulation in 1994 and was 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

*Commenced 14 February 2006 – departed 28 November 2008*  
Optus

Trudi Bean was a senior member of the Optus legal team, leading the consumer and small business work group. She has now taken a legal counsel position with the Department of Broadband, Communications and the Digital Economy.



## OUR ORGANISATION

STATEMENT FROM THE TWO CHAIRS | MEMBERS OF THE BOARD | MEMBERS OF THE COUNCIL |  
OMBUDSMAN'S OVERVIEW | ABOUT THE TIO | THE YEAR AHEAD



This year's TIO *Annual Report* is evidence of a year of extraordinary activity for the scheme. On every level, and under every one of our strategic goals, the organisation has been focused on achieving outcomes, making changes and above all addressing demand.

The growth rate in the first half of the year continued the trend of the previous 12 months and stretched the organisation across all its operations. In order to keep up with demand and cope with the pressures of change, we needed to be flexible in our approach, and to explore a range of ways of delivering against our 'Resolution' goal.

### Core Business

In this respect, the work of the Core Business division, led by Deputy Ombudsman Simon Cleary, was nothing short of extraordinary. The backlog of cases awaiting escalation to level 2 (see Complaint classification, page 36), which had increased steadily over a period of around eight months as a consequence of ever-increasing demand, caused us great concern, as this meant we were not delivering the speedy service which in the past had been our hallmark. With the encouragement of Council and the support of the Board to ensure adequate funding, we ramped up recruitment and training activities; engaged closely with individual scheme members to explore different methods of timely resolution; and ultimately were able to address this significant backlog and meet our service levels.

### Connect.resolve campaign

'Resolution' was also a key driver of the **connect.resolve** campaign, which is featured separately. This campaign allowed the TIO to approach a systemic industry issue – poor customer service – in an innovative and targeted way.

Our 'Remarkable' goal resulted in a number of significant initiatives to improve our business processes and overall accountability to our governing bodies. We expanded the executive team by creating a new position of Financial Controller, filled by Julie Zammit, who has brought to the TIO significant experience in the business world and a passion for performance measuring and reporting that will help raise the standards of our outputs in these key areas.

**On every level, and under every one of our strategic goals, the organisation has been focused on achieving outcomes, making changes and above all addressing demand.**

The Business Support Division, led by General Manager Business Phil Carruthers, has also produced significant results against the 'Remarkable' goal in the reporting year. Our information technology area has enabled us to continue to provide services to ever more consumers and across two sites, as we expanded to house our additional staff. The human resources activities around selecting, inducting and supporting the many new staff and their new managers have been considerable, as has the conducting of the staff survey and the program for implementing its recommendations. In terms of supporting our governing bodies, this division has achieved outstanding results in improving the quality of our documentation and our reporting to these bodies.

### Engaging with ISPs

Under our goal to 'Reach Out', the Planning and Stakeholder Engagement Division, led by David Brockman, has undertaken a range of activities to improve how we communicate with all our stakeholders. Our Member Communications area has maintained a focus on actively engaging with members to assist them improve complaint handling, and conducted an important survey of ISP members of the TIO scheme. The Policy team has focused on auditing our work; ensuring that industry codes are well communicated and used as yardsticks of good industry practice; and providing valuable feedback to regulators. Through Public Affairs and our new Communications Manager we have worked to improve our accessibility, especially to vulnerable and disadvantaged groups, and to upgrade the full range of our communication activities.

### Enhancing our data

Finally, under our 'Relevant' goal, we have continued to provide ever more targeted data to regulators, policy makers, other key stakeholders and members as part of our strategy to enhance our reputation as an authority on complaints. We have also worked actively to keep connected to key consumer and industry groups. Under that heading, we welcome the establishment of ACCAN, the Australian Communications Consumer Action Network, which was developed during the year while coming into existence formally on 1 July 2009.

As this is my last report as Ombudsman, I would like to record my sincere thanks to the staff and management of the TIO. It has been a wonderful privilege to work with people of such dedication and commitment to the values of the TIO scheme. I wish the new Ombudsman every success in the years ahead.

A handwritten signature in black ink, appearing to read 'Deirdre O'Donnell'.

**Deirdre O'Donnell**  
Ombudsman

## OUR ORGANISATION

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### The Ombudsman

Deirdre O'Donnell became Telecommunications Industry Ombudsman at the end of May 2007.

Before then, she was the state Ombudsman for Western Australia for five years, where her role was to receive and investigate complaints about government administrative practices. Deirdre was also a State Records Commissioner, a member of the Western Australian Integrity Coordinating Group, and the Energy Ombudsman for WA.

In recognition of her work in WA, Deirdre received a public service medal in the Australia Day Honours for 2008.

Between 1990 and 2002, Deirdre was employed in the telecommunications industry. She was Deputy Ombudsman at the TIO between 1999 and 2002, and held senior regulatory positions at Optus and the industry regulator, Austel (now the Australian Communications and Media Authority), as well as working for the former Telecom. In her various positions she had responsibility for areas such as numbering, interconnect, class licensing, competition policy and consumer consultation.

Deirdre started her career as a high school teacher, teaching in country Victoria and in Melbourne, as well as in France as an exchange teacher. She has qualifications in Arts, Education and French, as well as an MBA and a Masters in Commercial Law from Melbourne University.

### The Deputy Ombudsman

Simon Cleary has been Deputy Telecommunications Industry Ombudsman since February 2006.

Simon has a background in public interest and trade practices law.

Before his appointment as Deputy Ombudsman, Simon worked as a lawyer at Legal Aid Queensland, having commenced his career at Redfern Legal Centre in New South Wales.

Simon was a founding member and secretary/treasurer of the Queensland Public Interest Law Clearing House (QPILCH), launched in April 2002 to co-ordinate the Queensland legal profession's pro bono legal work for the community. Simon was also a member of the advisory council for the National Pro Bono Resource Centre from 2002 to 2006.

Simon's other contributions to public interest law include his work on the board of the National Children and Youth Law Centre (2002-2006) and the board of the Centre for Credit and Consumer Law at Griffith University (2003- 2006). He was also a public interest representative on the TIO Council from 2002 until 2005.

He has a Bachelor of Arts degree and an honours degree in law from the University of Queensland.



The TIO Executive Team  
from left  
Deirdre O'Donnell,  
David Brockman,  
Simon Cleary,  
Julie Zammit and  
Phillip Carruthers.

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Our Board of Directors	Our Council	Our management team
<p>Chairman <b>John Rohan, Vodafone</b> <i>commenced 1 August 2001</i></p>	<p>Chair <b>Virginia Hickey</b></p>	<p>Ombudsman <b>Deirdre O'Donnell</b></p>
<p><b>Jane Harvey,</b> independent director <i>commenced 7 April 2003</i></p> <p><b>Michael Elsegood,</b> Optus <i>commenced 2 October 2006</i></p> <p><b>Trevor Hill,</b> Telstra <i>commenced 30 October 2002</i></p> <p><b>Stephen Dalby,</b> iiNet <i>commenced 7 December 2006</i></p> <p><b>Alexandra Thomas,</b> Optus <i>commenced 12 September 2007</i></p> <p><b>John Parkin,</b> Telstra <i>Telstra representative from 23 April 2008 to 23 July 2009, alternate to Leisa Fielding from 23 July 2009</i></p> <p><b>Brian Chapman,</b> AAPT <i>commenced 7 December 2006</i></p> <p><b>Gary Smith,</b> Optus <i>alternate to Michael Elsegood</i></p> <p><b>Leisa Fielding,</b> Telstra <i>alternate to John Parkin from 23 April 2008 to 23 July 2009. Telstra representative from 23 July 2009</i></p> <p><b>Georgia-Kate Schubert</b> <i>alternate to John Rohan</i></p>	<p><b>User and public interest group representatives</b></p> <p><b>Myra Pincott, AO,</b> Country Women's Association <i>commenced 1 July 2007</i></p> <p><b>Teresa Corbin,</b> Australian Communications Consumer Action Network <i>commenced 1 January 2008</i></p> <p><b>Loretta Kreet,</b> Legal Aid Queensland <i>commenced 1 July 2008</i></p> <p><b>Chris Dodds</b> <i>commenced 28 August 2008</i></p> <p><b>Dr Wayne Warburton,</b> Wesley Mission <i>commenced 5 April 2006</i></p> <p><b>Industry representatives</b></p> <p><b>Anne Howells,</b> Telstra <i>commenced 6 February 2009</i></p> <p><b>Neil Mounsher,</b> Telstra <i>commenced 31 March 2003, departed 12 November 2008</i></p> <p><b>Trudi Bean,</b> Optus <i>commenced 14 February 2006, departed 28 November 2008</i></p> <p><b>Sue Sdregas,</b> Optus <i>commenced 28 November</i></p> <p><b>Leroy Parkinson,</b> iiNet <i>commenced 22 June 2009</i></p> <p><b>Rohan Doyle,</b> Ustel <i>commenced 21 January 2008, departed 6 April 2009</i></p> <p><b>Ross Wheeler,</b> Albury Local Internet <i>commenced 23 October 2007</i></p> <p><b>Matt Russell,</b> Vodafone <i>commenced 25 May 2007</i></p>	<p>Core business, led by Deputy Ombudsman <b>Simon Cleary</b></p> <p>Investigations Manager - Complex Cases <b>Debra Lusty</b></p> <p>Investigations Manager - Team Managers <b>Bernie Wise</b></p> <p>Investigations Manager - Systemic Issues and Reviews <b>Kate Eadie</b></p> <p>Manager Contact Centre <b>Danny Whelan</b></p> <p>Manager Contact Centre <b>Tanya Erdos</b></p> <p>Dispute Resolution Process Manager <b>Jeremy Evans</b></p>

The TIO is governed by a Council and a Board of Directors, and is managed by an independent Ombudsman appointed by the Board on the recommendation of Council. The Council is comprised of five TIO member representatives and five consumer representatives, with an independent chair. The Board has 10 members, who, with the exception of the independent director, represent member companies of the TIO. While the Ombudsman has responsibility for the day-to-day operations of the scheme, the Council provides advice to the Ombudsman on policy and procedural matters. The Board has corporate governance responsibilities including financial management of the scheme and ensuring compliance with the Memorandum and Articles of Association and the Constitution. With the exception of the independent director, who is appointed by the Board itself, directors are appointed by the TIO membership.

	<p>Manager Planning and Stakeholder Engagement <b>David Brockman</b></p> <p>Manager Policy <b>Shobini Mahendra</b></p> <p>Manager Member Communications <b>Simon McKenzie</b></p> <p>Manager Communications <b>John DuBois</b></p> <p>Data Analyst <b>William Lopez</b></p>	<p>General Manager, Business Support Division <b>Phillip Carruthers</b></p> <p>Information Technology Manager <b>Lorenzo Capodiferro</b></p> <p>Human Resources Manager <b>Heidi Matthes</b></p> <p>Office Manager <b>Leonie Jensen</b></p> <p>Policy and Project Adviser <b>Alex Buchanan</b></p> <p>Assistant Company Secretary/ Legal Counsel <b>Sarah Bendall</b></p>	<p>Manager Finance Division <b>Julie Zammit</b></p> <p>Management Accountant <b>Jon Whitehead</b></p> <p>Assistant Accountant <b>Jack Guarino</b></p> <p>Finance Officer <b>Gayle Rudeforth</b></p> <p>Finance Officer <b>Kayla Thomas</b></p>

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### WHO WE ARE

The TIO is a free and independent alternative dispute resolution scheme for residential consumers and small businesses with complaints about their telephone or internet service.

Alternative dispute resolution is a means of settling a dispute without resorting to formal proceedings such as court actions. It usually involves a third party helping two disputing parties come together to resolve the dispute.

The TIO was established in December 1993 under the *Telecommunications Act 1991* (Cth), which decreed that as a condition of obtaining a telecommunications licence, carriers had to commit to and fund an independent Ombudsman scheme. The TIO is independent of industry, the government and consumer organisations.

### WHAT WE DO

We take complaints from consumers and small businesses that have not been able to resolve a complaint with their telecommunications or internet service provider. We aim to settle disputes quickly in a fair, objective and non-bureaucratic way, taking into account not only the law and good industry practice, but also what is fair and reasonable in all the circumstances. We will investigate the complaint in detail only after we have verified with the complainant that the complainant has given the member concerned an opportunity to consider the complaint, and after the member has been notified that the TIO intends to investigate the complaint in detail.

### OUR PEOPLE

At June 30 2009, we employed 255 people (243 full-time equivalents) in investigations and administration roles. Our investigations staff undertake two main roles: enquiry officers and investigations officers. Enquiry officers handle initial contact with the public, and investigations officers formally investigate complaints. Our administration staff cover a variety of roles including finance, legal, and consumer and member liaison.

The TIO is committed to providing a safe and healthy environment for our employees. We place a high priority on reducing workplace risks and hazards and safeguarding the welfare of our staff. We encourage the development of our people through training and professional development programs.

### OUR STAKEHOLDERS

#### Consumers and small businesses

We are an integral part of the Australian telecommunications consumer protection framework. Hence, consumers and small businesses are two of our key stakeholders. In particular, we are

working to increase our accessibility to disadvantaged and vulnerable consumers, including people with disabilities, rural and regional residents, Indigenous Australians, people from culturally and linguistically diverse backgrounds, and young people.

#### Member companies and the telecommunications industry

The 1 125 telecommunications and internet service providers who are the TIO's member companies and who fund our operations are another important stakeholder group. We cooperate closely with the Communications Alliance, the industry body that develops self-regulatory codes, and the Australian Mobile Telecommunications Association, which represents the mobile telecommunications industry, and other key industries and user groups.

#### Regulators and government agencies

We have close working relationships with telecommunications regulators and the government including the Australian Communications and Media Authority (ACMA), the Australian Competition and Consumer Commission (ACCC) and the Department of Broadband, Communications and the Digital Economy (DBCDE).

### THE CO-REGULATORY REGIME

A number of government and non-government agencies play a role in safeguarding consumer protection within the telecommunications industry. The diagram on page 17 gives an idea of who these agencies are and their differing roles.

In particular, the two government agencies charged with regulating the telecommunications industry are the ACMA and the ACCC.

The ACMA is responsible for monitoring, assessing and promoting compliance with consumer safeguards such as industry codes and standards. The ACCC's more specific focus in the telecommunications context is on enhancing the consumer experience through the promotion of competition and fair trading. The DBCDE is responsible for policy.

While the TIO is independent of government, industry and consumer groups, it plays a role in co-regulation providing information to agencies such as complaint data, code data or information on a specific type of consumer complaint that could be considered systemic. The TIO is also obligated to refer a service provider to the ACMA where that service provider appears to have failed to comply with the TIO scheme.

### WHERE WE ARE

Our principal place of business is at 595 Collins Street, Melbourne and we have another office at 477 Collins Street, Melbourne.



FIGURE 2 The co-regulatory regime



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A key focus for the TIO in 2009/10 will be to determine its strategic vision and direction for the next three to five years.

The Board, Council and Executive of the TIO have agreed that in December 2009 a major strategic planning review should be conducted. This will help prepare the scheme for the challenges arising from the decision to implement the National Broadband Network and the many changes that will arise in both the regulatory and technology spheres, while always keeping the consumer at the centre of the TIO's service.

As part of that strategic planning process, key stakeholders will present the TIO with their view on the changes they and their organisations are planning for and on how they see the TIO contributing to the new environment.

With Ombudsman Deirdre O'Donnell standing down at the end of 2009, the TIO will concentrate on recruiting a new Ombudsman to lead the scheme forward under the new vision and direction that will be developed for 2010 and beyond. That timing will ensure a smooth transition to the new leader, whose mandate will be to guide the scheme to achieve its agreed vision.

One of the most important goals for the TIO in the year ahead will be to address a number of strategic projects that have been identified in the business plan for 2009/10.

A project management framework has been developed to manage and monitor a series of strategically integrated projects during the year, and a program manager will be appointed to ensure that the desired project outcomes are achieved within budget and on time.

These projects centre on planning for the replacement of the complaint management system; improvements to billing, including transitioning to monthly billing; implementing the recommendations of the end-to-end process review, including exploring how to better use technology to deliver service; and redeveloping the TIO website.

Enhancement of the overall TIO quality framework is also a high priority for the year ahead.

Under the TIO business plan for 2009/10, the office will continue to undertake actions under its four strategic goals. In addition to the projects listed above, other key deliverables for the year under each goal include:

**Resolution:** further developing tools to assist forecast demand and resource requirements; identifying best practice for systemic complaints; and reviewing key performance indicators and reporting against these

**Relevant:** monitoring and analysing developments in the strategic environment and implications for the TIO; progressing the review of the scope of the TIO's jurisdiction; and continuing active participation as a member of the Australian and New Zealand Ombudsman Association

**Reaching out:** building on the success of the **connect.resolve** campaign; enhancing the type of data provided to stakeholders; and developing a program for subsidised visits to the TIO by smaller member companies

**Remarkable:** developing cost centre accountability and completing the outcomes of the competency profiling project.

The TIO is looking forward to building on its learnings and achievements during 2008/09 to strengthen and improve the overall quality of its operations and service to the Australian public and to its members and stakeholders.

## REACHING OUT

We will gain the respect of consumers, regulators, policy makers and industry members who use our service and rely on our judgment, experience and professionalism. We will reach out to these groups with credibility and flair to raise awareness, particularly among the more vulnerable.

The TIO's outreach activities are led by the Planning and Stakeholder Engagement team, which comprises the Communications, Member Communications and Policy teams. Our stakeholders comprise:

- groups representing consumers, particularly those who are disadvantaged and vulnerable. This includes the Australian Communications Consumer Action Network and financial counsellor groups across Australia.
- the 1 125 telecommunications and internet service providers who are our members and the broader telecommunications industry including groups such as the Communications Alliance and the Australian Mobile Telecommunications Association.
- the regulators and government departments that are responsible for telecommunications including the ACMA, the ACCC and the Department of Broadband, Communications and the Digital Economy

Under the TIO's strategic plan, this year the Planning and Stakeholder Engagement Team was responsible for actions including:

- assisting members with TIO complaint handling processes
- promoting the TIO in the public arena
- surveying members for data needs.



### OUR PEOPLE

#### ISHA - INVESTIGATIONS OFFICER

##### Why did you want to work at the TIO?

I had worked at a bank in its complaints department and although they are quite similar industries, I didn't really know the TIO existed until I applied for the role. In my previous role I tried to resolve complaints before the Financial Ombudsman Service became involved.

As an investigations officer I enjoy speaking to people from different backgrounds, and helping people get closure with their complaints is the most rewarding part of the role.

##### Who or what inspires you?

My parents. They came here from Sri Lanka about 30 years ago as students who had nothing. They have given my brother and me the opportunity to do what we wanted with our lives.

##### What did you do last night?

I went bargain shopping down Bridge Road in Richmond, but I did not buy anything. I also caught up with my family for dinner. We had Thai food, which is my favourite.

##### What studies have you done?

I studied arts at Monash University in Melbourne and then law at La Trobe University in Melbourne. I practised commercial law for about nine months, but I stopped because I wasn't willing to sacrifice my work-life balance to get ahead. I went to the bank to get into compliance, but ended up in complaints.

*Isha is an investigations officer (IO). She formally investigates unresolved complaints until a resolution is reached between the complainant and member. She also sometimes prepares complex cases for reallocation to senior investigations officers.*

## OUR PERFORMANCE

REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION



### OUR PEOPLE

#### ERIN – ADMINISTRATIVE ASSISTANT

##### Why did you want to work at the TIO?

I didn't even know about the TIO before I went for the interview. I enjoy my job because I like meeting different sorts of people and I don't think it's that hard to treat someone how you would like to be treated.

##### Who or what inspires you?

My mum because she has been through so much and I can always rely on her to listen and be there for me.

##### What did you do last night?

I walked my dog, Newman, who's nearly two years old. He's named after Newman from Seinfeld.

##### What studies have you done?

I did travel and tourism at TAFE in Albury, NSW. I wanted to get into hotel management and I moved from Bendigo, VIC to do it. I could have studied more but after one year I just wanted to move to Melbourne where all my friends were!

*Erin is an administrative assistant and her smiling face or friendly voice may greet you on calls or visits to the TIO. She is the first contact with the TIO for many callers. Her other duties include collating files and other general office work.*

### Consumers and small business

Examining and improving accessibility for disadvantaged consumers was a key focus for the TIO in the 2008/09 year and it will continue to be in the years ahead.

For our definition of accessibility we are guided by the Benchmarks for Industry Based Dispute Resolution Schemes. Based on the benchmarks, we define accessibility in terms of:

- ensuring that all Australian telecommunications customers are aware of our existence through promotion in the media and other means
- promoting our existence in such a way as to be accessible to disadvantaged consumers or consumers with special needs
- providing appropriate facilities and assistance for disadvantaged complainants or those with special needs.

During the year, we developed a plan to promote the TIO in the public arena, which integrates all our outreach activities into a yearly calendar of events. The focus of these activities has been to continue raising awareness among the following groups:

- financial counsellors
- rural and regional residents
- people with disabilities
- Indigenous communities
- young people.

The TIO also targeted small businesses by attending the National Small Business Summit with the Financial Ombudsman Service in June 2009.

#### Financial counsellors

In August 2008, we began a series of consultation meetings with financial counsellors throughout Australia. These meetings are designed to tie in with Council meetings, allowing Council members and TIO staff to meet financial counsellors face to face.

Our first consultation was with about 35 financial counsellors and community legal centre workers in Brisbane, followed by a similar sized meeting at the TIO's offices in Melbourne in May 2009 and a presentation to the annual conference of the



Financial counsellors who visited the TIO's offices in May this year

## OUR PERFORMANCE

### REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

Financial Counsellors Association of New South Wales in Coolangatta, Queensland, also in May.

TIO staff presented to the Financial and Consumer Rights Council (Victoria's) annual conference in Ballarat in August and the Financial Counsellors Association of Western Australia's conference in Perth in October. Consultations are planned with financial counsellors in other states in 2010.

#### Rural and regional residents

Our main awareness raising activity for rural and regional communities is our community service announcement, a television and radio advertisement. The announcement explains who we are and what we do. It was broadcast by television and radio stations in rural and regional communities in September 2008 and again in August 2009. The TIO also took part in a festival of the Ombudsman in Mount Gambier, South Australia, in May 2009.

#### People with disabilities

We launched our Second Disability Action Plan 2008-2010 (DAP) in February 2008 and since then have continued to implement and improve our processes to make our organisation more accessible to people with disabilities.

The DAP is renewed every three years and our current plan is now at its halfway mark. As a result, we have been meeting with the disability advocacy organisations who helped develop the original plan and obtaining advice about the plan's effectiveness.

We have continued our implementation of the DAP plan by reviewing our recruitment processes and practices to ensure that we actively encourage people with disabilities to apply for positions at the TIO, and reviewing our policies on equal employment opportunity so they remain consistent with legislative obligations. We have also continued to appropriately accommodate the needs of employees with disabilities, and ensured that TIO materials are available in alternative formats, such as Braille and audio.



Over the next year, we aim to improve our website so it is more accessible to people with disabilities. In particular, the aim is to make the website meet levels 1, 2 and 3 of the W3C Web Content Accessibility Guidelines, which is an international strategy to make the web more accessible to people with disabilities. The DAP will also be integrated into our new internal complaint-handling process (See End-to-end process review page 39).

With the development of the next DAP, we plan to emphasise methods of providing assistance to those with mental health issues, and those who have a disability and are part of an ethnic minority group.

#### CONSUMER PROFILE

##### MONA, QUEENSLAND

Mona contacted an internet service provider and requested a broadband service. After waiting for weeks, her service was not connected. She called the service provider numerous times but was not able to get the service connected. She then started receiving invoices for the service.

'I was getting so frustrated with the poor customer service, so I decided that I needed to find someone to help me. I opened up the phone book and saw a big advertisement for the TIO. It was such a blessing!'

When people first contact us, they are referred back to their service provider, who has two weeks to resolve the complaint. If the complaint cannot be resolved this way, the TIO may decide to formally investigate as it did in Mona's case. 'The officer who investigated my case was wonderful,' she said. 'He kept me up to date with the progress of the complaint and made me feel like we'd get through my case together.'

The service provider then advised the TIO that it would waive the fees she was charged, which was the resolution Mona was seeking. 'The TIO saved me, because I was trying to get my complaint resolved for months and wasn't getting anywhere. I think without the TIO's intervention I'd still be trying to get this sorted.'



## OUR PERFORMANCE

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### CONSUMER PROFILE

#### JOSEPHINE, VICTORIA

Josephine organised the connection of her new landline before she moved to her new home. She ran into problems when the technician did not arrive to disconnect her old service and connect her new service. 'I was on the phone to my service provider just about every day for a month trying to get my new line connected. I was so frustrated because I felt like I wasn't getting anywhere.'

Her friends recommended that she contact the TIO, and it made a big difference to how her service provider managed her complaint. 'Before I called the TIO I would speak to a different person each time, and wouldn't make any progress on getting my landline connected. Then I called my service provider's senior complaints resolution department, and was assigned one case manager who handled my complaint until it was resolved. Once I spoke to the TIO, I could tell they were prepared to take my complaint more seriously and they eventually connected my landline.'

Josephine said the TIO staff also gave her useful information about compensation she was entitled to for the delay in her landline connection, and as a result she made sure that she received credits to her landline account.



### Indigenous communities

During the year, we established a team of investigation staff to handle complaints from Indigenous Australians.



TIO staff member Mike Collins, front left, in Moree, NSW

This is the third year we have participated in the Good Service Forums, which provide information on the services of the TIO and other dispute resolution and service agencies to Indigenous communities throughout New South Wales. The forums are a collaboration between 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, the NSW Ombudsman and the TIO.

### Young people

In conjunction with the Australian and New Zealand Ombudsman's Association (ANZOA), the TIO attended orientation week at 13 university campuses in Queensland, New South Wales, the ACT, Victoria and Tasmania. As well as allowing the TIO to raise awareness among this key group, it allowed several investigation staff to hear the concerns of young people face-to-face.



TIO staff member Danielle McLean, left, at O-week in Canberra

## OUR PERFORMANCE

### REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

In August 2008, we attended the Business Educators Association of Queensland's annual conference in Brisbane, and in November 2008, the Victorian Commercial Teachers Association annual conference in Melbourne. As well as general TIO material, we distributed our *Sort It* bulletin, which contains case studies on mobile phone and credit card debt. *Sort It* has been published jointly with the Financial Ombudsman Service since 2005. Since then, we have distributed more than 35 000 copies of *Sort It* to students and teachers Australia wide.

#### Regulators and government

Regulators and government departments are key stakeholders and we continue to assist them when they make enquiries to our office. The agencies responsible for regulating the telecommunications industry are the Australian Communications and Media Authority (ACMA) and the Australian Competition and Consumer Commission (ACCC). The government department that the TIO most frequently deals with is the Department of Broadband, Communications and the Digital Economy (DBCDE).

Generally, enquiries from the regulators and DBCDE are about complaint data about specific issues. The volume and diversity of complaints reported to our office, and the detail in which those complaints are recorded, means that we are well equipped to provide information about the types of telecommunications issues that are frustrating consumers.

One such issue during 2008/09 was mobile premium services (MPS). During the development of the new MPS Code, which came into force on 1 July 2009, a number of stakeholders including the ACCC and the ACMA approached the TIO for data about the types of complaints we were receiving. As well as providing complaint data to the regulators, we also published findings from a survey of more than 500 consumers who had complained to our office about MPS. This survey informed a number of stakeholders during the code development process, including the peak industry body, Communications Alliance.

The TIO now provides more sophisticated MPS complaint data to the regulators as well as to industry. We see our role of supplying complaint data to key stakeholders as an important step in helping identify and address issues of concern for consumers.

The TIO continues to participate in regular forums convened by the ACMA, including the Consumer Consultative Forum. In October 2008, the Deputy Ombudsman presented at a debt collection forum hosted by the ACCC in conjunction with the Australian Securities and Investments Commission (ASIC). The forum was aimed at identifying areas of concern around debt collection practices and the ACCC and ASIC's work in this area is continuing. The TIO continues to participate in roundtable discussions involving the ACMA, the ACCC and DBCDE.

The TIO provided credit management complaints data as part of its submission to an on-going enquiry by the ACCC and ASIC.

#### CONSUMER PROFILE

##### BEN, NEW SOUTH WALES

Poor customer service is what led Ben to contact the TIO. Ben was charged a fee for cancelling his mobile service, although his contract had expired. When he first contacted his service provider he was told that the fee would be waived, but then he continued to receive invoices for the fee.



'I called my service provider numerous times; I was either told they'd look into it and call me back and then I'd never hear from them, or that they had no record of my previous conversation with a staff member. After speaking to my service provider several times, I called the TIO and it gave me a phone number for my service provider's senior complaints resolution department. I called this number and after having a quick look at my case, my

fees were waived right away. It seems like a little bit of help from the TIO can go a long way.'

## OUR PERFORMANCE

### REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

#### Members of the TIO scheme

	July 1 2008	Joined 2008/09	Departed	30 June 2009
Internet service provider	568	17	66	519
Other*	53	5	1	57
Telephone and internet service provider	309	63	18	354
Telephone service provider	176	28	9	195
Total	1 106	113	94	1 125

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

Table 1 Membership 2008/09 (see Appendix 2 for a full list of members, page 101 )

#### Member communications

During the year, the Member Communications team met 70 members across Australia. Of these, it hosted 19 members at the TIO. Feedback from these members was positive and all noted the benefits of having a better understanding of our complaint handling process.

Member Communications provided assistance to the members involved in the **connect.resolve** campaign. It ensured the operational staff employed by these members understood the purpose and focus of the campaign and the additional data the TIO can provide to assist with their root-cause analysis of complaints.

Member Communications provided training to members over the last year on:

- strengthening internal dispute resolution processes and promoting a culture of excellence in complaint handling
- understanding TIO processes with a view to reducing TIO complaint escalations
- TIO position statements and breaches of the Telecommunications Consumer Protections Code
- evidence required for the TIO's assessment of complaints.

The team also facilitated complaint resolutions when members had ceased to trade or had been acquired by another member.

Member Communications ensured members have remained updated on TIO internal developments through seven editions of its electronic newsletter, MNews. Through this newsletter, it reminded members of their legislative requirements under the Customer Service Guarantee Standard, following the Victorian bushfires. This was to ensure that all carriage service providers understood that regardless of being a reseller or carrier, they were required to notify customers individually or to publish a notice if they were unable to meet fault rectification timeframes on standard telephone services. It also reminded members of their obligations in circumstances

where consumers dispute charges on their bills or indicate an inability to pay because of hardship.

Lastly, two new advisers, Andrew Noble and Vicki Saray, were welcomed to the Member Communications team, which looks forward to engaging with TIO members in the new financial year.

#### ISP engagement project

In August 2008, the TIO surveyed internet service providers (ISPs) to better understand their specific needs and to receive feedback on our complaint-handling processes.

The ISPs were asked four questions:

- how could we improve our handling of internet complaints?
- in the context of internet complaints, how could we more clearly demonstrate our independence?
- are there ways that we can assist you to reduce costs incurred from complaints?
- based on your experiences, what are three things we could do better to fulfill our mission?

We received responses from 69 members. Responses varied widely, but had some common themes on ways we could better address complaints involving ISPs, including:

- having a devoted team with in-depth understanding of how ISPs operate, from a business and technical perspective
- informing complainants of our independence when they initially contact us, since there is a perception by those who responded that we are more of a consumer advocate than an independent dispute resolution body.

The responses were then translated into five key actions, as follows:

- investigate the feasibility of developing a specialised complaint handling model, with internet complaints handled by dedicated processes and officers
- review the information we seek from complainants and the advice given to them when they contact us
- incorporate the survey's feedback into the TIO's end-to-end process review (See End-to-end process review, page 39)
- develop and provide guidelines, resources and feedback for ISP members to help reduce TIO complaints and escalation
- seek feedback from ISPs annually.

ISPs will continue to be notified of the progress of the key actions, as many of them are ongoing and have been incorporated into the end-to-end process review. In August 2009, we invited ISPs to participate in our survey of all TIO members.

## OUR PERFORMANCE

REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

### RELEVANT

We will remain relevant by understanding the strategic telecommunications environment where innovation is key. We will listen and learn from the industry and provide vital complaint data to service providers.

Several key goals were completed under this category, and one, the **connect.resolve** campaign, was initiated during the course of the year. This year a new division, the Planning and Stakeholder Engagement team, was created, and brings together the Communications, Members Communications and Policy teams under the one umbrella. The formation of this new team, and the creation of a Finance Division were part of an organisational realignment to help the TIO deliver against its strategic goals and cope with significant growth while improving the scalability of the TIO organisational structure (See Our people, page 28).

#### Connect.resolve

In November 2008, the TIO announced its new **connect.resolve** campaign, which aimed to work collaboratively with the telecommunications industry to improve its standard of complaint handling and customer service.

In the 2007/08 year, complaints about customer service replaced billing-related complaints to become the TIO's leading complaint issue.

Most of these complaints were about simple matters that could be addressed by system or process changes, or by concentrating on the front line – where the explicit aim for customer service staff is to get it right the first time.



At the connect.resolve launch in Melbourne are Anne Hurley, CEO of the Communications Alliance; Larry Kestelman, CEO Dodo Internet; Deirdre O'Donnell, Telecommunications Industry Ombudsman; Senator the Honourable Stephen Conroy, Minister for Broadband, Communications and the Digital Economy; and Ravi Bhatia, CEO Primus Telecom



#### OUR PEOPLE

##### VAUGHAN – PRINCIPAL SENIOR INVESTIGATIONS OFFICER

###### Why did you want to work at the TIO?

I previously worked in enforcement at Consumer Affairs Victoria and I had dealt with the TIO. I wanted to try something different and I had heard good things about the TIO so decided to give it a go.

As part of the complex cases team I get to solve problems that often require a lot of investigation and discussion with the parties involved. It can be frustrating sometimes achieving the balance between both parties, but also enjoyable when we get a good outcome – for the consumer or the member.

###### Who or what inspires you?

People who take a chance. I'd rather have a crack at something and fall on my face than not try at all.

###### What did you do last night?

I cooked chicken schnitzel for dinner, watched some TV and spoke to friends online.

###### What studies have you done?

I studied Law at La Trobe University in Melbourne, and I am nearly finished my masters degree in law.

*Vaughan is the TIO's principal senior investigations officer. He provides leadership, coaching, mentoring and expertise within the complex cases team, which consists of nine senior investigations officers. He works under the guidance of the investigations manager of complex cases.*



## OUR PERFORMANCE

REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

### TIO staff involvement

The TIO's enquiry officers, who deal with these complaints every day, wanted to make sure that as an Ombudsman scheme we highlighted this pattern of complaints to the industry. More important, however, was our desire that the industry responded to its customers' concerns. When asked what message they wanted to send back to the telecommunications industry, TIO staff said they wanted to see the industry 'connect with their customer and resolve their concerns fairly and efficiently'.

**The statistics from the campaign show an overall stabilisation in complaint numbers, after almost 18 months of sustained growth.**

The campaign ran from January to June 2009, and during this time the TIO provided detailed monthly reports to its top 10 members. We chose to focus on our top 10 members because collectively they represent about 90% of our complaints.

### CONSUMER PROFILE

#### JULIE, QUEENSLAND

Julie's problems started when a provider offered her discounted rates if she transferred her internet and landline service. She was told that she was entitled to a 'cooling-off' period, which meant that if she chose to cancel within the first 10 days, she would not have to pay any cancellation fees.

She received the equipment for her internet service and discovered she had been placed on a two-year contract, which she had not agreed to. She called the provider and said she wanted to cancel the services, but was told she would have to pay a \$200 fee. She tried to complain but was passed around to various departments and found nobody was willing to discuss her complaint.

'I could tell I wasn't getting anywhere, so I searched online for complaints about the provider and saw that a lot of people had had problems and had their issues solved with the help of the TIO.'

Her complaint was resolved soon after she contacted the TIO. 'I was given a number for the provider's senior complaints department, and they immediately agreed to waive the cancellation fees. I thought I'd have to put up a fight, but as soon as they knew I had contacted the TIO they relented.'

Even though as a scheme we have almost 1 000 members, we wanted to focus on the area that could potentially yield the greatest results.

### Monthly data for members

Providing monthly data that illustrated common areas of complaint for each company, along with whole of industry data, allowed the senior management of those companies to receive business intelligence that could be useful for identifying patterns of customer experience that could be readily addressed.

As well as monthly statistics, we provided examples of customer voices to each of the companies involved in the campaign. These were personal anecdotes, received from callers to the TIO, about their experiences with a particular company.

The statistics from the campaign show an overall stabilisation in complaint numbers, after almost 18 months of sustained growth.

Between January 2009 and June 2009, complaints to the TIO rose by 1.8%, which compares with a 46.1 per cent increase in the 2007/08 year.

The proportion of customer service related complaints remains unacceptably high, and in the TIO's view, the industry still has much work to do in this area. The TIO will continue to work with service providers to help them better understand what their customers are telling us, and assist them in dealing with these issues promptly and efficiently.

The **connect.resolve** report is available at [www.tio.com.au](http://www.tio.com.au).





## OUR PERFORMANCE

REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

### The Australian and New Zealand Ombudsman Association (ANZOA)

The TIO is one of a number of ombudsman schemes in Australia and New Zealand. Some schemes exist to assist customers of a particular industry such as telecommunications, finance or electricity. Other, such as the Commonwealth Ombudsman, report to parliaments and help people who have problems with government departments.

In recognition of the common aims that all our schemes share, many ombudsmen, including the TIO, are members of the Australian and New Zealand Ombudsman Association (ANZOA). Throughout the year, the TIO has played an active role in several professional interest groups that exist under ANZOA. They include the ANZOA human resources group, the public relations and communications group, the information technology group, the learning and development group and the first contact group. The TIO chairs the human resources and first contact groups.

The public relations and communications group has been meeting for several years and coordinates several projects such as our attendance at orientation weeks at university campuses and joint advertising campaigns.

The human resources group began in February 2009, and the TIO hosts its meetings at our Melbourne offices. This group is exploring opportunities to promote careers with alternative dispute resolution schemes. Initiatives discussed so far include an ANZOA job website, attendance at careers fairs and participation in a graduate program where candidates rotate through various schemes. The scope and details surrounding these projects will be developed and implemented over the coming year, with participation in careers fairs at various universities scheduled to occur early in the 2010 academic year. Our human resources department also participates in a learning and development group.

The first contact group meets to discuss issues relating to managing first contact complaints. At the TIO, a first contact is a level 1 complaint, where a person is referred back to their provider. (See complaint classification, page 36) The purpose of this group is to share information and knowledge in order to develop best practice complaint handling processes.

The information technology interest group shares solutions and opportunities involving software applications and licensing, network and hardware infrastructure, computer telephony integration and data communication solutions and disaster recovery. The group has three scheduled meetings a year and is chaired by the chief information officer of the Financial Ombudsman Service.

### OUR PEOPLE

#### NORMAN - INVESTIGATIONS OFFICER

##### Why did you want to work at the TIO?

I worked at the Victorian Ombudsman where I got a taste for alternative dispute resolution. I looked into a broad range of complaints which included prisons, local councils and government agencies. The TIO takes a different approach to complaints to other ombudsman's offices. I have almost free rein to conduct my investigations and I enjoy making decisions.

##### Who or what inspires you?

My parents and family.

##### What did you do last night?

I went to my mum and dad's for dinner and then Qigong meditation practice. My family and I have been practising Qigong since 1998.

##### What studies have you done?

I obtained a double degree in arts and science at Melbourne University before studying German literature in Berlin for two and a half years. I also have a PhD in German literature.

*Norman is an investigations officer (IO). He formally investigates unresolved complaints until a resolution is reached between the complainant and member. He also sometimes prepares complex cases for reallocation to senior investigations officers.*



## OUR PERFORMANCE

REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION



### OUR PEOPLE

#### CHRISTINA – ENQUIRY OFFICER

##### Why did you want to work at the TIO?

One of my old school teachers knew Monica (see profile on page 31) and she suggested I apply. I had just finished year 12 and although it was a bit overwhelming at the start, I enjoy being an Enquiry Officer. It's nice to interact with people, and you can hear in their voice that you have really helped them. I also like hearing the broad range of complaints.

##### Who or what inspires you?

My dad, because he has taught me the most about life and myself and he has tremendous patience. I am also inspired by writers like GK Chesterton and CS Lewis because I would love to write someday.

##### What did you do last night?

I studied and went for a run.

##### What studies have you done?

I am doing a bachelor of arts, with a major in ancient history part time at Melbourne University. After I finish that I imagine I will do more study and end up with a career in academic teaching and writing.

*Enquiry officers (EOs) are the voice of the TIO. The role involves recording complaint details and advising people about how to take their complaint forward, usually by referring them to their provider's senior complaint handling department. If a complaint is not resolved by the provider, the EO may pass it on to an investigations officer for formal investigation.*

## REMARKABLE

We will execute our corporate governance responsibilities with distinction. We will listen to our people, understand the challenges they face and encourage and expand their skills and abilities. We will give credit where it is due and use our resources wisely and effectively.

Goals that we achieved under our strategy of being a successful organisation included:

- structuring the TIO for scalable growth
- conducting a staff satisfaction survey
- developing and implementing a people plan
- moving towards a paperless office.

### Our people

#### Workforce profile

Over the past year, to meet increased complaint numbers, staff have increased from 138 to 255. This equates to a full-time equivalent (FTE) of 243. Male employees increased from 41% in 2007/08 to 52% in 2008/09. The age profile remains consistent with 2007/08, with 43% of staff between 31 and 40, 31% between 20 and 30, and 26% over 41. The majority of staff work in our core business division, which is comprised of enquiry and investigation staff. The remainder work in support functions such as business support, finance and stakeholder engagement.

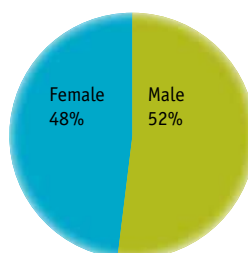


Figure 3 Staff by gender

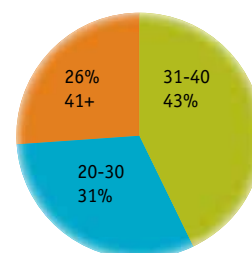


Figure 4 Staff by age

## OUR PERFORMANCE

REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

### People plan

During the year we developed a people plan, which takes a strategic approach to recruiting, developing and retaining high-quality employees.

The plan aims to improve our organisational effectiveness and our reputation as an employer by creating a workplace where there is a talented leadership and management group and people feel valued and are able to develop professionally and personally. We recognise the importance of building and retaining our workforce knowledge and skills and of achieving a balance between work and other responsibilities.

The plan's guiding principles are that:

- people will be valued, respected and have the skills and knowledge necessary to perform their roles
- all human resources strategies and initiatives will be in line with and aid in the achievement of the TIO's strategic goals
- people-management practices and individual behaviour will be consistent with the TIO's core values and behaviours
- we will foster an environment where people are involved, initiative is encouraged and people can actively contribute to the way the organisation operates and share in its success
- well-being is recognised as a critical factor in our ability to operate in an effective and efficient manner and achieve our goals.

### Priorities for 2009-2011

Over the next three years we aim to:

- maximise organisational performance by implementing effective contemporary people management practices
- provide our people with a safe and fair workplace that embraces diversity and is free from harassment
- recruit high-quality staff who can collectively achieve our strategic goals
- focus on the success of our people by recognising and rewarding initiative and superior performance
- establish and implement best practice human resources policies and practices which enhance staff engagement and create a positive work environment, facilitating the retention of highly-skilled staff
- provide learning and development opportunities to ensure staff maintain and enhance their high level of capability
- position the TIO as an employer of choice for our target workforce.

## OUR PERFORMANCE

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### CONSUMER PROFILE

#### EBONY, WESTERN AUSTRALIA

Ebony was surprised to receive an invoice for her internet and landline service from her previous service provider, since she had cancelled the services and paid all the fees owed until the cancellation date. When she contacted her former service provider, she was told that she had not cancelled her services properly so the fee would not be waived.

She did not pay the fee, and eventually started getting calls from debt collectors. 'I told the debt collectors that I don't owe the fee, but they kept harassing me. I told my neighbours about what was happening, and they recommended that I contact the TIO.'

Ebony e-mailed the TIO, which then passed her complaint on to the service provider and asked it to contact her directly. 'The service provider called me very quickly and offered to waive the fees. They had a completely different attitude once they knew I had contacted the TIO. I'm glad I contacted the TIO when I did, otherwise I would have had to waste a lot more time trying to get the fees waived. Because of the TIO, I felt like there was somebody sticking up for me, and I actually had some power to be heard by the service provider.'

### Organisational realignment

During 2007/08 we undertook an organisational realignment. The main components of this were implemented between 1 July and 1 September 2008, with further adjustments and changes occurring on an ongoing basis over the remainder of the financial year. This has resulted in a number of new positions being created and commencing during the year including:

- assistant company secretary / legal counsel – July 2008
- dispute resolution process manager – July 2008
- managers, contact centre – September 2008
- investigations manager, team managers – September 2008
- investigations manager, complex cases – September 2008
- investigations manager, systemic complaints & reviews – September 2008
- investigation team managers – September 2008
- contact team managers – September 2008
- office manager – November 2008
- core business support officer – December 2008
- data analyst – February 2009
- HR consultant – February 2009
- financial controller – February 2009
- network administrator – February 2009
- communications manager – June 2009.

The new structure has now been in place for nine months and a review of its effectiveness in core business has identified that a period of further stabilisation and evaluation is required prior to any further adjustments or changes being made to any positions. The effectiveness of the current structure and its ability to meet the operational needs of the business will continue to be monitored and refined over the coming year.

### The year ahead

Under recent changes to the federal industrial relations legislation and the transition to the *Fair Work Act 2009* (Cth) we are required to ensure that our human resources policies and procedures meet the minimum requirements under the new legislation. This will be done as a matter of priority. The human resources team is reviewing its policies and procedures and is working to update those requiring changes to ensure that we maintain a positive employment relationship with our staff and ensure equity and consistency in decision making across the organisation.

These include:

- remuneration policy and processes
- recruitment policy and processes
- flexible employment practices and processes
- discipline and termination policy and processes.

These policies and procedures will be reviewed and revised over the coming year and incorporated into the TIO's HR Policy and Procedures Manual

## OUR PERFORMANCE

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### Staffing and recruitment

During the year, we increased our staff numbers to meet a significant rise in demand for our services. We recruited 117 new employees during the year, increasing total staff from 138 to 255, including temporary staff. The organisational realignment and increase in staff also resulted in a growth in opportunities for advancement for current staff. The staff turnover rate for the past year was just 7%, compared with 16% from the previous year.

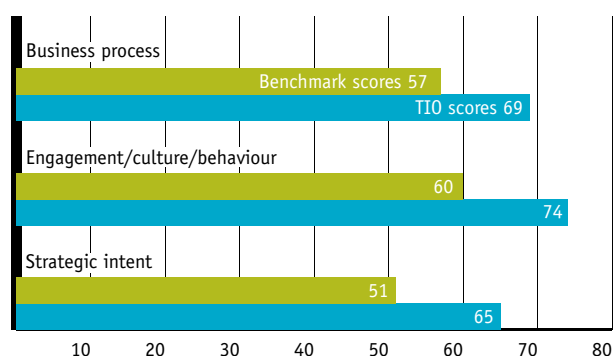


Figure 5 Staff satisfaction survey 2009

In March 2009, 83 per cent of staff completed our second staff satisfaction survey. The survey asked people to rate our performance on three criteria that an organisation needs to be successful. They are: strategic capabilities; processes and systems; and cultural capabilities. Each criterion was further broken down into a series of categories that have been identified as crucial to driving continuous improvement in organisations and teams worldwide.

Figure 5 shows the TIO's scores ranked against benchmark scores drawn from all organisations who have completed the survey. Scores below 50 indicate that the organisation needs to improve, scores above 75 indicate that an organisation's result is best practice.

#### Strategic intent

This category identifies staff perceptions of the organisation's strategy, its purpose and vision, strategic initiatives and resource allocation. The TIO's score was consistent with the Australian benchmark across this category. The result, though, suggests that improvements can be made in communicating to staff our purpose and vision and linking this to each person's day-to-day job tasks.

#### Engagement, culture and behaviour

We performed well in this category, with best practice scores achieved in four of the seven sub-categories. The results suggest that the organisation needs to improve its development, empowerment and training and its sense of purpose, confidence and ability.



### OUR PEOPLE

#### MONICA - KNOWLEDGE AND INFORMATION OFFICER

##### Why did you want to work at the TIO?

I wanted a job where I would never be idle, and investigations work was also autonomous, involved synthesising a lot of different information and allowed me to use my communications skills.

##### Who or what inspires you?

Right now, the Chinese novelist Wang Anyi, and all the translators that allow us to read Asian literature. My family and friends always inspire me.

##### What did you do last night?

I saw a very long film at the Melbourne International Film Festival about the Japanese student movement in the 1960s.

##### What studies have you done?

It took me around 15 years to get my arts degree at three different universities and in between I lived in Adelaide, London, Melbourne, Perth and China!

*Monica joined the TIO as an investigations officer in 2000. In 2003 she joined our policy team as quality and training officer, which involved training all new investigations staff until early 2007, when she became our knowledge and information officer. She develops and posts material for our intranet, documents standard procedures, helps to craft and revise our position statements, drafts standard letters and emails, and conducts research. Lately she has also been helping to produce the TIO Times, our staff newsletter.*



## OUR PERFORMANCE

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### *Business processes*

Scores in this category varied widely with best practice achieved in some sub-categories, but scores well below best practice in others. The reporting and performance measurement sub-category, which measures staff perceptions about how they are measured on their performance, was the one area of the survey where we scored below the Australian benchmark. It will be a key area on which we will focus our efforts to improve over the next year.

	2006	2009
I am proud to work at the TIO	79%	88%
I tell my friends that this is a good place to work	73%	87%
I view the TIO as an employer of choice	61%	83%

**Table 2 Staff satisfaction survey 2009**

The TIO last undertook a staff satisfaction survey in 2006. Although the questions differed from those in this year's survey, some comparisons can be made as individual questions relating to staff perception of working at the TIO were unchanged. The figures appear in Table 2.

### *The next steps*

As a follow-on from the 2009 survey, the human resources team organised 10 focus groups, which allowed about a quarter of the staff to discuss what they valued about the organisation and what could be improved.

One of the themes that came through in several sessions was a clear need to clarify the links between our business plan, vision, strategy, values, mission statement and what they mean to our staff.

In each of the sessions the focus groups developed action plans to address the underlying causes of the issues identified. Each group will receive a copy of their action plan, and progress in implementing actions will be monitored and regularly reported to the TIO executive. Action plans will also be posted on the TIO intranet and updated monthly to enable all staff to view and track progress.



### **Workplace and environment**

The TIO continues to focus on providing a safe and healthy workplace and the addition of another office building has created new occupational health and safety (OHS) issues and the need for more OHS-trained staff.

In May 2009, we temporarily relocated about 90 people to 477 Collins Street, given there was no more space at 595 Collins Street for the new staff we recruited to meet the growing demand of our services. The relocation to 477 involved the co-ordination of many activities to ensure that the workplace was safe and suitable. The OHS committee inspected the site before the move to ensure any risks or hazards had been addressed or were made safe.

The OHS committee meets monthly and has developed and implemented initiatives and activities including:

- providing free flu vaccinations to all employees
- undertaking eight risk assessments related to new or changed work activities or equipment.
- briefing all new staff of the OHS committee's role and procedures for emergency evacuations
- undertaking ergonomic assessments for new or relocated staff
- regular workplace audits to identify potential hazards or risks
- participating in an audit to identify improved measures to protect staff from perceived security risks
- participating in the review and implementation of a pandemic response plan in response to the threat posed by the H1N1 virus (swine flu).

### *Psychological consultant*

Fielding significant numbers of telephone complaints can be stressful for our call centre and investigation staff. As a result we have employed a consultant to assist us in assessing the psychological risks this poses for our employees. This initiative was as a result of an action resulting from an OHS audit. Our aim is to identify any risks and then develop an appropriate prevention plan to eliminate or mitigate these factors.

We are also developing a corporate wellness program, which will help us increase our focus on the health and wellbeing of all TIO staff.

### **The occupational health and safety team.**

From left top: Valerie Passey, Phillip Carruthers, Stephen Kinna, Marcus Wall, Vicki Saray  
bottom: Carmel Reynen, Andrew Howard, Daniela Garrity, Robyn Wellington

## OUR PERFORMANCE

REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

### *Swine flu*

We developed a pandemic response plan to help us assess and monitor what impact the H1N1 influenza virus (swine flu) might have on the organisation. Our pandemic response co-ordination team met regularly to determine appropriate actions to be taken by the TIO.

### *Employee assistance program*

All employees and their families have access to a confidential counseling service. This year, 22% of our staff used the employee assistance program.

Personal issues	23	42%
Work issues	9	16%
Combined personal and work issues	14	26%
Vocational counselling (including interview skills)	9	16%

Table 3 Employee assistance issues

### *Learning and development*

While a key focus for the learning and development area for a good part of the year was inducting new staff, we also instigated other development activities.

In January 2009, we started a monthly training session for all staff. Each month an expert in a particular area presents a training session to relevant staff to ensure that they maintain their knowledge and skills needed to effectively handle complaints and comply with various legislative obligations. Topics discussed over the past six months include conflicts of interest, occupational health and safety, and the Mobile Premium Service Code.

The TIO has continued to support the development of its staff through the study assistance program where financial assistance is given to staff who are undertaking external studies to assist in their personal or professional development. This year we granted financial assistance to 47 staff to support their studies.

### *Employee advisory bodies*

As well as the OHS committee and various focus groups run throughout the year, employees may make a contribution to the organisation through our staff advisory committee ADCOM or social committee SWAT. ADCOM was set up to consider and provide advice to management and the Ombudsman on matters affecting the whole office. It is made up of people from across the organisation and meets fortnightly. ADCOM is not a decision making body but provides feedback to senior management, so they may make informed decisions on matters affecting staff.

## OUR PEOPLE

### BYRON -

#### MEMBER COMMUNICATIONS ADVISER

##### Why did you want to work at the TIO?

I like the idea of the TIO as an umpire in the industry and after my former job, where I was basically providing credit to vulnerable consumers, it was good to do something positive.

##### Who or what inspires you?

Charles Darwin because of his ability to question and challenge the basis of our knowledge.

##### What did you do last night?

I was reading Nature Genetics Volume 14: Use of a cDNA microarray to analyse gene expression patterns in human cancer.

##### What studies have you done?

I am studying part time at RMIT University, in Melbourne, and into my third year of an applied science degree in biology. After I finish I would be interested in the fields of virology or zoology. I like virology because I find it interesting to learn about viruses and the effect they have on people, plants and animals. I also like zoology because I am interested in the symbiosis of animals living together, and I would like to study this further in Africa.

*Byron's job entails assisting members to reduce the number of complaints to the TIO and helping them with our complaint-handling processes. He also coordinates our Second Disability Action Plan*

*Byron was the inaugural winner of our Golden O staff achievement award.*



## OUR PERFORMANCE

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### OUR PEOPLE

#### DANIELA – CONTACT TEAM MANAGER

##### Why did you want to work at the TIO?

After I finished university I had a hard time finding work in human resources, which was my preferred area. I accidentally sent the wrong application letter with my CV, and then sent an apology letter for the error. The TIO then contacted me and offered me an interview because of how professional I was.

It seemed like a good opportunity, because I was interested in a position in HR and the TIO did not yet have a HR department. It was also fateful, because had I not applied I would not have met my husband!

##### Who or what inspires you?

Music that makes me dance, good food, an orange moon and genuine kindness.

##### What did you do last night?

I went to see a documentary on Van Gogh at the Melbourne International Film Festival. I also read part of the controversial book *The Fountainhead* by Ayn Rand and then I watched a documentary on tv about origami and geometry.

##### What studies have you done?

I have a bachelor's degree in business from La Trobe University in Melbourne, with a major in business and human resources management, and I have a post-graduate degree in human resources.

*Daniela manages a team of about ten enquiry officers (EOs). Her role involves providing advice to her staff about complaints, helping her staff to deliver high-quality work and proofreading.*



ADCOM also initiates and organises a bi-annual awards night, called the 'Golden O's', which recognises exceptional work by individuals in areas across the organisation. The awards include categories such as the Most Exceptional Complaint Handling by an Enquiry Officer, the Investigation Officer Who Strives for Improvement, and the Non-Investigation Staff Member Who Contributes Most to the Culture of the TIO. ADCOM also organises the annual Ombudsman Awards, which include the award for the person who best demonstrates all of the TIO's core values in their internal and external relationships, and the best new idea award.

SWAT organises regular social gatherings and various other activities. One significant event organized by SWAT and ADCOM this year was the TIO workgroup films. Nine work groups each made a three-minute film about the TIO's mission statement.

#### The paperless office

During the course of complaints we correspond regularly with members and consumers and generate a fair amount of paperwork.

The TIO is exploring ways to reduce our use of paper through increasing our electronic storage and replacing correspondence by letter and fax with communication by electronic fax and email.

- Any hard correspondence we receive is now scanned and e-mailed to an appropriate complaints queue or staff member. This also reduces the risk of lost correspondence.
- In May 2009 we began sending all level 1 correspondence to TIO members through an electronic fax system. In addition, we have begun trialling the use of email with some TIO members, and anticipate expanding this trial in 2009-10 to other members and to consumers who opt-in.

Any solutions we adopt in the long term will not compromise our accessibility to our various stakeholders.

## OUR PERFORMANCE

REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

### RESOLUTION

We will resolve disputes with independence, agility and impact. We will set new standards for crafting intelligent, creative and fair solutions to which the industry takes heed. We will be readily available for all those who need us. We will reflect on and learn from our experiences and learn by example.

The actions that we committed to during 2008/09 under our goal to provide an efficient and effective complaint handling service included:

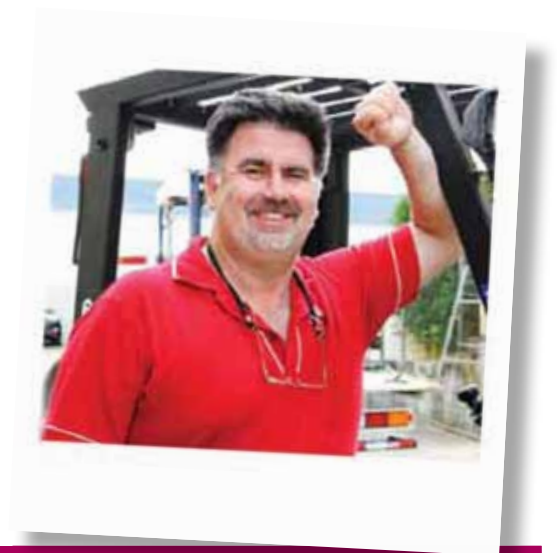
- reviewing the end-to-end complaint handling process
- reviewing the TIO quality framework
- developing a process for feedback about the TIO.

#### Alternative dispute resolution (ADR)

The TIO is an alternative dispute resolution (ADR) body. Alternative dispute resolution is a means of settling a dispute without resorting to formal proceedings such as court actions. 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 information 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 all the circumstances. The TIO is also guided by a number of position statements it has developed, and these indicate to complainants and members how the TIO might resolve a complaint.

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



#### CONSUMER PROFILE

##### ROBERT, QUEENSLAND

Robert runs a small business and discovered that he was receiving invoices for a landline service that was not his. He called his provider and was advised that he would stop being charged for the service, but he continued to receive invoices. He decided to call the TIO after he received a notice from a collections agent for the landline service fees.

'I had heard about the TIO while listening to the radio and I decided to call because I was so frustrated that I wasn't getting anywhere with my telephone company. The person I spoke to at the TIO was excellent and gave me all the information I needed,' Robert said.

One call to the TIO was all it took for his provider to resolve Robert's complaint. 'Right after I called the TIO I called my telephone company, told them I had spoken to the TIO, and my issue was sorted within the hour. I couldn't believe what a difference it made to have some help from the TIO.'

## OUR PERFORMANCE

REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

### Complaint classification

The TIO classifies complaints by four levels. Complaint resolution involves facilitated resolution at Level 1 and Level 2 and formal investigation at Level 3 and Level 4.

Complaint Classification	Definition/Action	No of complaints in 2008/09	% of Total Complaints
Level 1	Level 1 complaints are referred back to the provider, giving both parties another chance at informal resolution.	207 709	90.2%
Level 2	Where a complainant has tried, but been unable to resolve their complaint with the provider directly at Level 1, the complaint is escalated to Level 2. Both parties have a final chance at informal resolution.	17 582	7.6%
Level 3	Level 3 complaints require formal TIO investigation although providers and complainants can still liaise with each other to reach a fair and reasonable outcome. If this is not reached, the TIO may make a binding (on members) determination up to the value of \$1 200.	4 321	1.9%
Level 4	If the outcome at Level 3 is not fair and reasonable or there is insufficient evidence available to assess whether the outcome is fair or reasonable, and the amount in dispute exceeds \$1,200, the TIO may escalate to Level 4 for further investigation. Alternatively, complaints that are not addressed within the required timeframe at Level 3 may be escalated to Level 4 (this is an administrative Level 4).	453	0.2%
Determinations	Where a fair and reasonable outcome cannot be achieved through conciliation or investigation, the TIO can issue determinations or directions at Level 4 to the value of \$10 000. While determinations and directions are binding on members, complainants can elect to accept or decline them.	8	N/A
Recommendations	In addition to binding decisions, the TIO can make non-binding recommendations to members, provided that these do not exceed the value of \$50 000. So far, non-binding recommendations have been rare and none has been rejected.	1	N/A
Reviews	At the end of an investigation, if a person remains dissatisfied with the outcome of their complaint, they may request a review. Investigations Officers may also suggest a complaint is reviewed as it involves the independent assessment of the investigation as a whole. This incorporates an evaluation of whether the TIO had the power to initially consider the complaint, whether the investigating officer has obtained and assessed all information from both parties, taken into account any relevant law and industry codes, our position statements and had regard to the principles of alternative dispute resolution prior to making their decision. The Review Officer will review the outcome of all levels of complaints except where decisions have been made by the Ombudsman or Deputy Ombudsman.	217	0.1%

Table 4 Complaint classification



## OUR PERFORMANCE

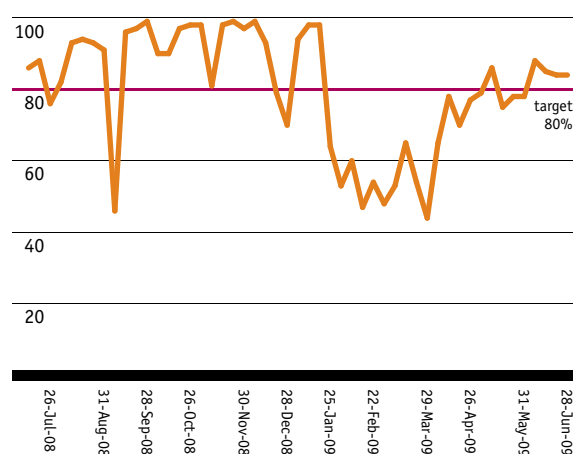
REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

**Figure 6 Council benchmarks**

The TIO's Council has set a series of performance measures under the 'effectiveness' benchmark of the benchmarks for alternative dispute resolution schemes. These benchmarks include the following:

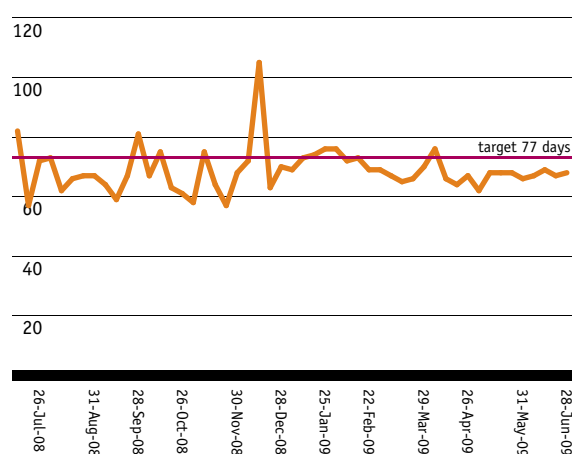
### Phone calls

Benchmark: 80% of calls to be answered within 60 seconds



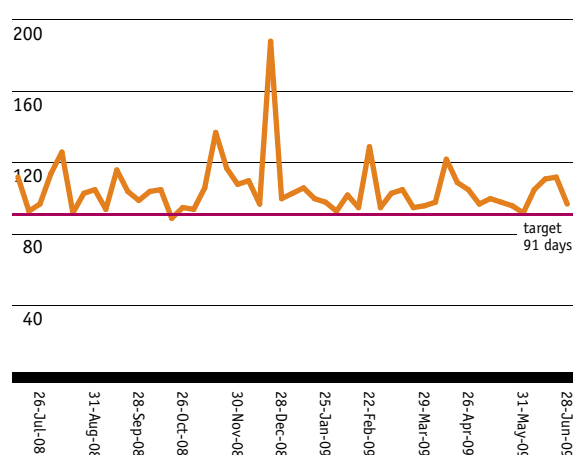
### Level 2 complaints

Benchmark: Average closure time of 77 days



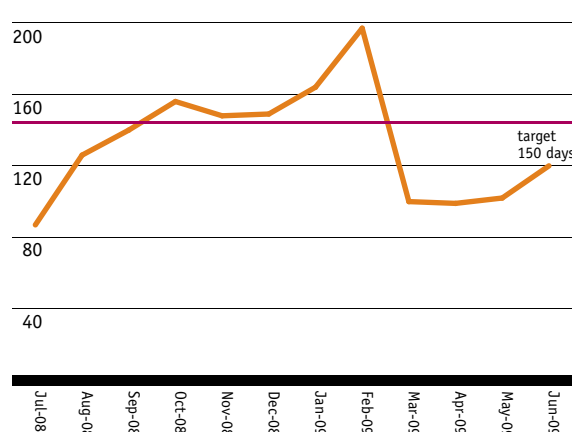
### Level 3 complaints

Benchmark: Average closures time of 91 days



### Level 4 complaints

Benchmark: Average closure time of 150 days



## OUR PERFORMANCE

REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

### Our quality framework

Our commitment to quality extends from the first time people contact us to the final resolution of disputes and in the complaint data we provide to our stakeholders.

Our approach extends right through our organisation and includes:

- the Board and Council ensuring that we are appropriately resourced
- the Ombudsman ensuring that we meet the *Benchmarks for Industry-based Consumer Dispute Resolution Schemes*
- focusing on staff training and process improvements
- staff striving for excellence and accepting personal responsibility for their work.

We also focus on:

- **Core competencies and recruitment**, which includes the recruitment, retention, reward and development of staff who strive for excellence
- **Learning and development**, such as comprehensive training for new staff and ongoing training in specific areas
- **Performance quality control**, including the addition of a team leader structure (contact team managers and investigations team managers) over the past financial year
- **Technology and business support**, which involves the planning and implementation of various new systems, such as a new complaint management system and an updated website
- **Processes and procedures** for complaint handling and investigations which are well-documented, efficient and consistent
- **External relationships** with members and stakeholders which provide useful feedback, such as our regular complainant satisfaction survey and the mechanism for receiving complaints about us
- **Quality assurance programs**, which include contact centre and investigations audits, code data audits, call monitoring and review of complaint data.

### Complaints about us

As a complaint handling agency, we are determined to establish by the end of the calendar year 2009 a robust formal process for handling complaints and compliments about us.

At the moment, complaints or compliments can be passed on to the appropriate staff, managers and sometimes the Ombudsman for review. However during the year we commenced planning to implement a more thorough process which complies with the Australian Standard Customer satisfaction - Guidelines for complaint handling in organisations (ISO 10002:2004, MOD).

We will use this more formal process to:

- identify trends
- eliminate the causes of complaints
- improve our operations
- encourage staff to improve their customer service skills
- provide a mechanism for members to complain if they are dissatisfied with the TIO.

## OUR PERFORMANCE

REACHING OUT | RELEVANT | REMARKABLE | RESOLUTION

### End-to-end process review

Since we began in 1993, although our processes have changed somewhat, the way we have handled complaints has remained largely the same. During 2008/09, we asked consultancy firm Listening Post to review our process from 'end-to-end'.

Their review entailed speaking with a range of stakeholders. This included:

- interviewing and surveying members
- an online consumer survey
- a focus group of people who had complained to the TIO
- interviews with regulators and community sector organisations
- talking with TIO staff.

Listening Post's report, delivered in May 2009, found that the TIO was 'a committed organisation with dedicated, knowledgeable people of high calibre.' They recommended that we continue using our four-tier system for classifying complaints, but explore ways of improving the efficiency and effectiveness of our complaint-handling process – particularly in the context of replacing our complaint-management system (Cosmos).

Given the nature of the recommendations, there is still considerable work that needs to be done before some of the recommendations can be implemented.

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### HOW WE HANDLE COMPLAINTS

This year, we received 261 818 **contacts** from consumers and small businesses who claimed they could not resolve a problem with their telephone or internet service provider.

A total of 31 753 of these contacts were classed as **enquiries**, which we do not have the power to examine. (More information about what we can and cannot examine is available at [www.tio.com.au/policies/jurisdiction.htm](http://www.tio.com.au/policies/jurisdiction.htm).) We cannot, for example, examine commercial actions such as a provider's decision not to supply a particular area with broadband.

A total of 230 065 contacts were classed as **complaints**, which we have the power to examine.

**Complaints** are classified according to the service type they concern; that is internet, mobile, landline or mobile premium services (A breakdown appears in the figure below). Each complaint may be about several complaint issues. For example, a person who complains about a landline bill may also complain about a landline fault or a credit management issue. This year, we recorded 481 418 **complaint issues**.

**Complaint issues** are recorded under several broad categories, which are broken down further by keywords. The figure on the opposite page, provides a summary of our complaint issue categories. More detailed analysis and detailed descriptions of our keywords are provided in the following pages.

### COMPLAINTS AND COMPLAINT ISSUES

This year, we received 261 818 contacts from consumers and small businesses who claimed they could not resolve a problem with their telephone or internet service provider.

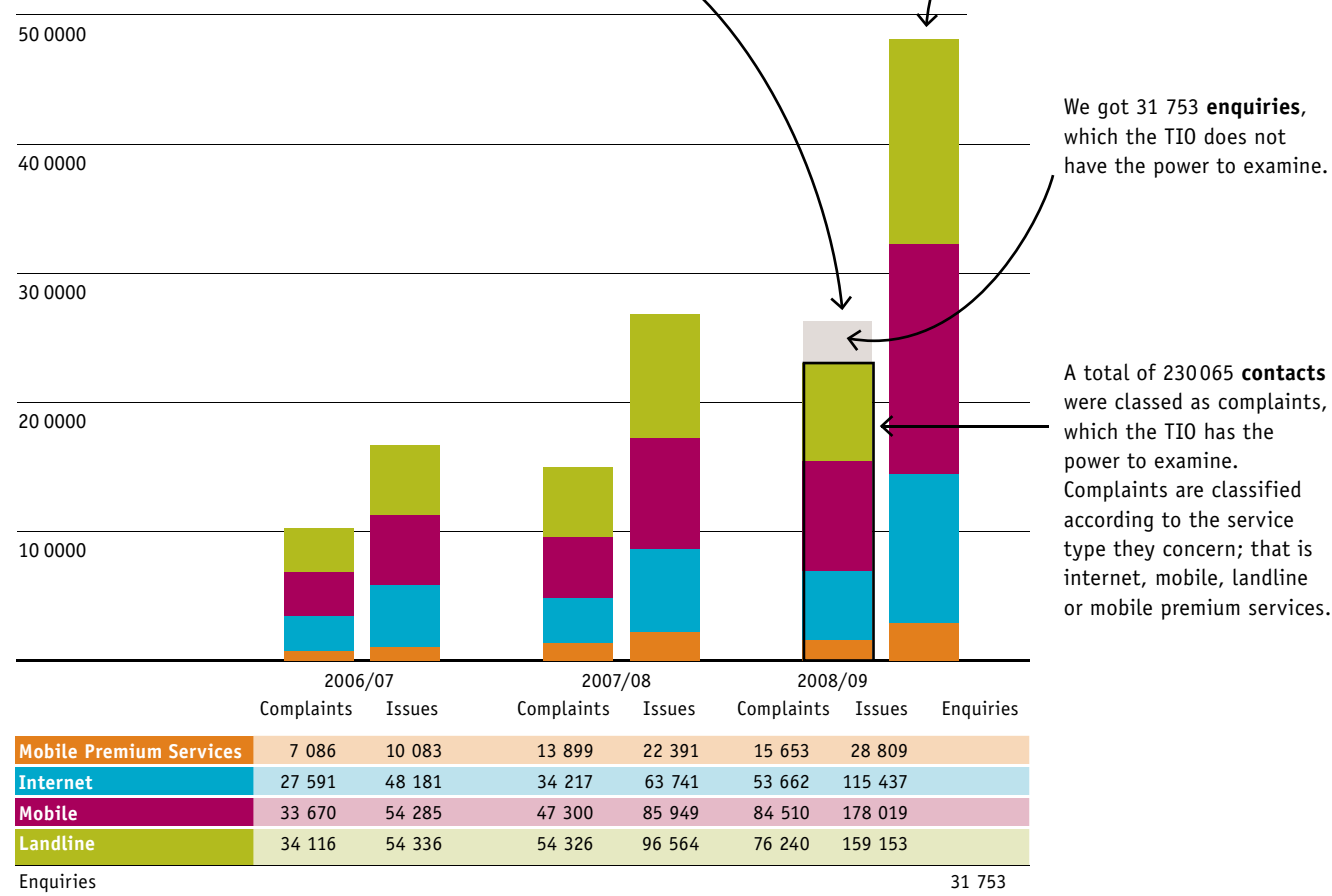


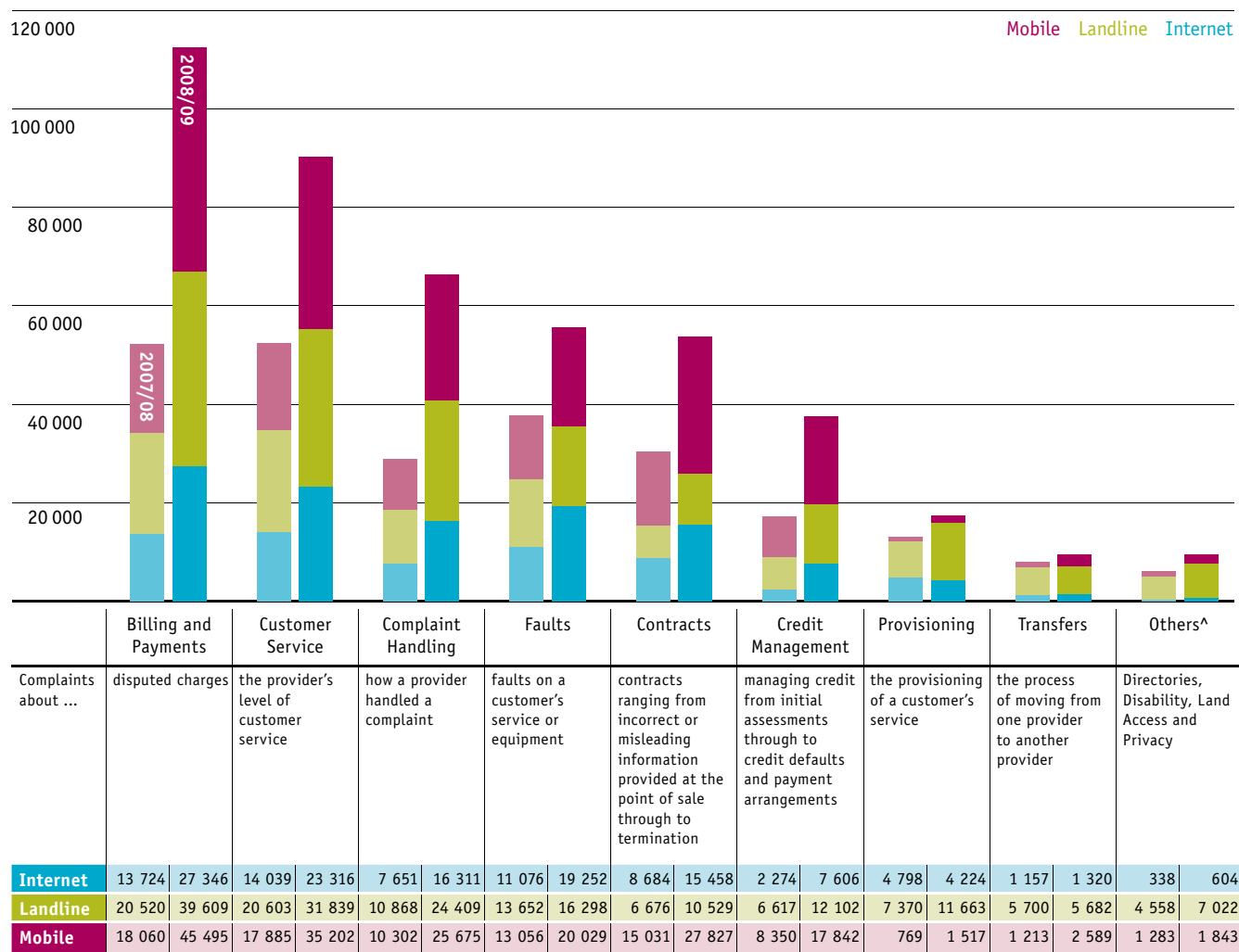
Figure 7 Complaints and issues

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### COMPLAINT ISSUE CATEGORIES

Complaint issues are recorded under several broad categories, which are broken down further by keywords. Here's a summary of our complaint issue categories. More detailed analysis and detailed descriptions of our keywords are provided in the following pages.



^ Directories: Complaints about Yellow and White Pages directories  
 Disabilities: Complaints about the provisioning of services, faults and discrimination of services to those with disabilities  
 Land Access: Complaints regarding the issues relating to land access  
 Privacy: Complaints about the private information of a customer

Figure 8 Complaint issue categories

This year, mobile complaints took over from landlines as the service with the highest number of complaints. Landlines were the leading source of complaints in the 2006/07 year and also last year. The change reflects the increasing penetration and breadth of mobile services.

Complaints about mobile premium services increased slightly over the previous year (from 13 899 to 15 653). Complaints about these services declined significantly in the last quarter of 2009, which may reflect an early acknowledgement by providers of the tighter restrictions imposed by the Australian Communications and Media Authority from 1 July 2009.

While the most numerous, the growth rate in billing and payments complaint issues was third to complaint handling (130% increase) and credit management (118% increase) complaint issues.

A complete breakdown of our complaint statistics appears on the following pages. A breakdown of statistics by providers who have received more than 25 complaints is listed at the back of this report.



## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### BILLING AND PAYMENTS

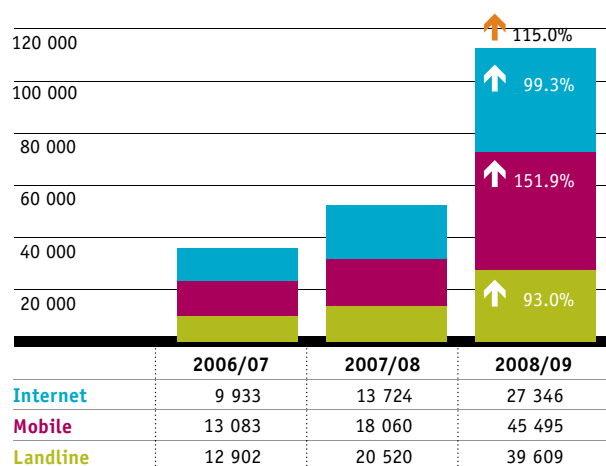


Figure 9 Billing and payment issues

This year, billing and payments generated the highest number of complaint issues. This category includes disputes about usage and administrative charges and disputes about incorrect or unauthorised direct debits. Overall, billing and payments complaint issues rose by 115%.

The main sources of billing and payments complaint issues were claims by consumers about:

- disputed usage charges; for example internet usage charges, unidentified charges on bills, timed call charges that ought to be incorporated into capped plan fees. This category formed 37.8% of all billing and payments complaint issues
- disputed recurring charges; for example, charges, which were not made clear at point of sale, for equipment bundled with services, or access charges for services that could not be accessed
- disputed administration fees; for example initial connection fees and termination charges. Consumers may dispute these charges because they claim they were not advised of them at the point of sale or before being billed
- the provider had incorrectly applied or not applied credits or adjustments to customers' accounts where this had been promised or was part of their terms and conditions
- customers had not received print or online bills from their provider despite asking for these several times
- their bank account or credit card was direct debited without their authority or their direct debit instructions had not been cancelled after they terminated the service.

Table 5 Billing and payments issues by category

	2006/07		2007/08		2008/09	
Disputed usage charges include disputed internet usage charges, total of bill, and timed calls	17 012	47.4%	21 119	40.4%	42 457	37.8%
Disputed recurring charges include disputed equipment and service charges	4 649	12.9%	8 790	16.8%	17 418	15.5%
Disputed administration charges include disputed charges for initial connection and termination fees	5 344	14.9%	7 478	14.3%	16 951	15.1%
Credits/adjustments incorrectly applied or not applied	2 607	7.3%	4 430	8.5%	11 396	10.1%
Bills not received	1 361	3.8%	2 620	5.0%	8 856	7.9%
Direct debits not activated, not authorised, or not cancelled	2 990	8.3%	3 683	7.0%	5 121	4.6%
Bill details and/or format	637	1.8%	1 396	2.7%	4 131	3.7%
Payments incorrectly applied or not applied	724	2.0%	1 617	3.1%	3 202	2.8%
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%	2 918	2.6%
<b>Total</b>	<b>35 918</b>		<b>52 304</b>		<b>112 450</b>	

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### CUSTOMER SERVICE

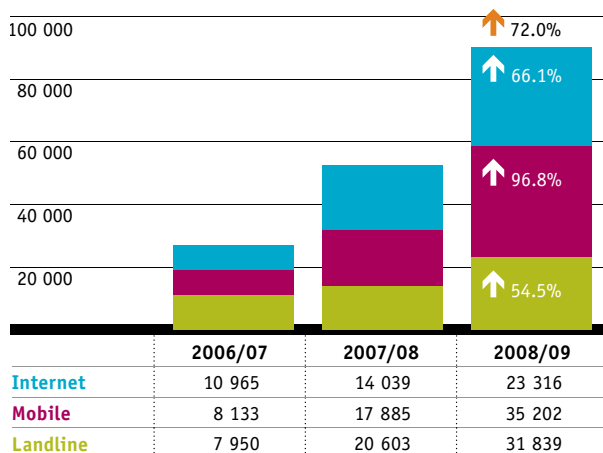


Figure 10 Customer service issues

Customer service complaint issues are mostly recorded as secondary issues to primary complaints. For example, a primary complaint may include a problem with a bill or a delay in rectifying a fault or connecting a service, and may include a secondary issue about poor customer service.

Customer service complaint issues increased by 72% during 2008/09 with the main areas of complaint raised with us by consumers being:

- service providers giving incorrect, inadequate or inconsistent advice. This has consistently remained the highest category of customer service complaint issue over the past three years
- service providers failing to action consumers' requests; for example, the cancellation of a service, updating address details or changing plans
- consumers being unable to contact their service providers or having to wait a long time before being able to speak with someone.

Table 6 Customer service issues by category

	2006/07		2007/08		2008/09	
Incorrect or inadequate advice	10 707	39.6%	20 351	38.7%	38 545	42.7%
Failure to action a request	8 590	31.8%	14 409	27.4%	29 586	32.7%
Lengthy wait time	2 294	8.5%	6 962	13.3%	8 342	9.2%
Discourtesy	1 215	4.5%	3 260	6.2%	7 316	8.1%
Unable to contact	4 003	14.8%	7 360	14.0%	6 194	6.9%
Refusal to deal with advocate	239	0.9%	185	0.4%	374	0.4%
<b>Total</b>	<b>27 048</b>		<b>52 527</b>		<b>90 357</b>	

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### COMPLAINT HANDLING

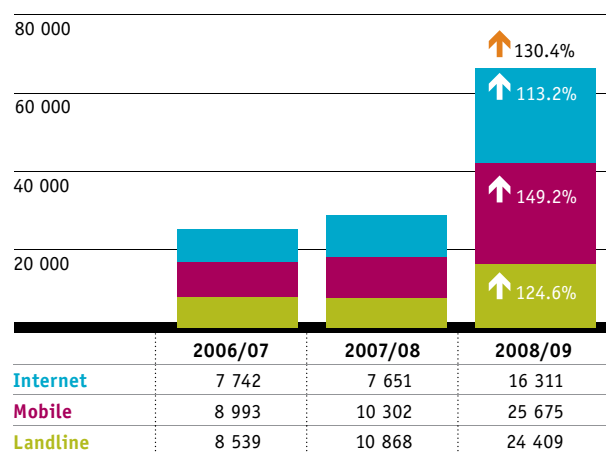


Figure 11 Complaint handling issues

As with customer service, complaint handling issues are usually secondary aspects of a complaint. For example, a complaint about disputed usage charges may also raise concerns around the service provider failing to action a refund which was promised, or failing to call the consumer after promising to do so within a specified timeframe.

Complaint handling complaint issues increased by 130%. The main areas of concern were claims by consumers about:

- providers failing to action undertakings; for example, failing to send out copies of bills despite promising to do so several times. This category formed more than half of the complaint handling complaint issues
- providers not informing the consumer of the outcome of their complaint even where the consumer attempted to follow-up with the provider
- providers refusing to escalate complaints within their own organisations even where consumers advised that they remained unhappy or dissatisfied
- providers failing to inform consumers of external avenues of redress, including the TIO, in circumstances where consumers told their providers that their complaints remained unresolved
- consumers not receiving any acknowledgement from their service providers that their written complaints had been received and would be actioned.

	2006/07		2007/08		2008/09	
Failure to action undertakings	3 839	15.2%	7 293	25.3%	34 091	51.3%
Failure to advise of outcomes	524	2.1%	1 705	5.9%	8 952	13.5%
Failure to escalate	1 315	5.2%	3 242	11.2%	8 791	13.2%
Failure to refer to TIO	17 724	70.1%	14 012	48.6%	8 009	12.1%
Failure to acknowledge a written complaint	1 432	5.7%	1 983	6.9%	4 081	6.1%
Failure to record a complaint	412	1.6%	543	1.9%	2 400	3.6%
Charges for itemisation of disputed bill or for complaint handling	28	0.1%	43	0.1%	71	0.1%
<b>Total</b>	<b>25 274</b>		<b>28 821</b>		<b>66 395</b>	

Table 7 Complaint handling issues by category

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### CASE STUDY:

#### Billing and customer service

##### The complaint

Mandy told us that her provider had updated its billing system but had failed to tell her that she had a new account number for her landline service. Consequently, payments she had made against her old account number had not been applied to her new account and her service was disconnected. Mandy said that she had tried to contact her telephone company many times but had to wait for long periods before she could speak to anyone and received inconsistent advice from different departments. Mandy provided bills showing that she incurred close to \$250 in mobile phone charges trying to contact her provider and resolve the complaint. Further, Mandy was charged a reconnection fee when her landline service was eventually reconnected.

##### TIO response

We believe that if a telephone company's customer service falls short it may be appropriate for it to refund excessive charges that a customer has incurred as a result of that poor service. In this case we also investigated whether Mandy was entitled to compensation for the company's delay in rectifying what appeared to be an administrative error.

##### The outcome

Mandy's provider responded by offering her an apology for the inconvenience she had experienced. It also applied a credit of \$700 to her account, which covered the payments she had made to her old account, the mobile charges she had incurred trying to resolve the complaint, the landline reconnection fee and an additional \$110 as a gesture of goodwill.

##### Lessons learnt

On occasion, administrative or system errors may mean that payments are not processed correctly. If a company does not resolve the error in a timely manner, one fair means of offering the customer redress might be to reimburse any fees the customer incurs.

### CASE STUDY:

#### Temporary cabling

##### The complaint

Trang was concerned about a temporary telephone cable that had been strung across her property for the past two years she has lived at the premises. It had been put in place after the landline servicing the property developed a fault. The provider said that the underground lines connecting her service needed to be replaced. The temporary cable ran for several kilometres and was strung across trees, tied to fence posts and lay on the ground in some places. The cable had been there for so long that a large termite mound had grown up and around it in one place. Trang lived in a rural area and was concerned that the low height of the cable meant she could not burn off her land in preparation for the fire season. There was a risk that her kids would trip on the cable or people would get hurt while motorcycling around the property.

##### TIO response

We established that the temporary cable had been in place for over four years. The TIO noted that sometimes a temporary cable is needed to provide a service, particularly where the permanent repair is a large or complex job. In this case, the TIO was extremely concerned about the time the cable had been in place, and the potential hazards being caused by the way in which it had been installed, particularly in a rural area.

##### The outcome

Trang's provider said it had tried to replace the cable at least three times before Trang moved in, but that the real estate agent had denied it access. However, the TIO reminded the provider that legislation enabled it to access land to maintain its infrastructure without the express agreement of the owner or occupier. As a resolution to this complaint, the provider agreed to fast track the repair of Trang's service. The repair work was carried out within two weeks. Trang was happy with the outcome but was disappointed that it had taken so long for her concerns to be treated seriously.

##### Lessons learnt

Temporary cables are sometimes necessary to ensure that consumers have uninterrupted access to landline services, but it is not reasonable for them to be in place for extended periods. They should not cause hazards to people or property, and should comply with industry standards for the installation of telecommunications equipment.

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### FAULTS

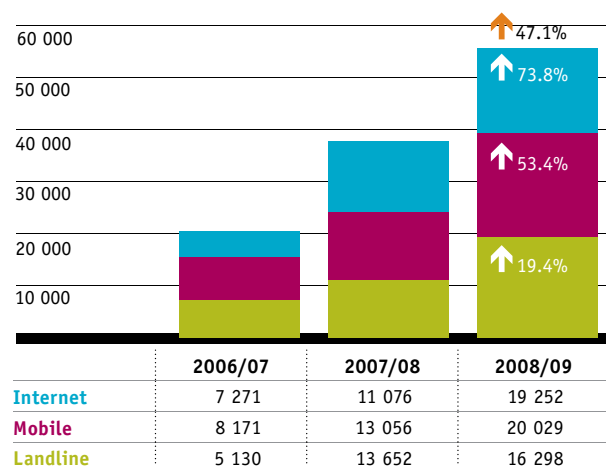


Figure 12 Faults issues

This category generally relates to complaints about delays in rectifying ongoing or intermittent faults. It also incorporates missed appointments by service technicians, the erroneous disconnection of services and changes in coverage or availability of a service. Fault issues increased by 47% during 2008/09, and represent 11.5% of total complaint issues.

Complaints in this category often require the TIO to consider the applicability of the Customer Service Guarantee (CSG).

The CSG Standard is administered by the ACMA and confers performance obligations on providers of standard telephone services. 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](http://www.acma.gov.au).

Common complaints by consumers about faults were:

- they experienced an equipment fault for a non-CSG service (mobile or internet). Mobile handset faults formed a significant proportion of the types of complaints in this category
- their mobile service or internet service was fully unworkable
- their standard telephone service was fully unworkable
- they experienced drop outs on their internet or mobile service
- they experienced coverage difficulties with their mobile or internet service
- the data speed for their internet or mobile service was slow.

	2006/07		2007/08		2008/09	
Equipment faults (non-CSG service)	6 178	30.0 %	9 400	24.9 %	13 579	24.4%
Fully unworkable (non-CSG service)	3 706	18.0 %	4 963	13.1 %	7 614	13.7%
Fully unworkable (CSG service)	2 679	13.0 %	6 569	17.4 %	6 599	11.9%
Drop outs (non-CSG service)	1 986	9.7 %	2 800	7.4 %	5 137	9.2%
Coverage (non-CSG service)	1 208	5.9 %	2 595	6.9 %	4 164	7.5%
Slow data speed (non-CSG service)	1 101	5.4 %	2 060	5.5 %	3 676	6.6%
Disconnected in error	565	2.7 %	1 351	3.6 %	3 305	5.9%
Partly unworkable (CSG service)	795	3.9 %	2 217	5.9 %	2 848	5.1%
Recurring and or intermittent fault (CSG service)	749	3.6 %	1 872	5.0 %	2 463	4.4%
Enhanced and or add on service (non-CSG service)	524	2.5 %	1 070	2.8 %	2 343	4.2%
Missed appointment	170	0.8 %	857	2.3 %	833	1.5%
Compensation (CSG service)	190	0.9 %	619	1.6 %	808	1.5%
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 call feature for a CSG service, and where a service provider seeks to claim an exemption for mass service disruptions	721	3.5 %	1 411	3.7 %	2 210	4.0%
<b>Total</b>	<b>20 572</b>		<b>37 784</b>		<b>55 579</b>	

Table 8 Fault issues by category



## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### CONTRACTS

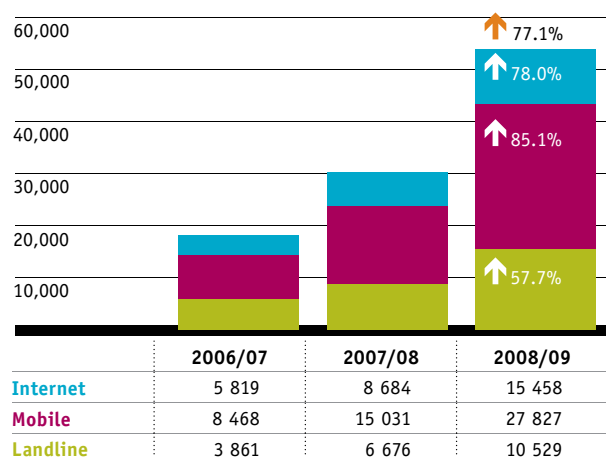


Figure 13 Contracts issues

This category involves disputes stemming from:

- terms and conditions such as pricing
- the enforcement of terms and conditions of a contract
- the variation of a contract by a service provider to the detriment of its customers.

Contracts complaint issues have increased by 77% during 2008/09.

The main issues in this category included 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. This formed 45.1% of contracts issues in 2008/09
- providers sought to enforce terms of a contract unfairly or inappropriately
- they were unaware at the outset that they were on a fixed-term contract
- service providers unilaterally varied the terms of their contracts. For example, a service provider increased the prices for the service compared to what was offered at the point of sale, or the service provider introduced a change to the usage limit under a plan
- they were provided with misleading or incomplete information at the point of sale about network coverage
- there was a delay in the termination or cancellation of a service and they continued to be charged for the service
- they received incorrect advice or were not provided any advice about termination fees when they sought to terminate the service.

	2006/07		2007/08		2008/09	
Point of sale advice — product and terms	8 779	48.40%	13 026	42.90%	24 255	45.10%
Variation of terms	1 521	8.40%	2 671	8.80%	3 748	7.00%
Enforcement of terms	1 757	9.70%	2 577	8.50%	4 918	9.10%
Termination — delay	1 257	6.90%	2 381	7.80%	4 080	7.60%
Point of sale advice — coverage	822	4.50%	2 079	6.80%	3 242	6.00%
Termination advice — termination fee	1 026	5.70%	1 542	5.10%	2 045	3.80%
Deny all knowledge	133	0.70%	1 403	4.60%	3 976	7.40%
Sales tactics	617	3.40%	1 167	3.80%	1 604	3.00%
Point of sale advice — cooling off	375	2.10%	719	2.40%	925	1.70%
Point of sale advice — termination fee	336	1.90%	616	2.00%	929	1.70%
Impaired decision making	376	2.10%	597	2.00%	976	1.80%
Failure to provide contract	491	2.70%	581	1.90%	1 330	2.50%
Others	658	3.60%	1 032	3.40%	1 786	3.30%
Total	18 148		30 391		53 814	

Table 9 Contracts issues by category

### CASE STUDY:

#### Indigenous consumers

##### The complaint

Brett, a financial counsellor, contacted us on behalf of his client Sylvia, an elderly Indigenous lady who lived in a remote community. Brett said Sylvia had received a telemarketing call from a salesperson who was very persistent and assertive. It appeared that as a result Sylvia had agreed to a mobile phone contract.

Sylvia was a traditional Aboriginal elder in receipt of a disability pension and had little experience of technology. Brett said she had no need for a mobile phone, did not want one, and did not receive one. She had, however, received bills, letters of demand, and calls from a debt collector about the contract. This activity had become so distressing for Sylvia that she had paid a small amount towards the debt.

##### TIO response

This complaint was referred to the TIO's Indigenous liaison team, a team of experienced staff who accept direct referrals from services that assist Indigenous consumers. We asked the provider to examine this case and present its point of view.

##### The outcome

The provider agreed to cancel Sylvia's contract and refund the payments she had made. It also asked us to convey its apologies to Sylvia. Finally, as Sylvia had never received a handset, and it could not be accounted for, the company blocked the handset to ensure it could not be used.

##### Lessons learnt

Service providers must provide clear guidance on acceptable standards of behavior for any dealers or sales companies to whom they outsource sales activities particularly through channels like telemarketing.

Some consumers, for reasons such as age, health, social and educational background, and remote location, may require special assistance above and beyond normal TIO processes. We do our best to offer appropriate assistance when necessary.

### CASE STUDY:

#### Young people and contracts

##### The complaint

Cynthia contacted us disputing charges for her mobile contract, which she said had been due to expire in April 2008. She said that she no longer required the service, because her employer had given her a new phone in March. She had given her phone to her 15-year-old son, Nick, to use for emergencies during the month remaining on the contract. Cynthia told us that she had paid all of the bills for her service up to April, and told the provider to cancel the service. She did not receive any more bills until November 2008 when a debt collector demanded over \$2 500.

It emerged that Nick had renewed the contract in June 2008, after the service had been temporarily disconnected for non-payment in May. Cynthia told us that her provider would not waive the \$2 500, even though Nick had renewed the contract without her knowledge or consent, and since he was a minor he was too young to enter into a contract himself.

##### TIO response

We obtained a copy of the voice recording between Nick and the telephone company's representative. Along with the recording, the company provided its assessment of the complaint, in which it acknowledged that the person on the recording had a young voice and that it should have been clear to its representative that it was not speaking with Cynthia. Although Nick had claimed to have been authorised by Cynthia to make changes to the mobile service, we asked the company what steps it had taken to verify that the person it was speaking to was authorised to renew the contract.

##### The outcome

The company resolved the complaint by waiving the termination fees and other charges on the new mobile contract. Cynthia was required to pay \$230 for her May bill, as this bill was made up of usage on the old contract when Nick was using the service with Cynthia's permission. Cynthia accepted that even though she had only given the service to Nick for emergency use, as the account holder, she was responsible for the charges her son accrued before her contract expired.

##### Lessons learnt

Service providers are obliged to make sure they are speaking to the account holder before they make any changes to an account. They must also ensure that the person entering into a contract with them has the legal capacity to do so. Consumers should take care when allowing others to use their services, as they may be liable for the charges incurred by the person using the service, even if they did not give permission for all of the usage.

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### CREDIT MANAGEMENT

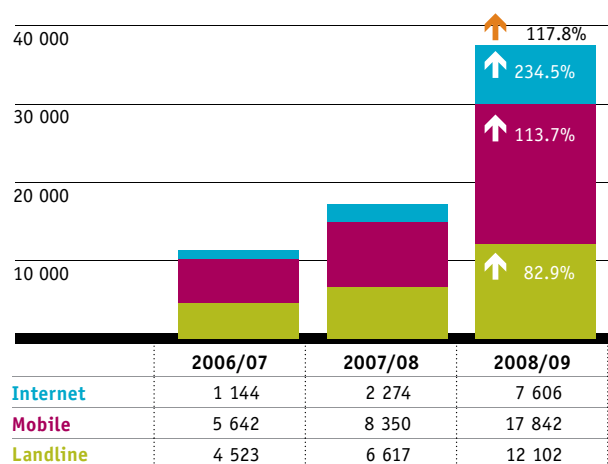


Figure 14 Credit management issues

This category refers to disputes over credit management action. This may include conduct on the part of service providers or collections agencies employed by service providers; for example, where a collections agent continued to pursue a debt even though the consumer had notified them that the debt was in dispute. Alternatively, it may include conduct whereby a service provider failed to notify the consumer before suspending or disconnecting their service for credit management reasons.

The main claims that consumers made about credit management issues included that service providers:

- failed to notify consumers before suspending or disconnecting services. This category has remained a consistent component of credit management complaint issues over the past three years
- continued, either directly or via a collections agent, to pursue consumers for outstanding debts even where such debts were in dispute
- suspended or disconnected services despite knowing that an outstanding debt was in dispute
- not having adequate mechanisms or tools to assist consumers to monitor or control their use of the services so as to minimise exposure to financial over-commitment
- listing debts with credit reporting agencies despite being aware that debts were in dispute
- listing debts with credit reporting agencies without advising or notifying consumers before doing so
- refusing to negotiate or re-negotiate payment arrangements with consumers who found themselves in positions of hardship.

	2006/07		2007/08		2008/09	
Suspension disconnection notification	2 137	18.9%	3 029	17.6%	6 205	16.5%
Collections agents disputed debt	1 686	14.9%	3 040	17.6%	5 499	14.6%
Suspension disconnection disputed debt	1 085	9.6%	2 089	12.1%	4 677	12.5%
Overcommitment adequacy of supplier controls	571	5.0%	1 315	7.6%	4 513	12.0%
Credit default disputed debt	1 513	13.4%	1 876	10.9%	3 293	8.8%
Credit default notification	1 032	9.1%	1 286	7.5%	3 058	8.1%
Payment arrangement refusal to negotiate	1 244	11.0%	1 619	9.4%	2 706	7.2%
Failure to suspend collections disputed debt	329	2.9%	439	2.5%	1 798	4.8%
Overcommitment advice credit control tools	336	3.0%	495	2.9%	1 551	4.1%
Overcommitment usage meter	61	0.5%	175	1.0%	876	2.3%
Payment arrangement refusal to re-negotiate	535	4.7%	717	4.2%	771	2.1%
Credit default failure to update	273	2.4%	334	1.9%	629	1.7%
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	507	4.5%	827	4.8%	1 974	5.3%
<b>Total</b>	<b>11 309</b>		<b>17 241</b>		<b>37 550</b>	

Table 10 Categories of credit management issues

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### PROVISIONING

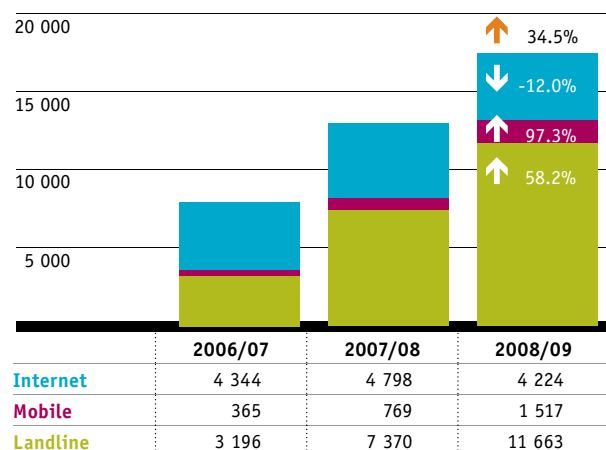


Figure 15 Provisioning issues

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.

Provisioning complaints increased by 34.5% in 2008/09 compared to 2007/08.

Complaint issues regarding information on availability and coverage fell by 70.1%. This was primarily due to a change that occurred in 2008/09 where the Ombudsman exercised her discretion to cease to investigate complaints about the availability of ADSL services. As the TIO cannot compel a service provider to supply an ADSL service to a specific residence, we often found that investigating these types of complaints was of no benefit to the consumer.

The main drivers of provisioning complaint issues included claims by consumers that:

- they experienced delays in the connection of an entirely new service (CSG or non-CSG service) or in the re-connection of a previously connected or in-place service (CSG or non-CSG service). Collectively, these categories formed 74.4% of all provisioning issues in 2008/09
- 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
- the service provider failed to keep an agreed appointment for the connection of a CSG service and failed to notify the customer in advance.

	2006/07		2007/08		2008/09	
Delay in-place service (CSG service)	1 022	12.9%	2 256	17.4%	4 171	24.0%
New service delay (CSG)	1 380	17.5%	2 978	23.0%	4 086	23.5%
New service delay (non-CSG service)	2 743	34.7%	2 738	21.2%	3 183	18.3%
Delay in-place service (non-CSG service)	660	8.3%	905	7.0%	1 507	8.7%
Number allocation	285	3.6%	642	5.0%	1 151	6.6%
Missed appointment (CSG service)	116	1.5%	621	4.8%	1 151	6.6%
Advice coverage/availability	1 211	15.3%	1 821	14.1%	533	3.1%
Delay in-place service (Connect Outstanding)	135	1.7%	225	1.7%	326	1.9%
New service pre-provisioning delay	107	1.4%	184	1.4%	231	1.3%
Delay new service Interim/Alternate service	44	0.5%	124	0.9%	227	1.3%
New service delay compensation	81	1.0%	134	1.0%	217	1.2%
Others include complaint issues relating to missed appointments for the connection of a non-CSG service or compensation for the delay in connecting an in-place service	121	1.5%	309	2.4%	621	3.6%
<b>Total</b>	<b>7 905</b>		<b>12 937</b>		<b>17 404</b>	

Table 11 Provisioning issues by category

### CASE STUDY:

#### Financial hardship and payment plans

##### The complaint

Janet contacted us about a debt of almost \$3 000 on her mobile telephone service. She was unable to pay this all at once because she was unemployed. She had seen a financial counsellor and worked out that the most she could pay was \$15 a fortnight. Her provider had rejected this offer because the debt would take several years to pay off. It said Janet had made no payments towards the debt for seven months and it had lodged a default against her name with a credit reporting bureau.

##### TIO response

We noted that it appeared as though the provider had lodged a credit default when Janet and her financial counsellor were in the process of attempting to make a payment arrangement. The provider had also added a significant debt recovery fee to the charges. We were concerned that this had been done despite Janet telling the company of her financial hardship.

We asked the provider to consider whether it had complied with the industry code on credit management and our position statements on hardship and payment difficulties and unlimited credit/financial over commitment. The industry code and position statements outline the need for telephone companies to have a financial hardship policy and assist consumers who are experiencing financial hardship.

##### The outcome

The telephone company agreed to accept Janet's payment arrangement of \$15 per fortnight conditional on this being revisited every six months to determine whether her financial circumstances had changed. The company also agreed to remove the default listing and withdraw the debt collection fee.

We formed the view that the resolution represented a fair and reasonable outcome to Janet's complaint. Janet was happy with this result.

##### Lessons learnt

Telephone companies are obliged to have a financial hardship policy and to offer assistance to consumers experiencing financial hardship.

Consumers are expected to take steps to reduce their exposure to high levels of debt by minimising their usage and getting a bar placed on their service. They should also continue to make regular payments of what they can afford and keep their telephone company informed about their circumstances.

### CASE STUDY:

#### Elderly consumers and provisioning delay

##### The complaint

Jodie contacted the TIO about a delay in the connection of her grandmother's telephone service. Her grandmother suffered from dementia and had moved into a nursing facility and needed a telephone connected to her unit. Jodie found dealing with the provider difficult. She had been told the service would be connected many times. She was told she could not speak with a manager and, when she said she was not happy with the provider's response, she was not told about her right to complain to the TIO.

##### TIO response

The TIO was concerned about the lengthy delay in providing an elderly lady with a medical condition with a telephone service, particularly at a time when she may have required additional social contact with relatives because of her move. We asked the provider whether it had complied with the industry code which sets standards for how it handles complaints. We also asked the provider to examine its compliance with the Customer Service Guarantee (CSG) Standard. This compensates customers if their service is not connected or repaired within a certain time.

##### The outcome

Our investigation revealed that the provider had connected Jodie's grandmother's telephone at the wrong unit. Even when Jodie brought this to the provider's attention, it still maintained that it had connected her grandmother's phone. As a result, Jodie's grandmother received \$3 800 in CSG compensation and the company also wrote a letter of apology to Jodie and her grandmother.

##### Lessons learnt

It is important that telephone companies listen to their customers and carefully examine complaints, particularly where a vulnerable consumer is involved. Technical systems are not infallible and sometimes an investigation is needed to ascertain where there is an error in the system.



## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### CUSTOMER TRANSFER

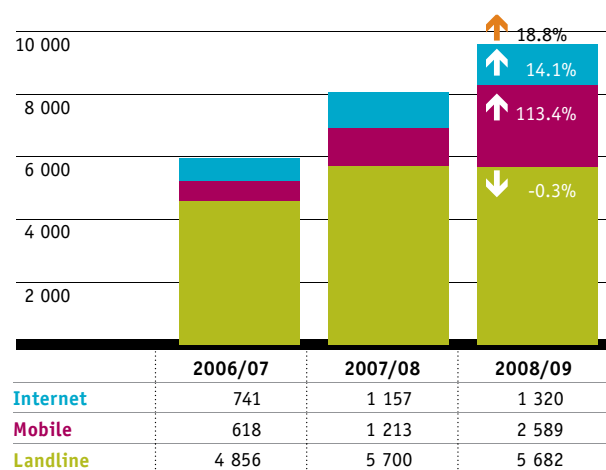


Figure 16 Customer transfer issues

This category relates to difficulties encountered by consumers during the transfer of services between providers; for example, a transfer delay. Customer transfer issues also encompass claims by consumers that they had not authorised a transfer or that someone else had arranged it. In 2008/09 customer transfer issues increased by 18.8% compared to 2007/08.

The main sources of complaint around customer transfer issues were customers claiming that they experienced:

- delays in the transfer of services. This category formed 42.7% of customer transfer issues in 2008/09

- service providers transferring services without the customer's informed consent. In complaints of this nature, consumers commonly claimed that:
  - » they were contacted by a telemarketer and agreed over the phone to transfer their service subject to receiving more information
  - » the information provided by the telemarketer about the service was very different to the service that the provider eventually supplied
  - » they were provided incomplete or inaccurate information at the point of sale about the product, terms and conditions of the service
  - » the person who requested the transfer was not the authorised account holder. For example, the provider 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
  - » 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
- service providers failing to reverse the transfer of a service or delaying the reversal of a transfer in circumstances where a consumer had shown that the transfer had not been properly authorised.

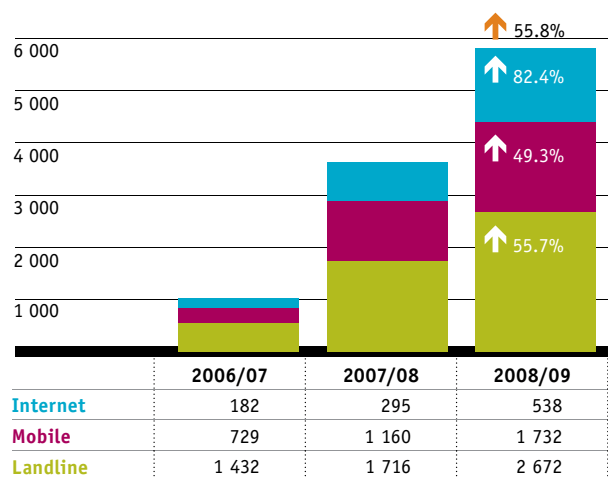
	2006/07		2007/08		2008/09	
Delay	1 568	25.2 %	3 235	40.1 %	4 097	42.7%
Unauthorised — no informed consent	2 195	35.3 %	2 242	27.8 %	2 343	24.4%
Point of sale advice –product and terms	265	4.3 %	427	5.3 %	632	6.6%
Unauthorised — cancelled in cooling off period	352	5.7 %	468	5.8 %	612	6.4%
Unauthorised — not authorised customer	700	11.3 %	705	8.7 %	602	6.3%
Reversal — failure to reverse	203	3.3 %	215	2.7 %	332	3.5%
Unauthorised — administrative error	255	4.1 %	273	3.4 %	295	3.1%
Reversal — delay in reversing	84	1.4 %	175	2.2 %	275	2.9%
Sales tactics	256	4.1 %	157	1.9 %	142	1.5%
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 %	261	2.7%
<b>Total</b>	<b>6 215</b>		<b>8 070</b>		<b>9 591</b>	

Table 12 Customer transfer issues by category

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### PRIVACY



The TIO can investigate complaints relating to apparent breaches of the National Privacy Principles by telephone or internet service providers. These include 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, for example, relocation expenses.

Figure 17 Privacy issues

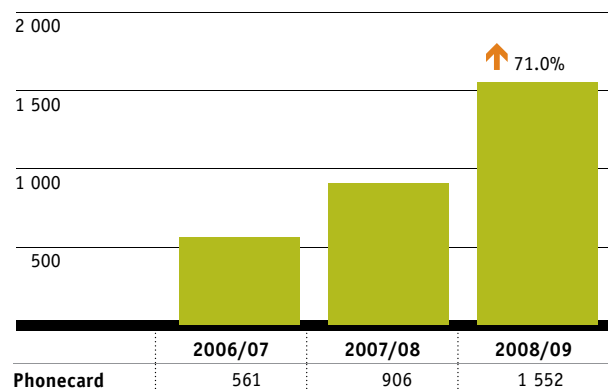
	2006/07		2007/08		2008/09	
Customer personal information, inaccurate information or unauthorised disclosure	951	40.6%	1 443	45.5%	3 390	68.6%
Unwelcome calls (menacing, offensive or harassing calls or communications)	468	20.0%	837	26.4%	924	18.7%
Telemarketing provider continues telemarketing after being asked to stop	855	36.5%	813	25.6%	520	10.5%
Life threatening calls or communications	26	1.1%	35	1.1%	54	1.1%
Spam inadequate advice about preventing spam	21	0.9%	29	0.9%	32	0.6%
Spam from internet or telecommunications service provider	22	0.9%	14	0.4%	22	0.4%
<b>Total</b>	<b>2 343</b>		<b>3 171</b>		<b>4 942</b>	

Table 13 Privacy complaint issues by category

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### PHONECARDS



All phonecard complaints are handled under the landline service category. The number of phonecard complaint issues increased by 71.3% in 2008/09 compared to 2007/08. Overall, phonecard complaint issues represented 0.3% of total complaint issues.

Figure 18 Phonecard issues

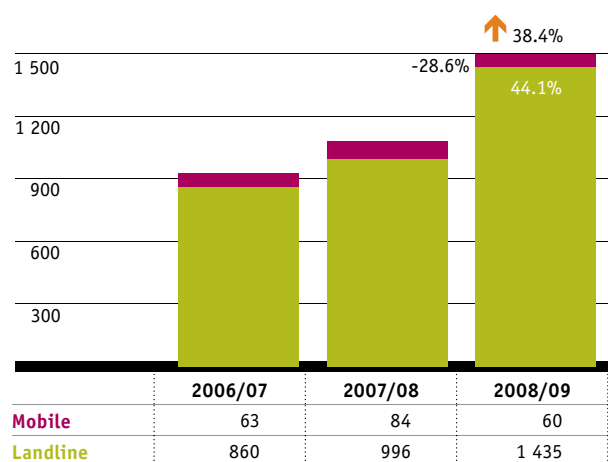
	2006/07		2007/08		2008/09	
Billing disputes	259	46.2%	377	41.6%	624	40.2%
Complaint handling	65	11.6%	119	13.1%	292	18.8%
Customer service	98	17.5%	131	14.5%	196	12.6%
Faulty phonecards	78	13.9%	159	17.5%	189	12.2%
Point of sale <i>includes complaints about pricing or other advertised terms being inaccurate, incomplete or out of date.</i>	61	10.9%	120	13.2%	251	16.2%
<b>Total</b>	<b>561</b>		<b>906</b>		<b>1 552</b>	

Table 14 Phonecard issues by category

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### DIRECTORIES



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*.

In 2008/09, directories complaint issues increased by 38.4% compared to 2007/08. However, directories represented just 0.3% of all TIO complaint issues.

Figure 19 Directories issues

	2006/07		2007/08		2008/09	
<i>White Pages</i> disputed charges	327	35.4%	398	36.9%	569	38.1%
<i>White Pages</i> error	305	33.0%	338	31.3%	449	30.0%
<i>Yellow Pages</i>	148	16.0%	200	18.5%	246	16.5%
<i>White Pages</i> omission	103	11.2%	92	8.5%	170	11.4%
Directory assistance incorrect number	13	1.4%	26	2.4%	30	2.0%
Directory assistance accessibility	20	2.2%	15	1.4%	17	1.1%
Directory assistance omission	7	0.8%	11	1.0%	14	0.9%
<b>Total</b>	<b>923</b>		<b>1 080</b>		<b>1 495</b>	

Table 15 Directory issues by category

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### LAND ACCESS

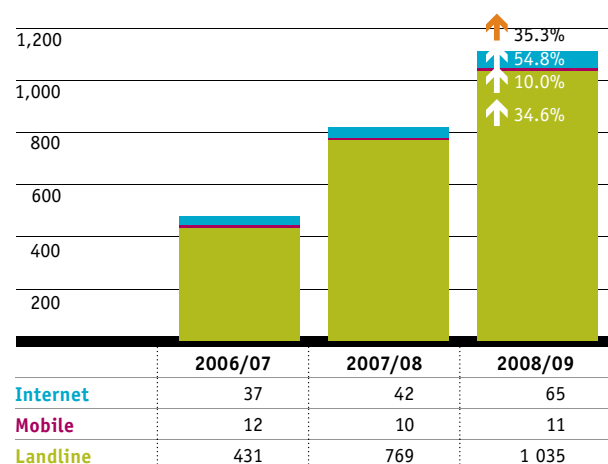


Figure 20 Land access issues

Carriers (which own or control telecommunications networks or infrastructure) have broad powers under the *Telecommunications Act 1997* (Cth) to access land for inspection, installation or maintenance of facilities. Carriers are entitled to install 'low impact' facilities without the consent of the owner or occupier of land, subject to limited requirements.

The Act places obligations on carriers exercising their right to access land and the *Telecommunications Code of Practice 1997* (Cth) requires 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 owner 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 the owner 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, objections to low-impact facilities are investigated at Level 4. In 2008/09, land access complaint issues increased by 35.3% compared to 2007/08.

	2006/07		2007/08		2008/09	
Damage by provider to property during the installation of low-impact facility	233	48.5%	448	54.6%	572	51.5%
Subscriber connection access method or restrictions relating to installation	39	8.1%	119	14.5%	196	17.6%
Damage caused by complainant to provider's cable or facility	97	20.2%	128	15.6%	176	15.8%
Failure to give notice before accessing land for the installation and or maintenance of low impact facility	39	8.1%	57	6.9%	81	7.3%
Objection to a provider's intention to enter land to install and or maintain low-impact facilities	64	13.3%	61	7.4%	71	6.4%
Premature objection prior to completion of consultation procedure provided by the code	8	1.7%	8	1.0%	15	1.4%
<b>Total</b>	<b>480</b>		<b>821</b>		<b>1 111</b>	

Table 16 Land access issues by category



## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### DISABILITY

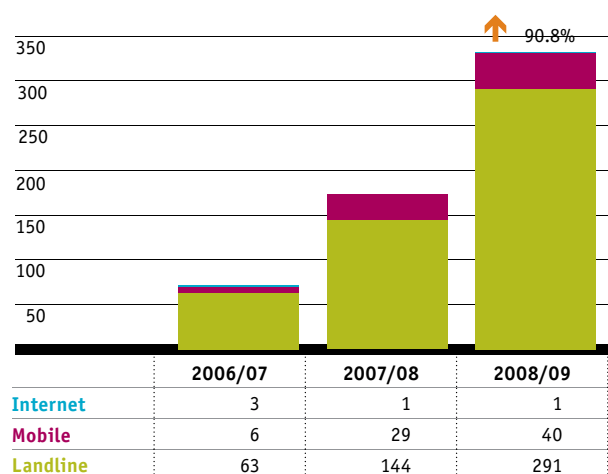


Figure 21 Disability issues

The TIO receives complaints from or on behalf of disadvantaged and vulnerable consumers. Consumer disadvantage and vulnerability can be a factor in various types of complaints.

Under the disability category, the TIO records 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.

In 2008/09, disability complaint issues increased by 90.8%. Overall, disability complaint issues represented 0.1% of all TIO complaint issues.

	2006/07		2007/08		2008/09	
Priority assistance connection delay	11	15.3%	32	18.4%	116	34.9%
Priority assistance fault rectification delay	26	36.1%	25	14.4%	106	31.9%
Disability Equipment inaccurate information, availability or billing	23	31.9%	77	44.3%	58	17.5%
Priority assistance notification of availability of Priority Assistance service	8	11.1%	20	11.5%	34	10.2%
Priority assistance rejection of application for Priority Assistance status	4	5.6%	20	11.5%	18	5.4%
<b>Total</b>	<b>72</b>		<b>174</b>		<b>332</b>	

Table 17 Disability issues by category

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### PAYPHONES

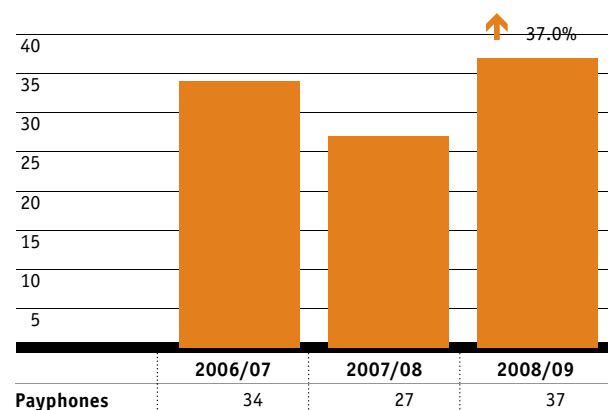


Figure 22 Payphone issues (landline only)

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 ACMA. All payphone complaint issues are recorded under the landline category.

	2006/07	2007/08	2008/09
Payphones faulty service or incorrect charges	34	27	37

Table 18 Payphone issues by category.

#### CASE STUDY:

### Contracts and intellectual disability

#### The complaint

Marjorie contacted us about a disputed mobile contract entered into by her husband, Bruce. Bruce had a medical condition which meant that his ability to understand the implications of entering into a mobile contract was limited. Marjorie said Bruce had been in the telephone company shop for several hours, where sales staff pressured him to enter into the contract, even though she had tried to persuade him to leave. She said the staff had asked her to sign the contract as well, but she had refused.

#### TIO response

We asked the provider to explain its point of view, including what it believed had happened at the point of sale. The provider said it did not understand why Marjorie had not intervened more assertively, as it did not think its sales staff would have persisted had they known of Bruce's condition.

#### The outcome

The provider agreed to cancel the contract without an early termination fee and to write off the outstanding debt. It said Bruce could return his handset or pay the remaining instalments for it. However, the handset had been destroyed in a car accident. We relayed this to the provider and established that in the circumstances, the company would not insist on the return of (or payment for) the handset.

Marjorie also asked whether she could receive a refund for some charges already paid. After further consideration it was agreed that the provider was entitled to keep these payments because there was no evidence it knew of Bruce's illness until it was approached by Marjorie through the TIO.

#### Lessons learnt

Providers should train their sales staff to be alert to anything that may suggest the customer does not understand what is happening and to ask appropriate questions of the customer, clarify information, or seek assistance from a supervisor if they have any doubt about whether the customer understood the nature and effect of any contract they entered into. Providers may be required to release a customer – such as where the customer has a special vulnerability or disadvantage – if the provider knew or ought to have known the customer did not understand what the contract was about, or unreasonably pressured the customer to enter the contract.

Family members, guardians and carers who assist people with intellectual disabilities or psychiatric illnesses should act quickly when they identify that something untoward may be happening. The sooner action is taken, the easier it will be to correct the situation.

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### WHAT IS A CODE?

A code is a statement of rules, procedures and principles developed by the telecommunications industry's peak representative body, Communications Alliance, as the benchmarks of industry best practice.

Some industry codes give guidance as to how the various carriage service providers should work together to provide telecommunications services to consumers. Other codes focus on the relationship between customers and their service providers. These code types are respectively referred to as 'Operational Codes' and 'Consumer Codes'.

For a code to be recognised by the TIO, the ACMA must have formally registered it. It is not necessary for a TIO member to have become an official signatory of a particular code for a code issue to be raised against them during a TIO investigation.

### HOW DO WE USE CODES?

The TIO uses the rules, principles and guidelines contained within the industry codes to:

- evaluate consumer complaints
- critically assess the evidence supplied during an investigation
- measure the fairness and reasonableness of proposed outcomes
- explain the reasons behind our decisions
- educate members as to their obligations
- keep regulatory bodies and other concerned parties informed as to the performance of the industry against the standards which have been set in place.

### What codes do we use?

We investigate and report against these industry codes:

<b>Telecommunications Consumer Protections (TCP) Code</b>	An amalgamation of what used to be six separate consumer codes, with chapters addressing billing, pricing, terms and conditions, contracts, transfers, credit management and complaint handling
<b>Priority Assistance for Life Threatening Medical Conditions Code</b>	An operational code aiming to ensure that persons with life threatening medical conditions have constant and unrestricted access to fixed line telephone services
<b>Handling of Life Threatening and Unwelcome Calls Code</b>	An operational code specifying the processes which must be followed by a carriage service provider where their customer is making or receiving life threatening or unwelcome phone calls, e-mails or text messages.
<b>Mobile Number Portability Code</b>	An operational code which guides the successful transfer of mobile telephone numbers between different carriage service providers
<b>Local Number Portability Code</b>	An operational code that provides for the quarantine and release of disconnected landline service numbers, and the transfer of those landline numbers between different telecommunications networks
<b>Connect Outstanding Code</b>	An operational code outlining the appropriate course of action where a customer cannot connect a landline service at their new home because the old tenant did not disconnect before leaving
<b>Calling Number Display Code</b>	A consumer code concerning the minimum standards for calling number display services, and the use of calling line identification information
<b>Pre-Selection Code</b>	An operational code which specifies the process by which a customer's long distance billing can be made separate from their local call billing

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### HOW DO WE CAPTURE CODE DATA?

The TIO captures code data while it performs its primary function, that is, the investigation and resolution of individual consumer complaints. We capture code data in two ways:

1. When a TIO officer logs a complaint they do so using a set of pre-approved complaint descriptors, or keywords. The selection of specific combinations of these keywords will cause code-related questions to 'pop-up', and the TIO officer's answers (based on the information provided by the complainant) to those questions will determine whether a 'possible code issue' will be automatically populated into our complaint handling database. This process of capturing possible code data is applied at levels 1 and 2.
2. When a complaint is escalated for formal investigation at level 3 or 4, a TIO officer will write to the member regarding the possible code issues that may be relevant to the complaint, and will invite that member to demonstrate with evidence whether they have complied with the particular code provisions. When the investigation is complete, the TIO officer will assess all available evidence to determine whether a breach of the code has occurred. If yes, a 'confirmed code breach' will be recorded. The TIO does not record any possible code issues at levels 3 and 4.

### WHAT DO WE DO WITH CODE DATA?

At the end of each month, quarter and financial year, we send our code data to stakeholders including the ACMA, ACCC and Communications Alliance. We also provide company-specific code data to a number of our members, so that they may use this information to improve their internal complaint handling processes.

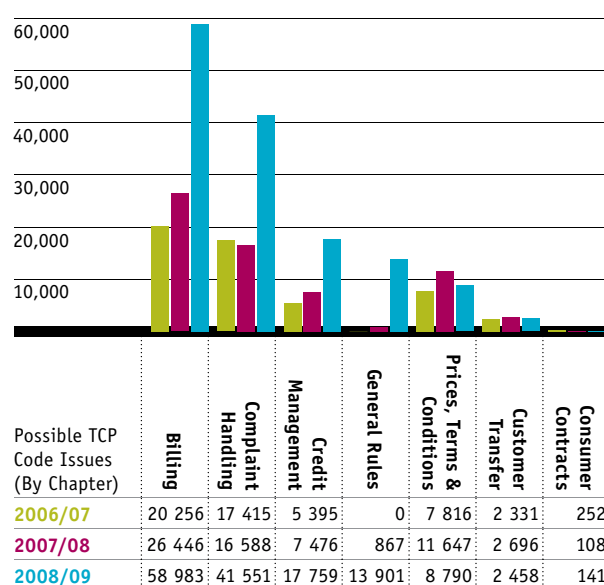


Figure 23 Possible TCP code issues (by chapter)

Note: 'General Rules' includes the use of plain language, quality of information, access to information, complying with the law and dealing appropriately with customers.

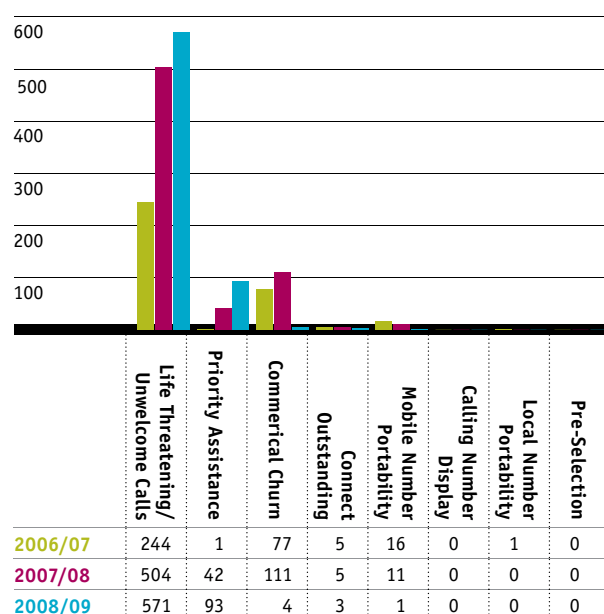


Figure 24 Other possible code issues

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

Code Name	2006/07	2007/08	2008/09
Billing (ACIF and TCP)	20 256	26 446	58 983
Complaint Handling (ACIF and TCP)	17 415	16 588	41 551
Credit Management (ACIF and TCP)	5 395	7 476	17 759
General Rules (TCP Only)		867	13 901
Prices, Terms & Conditions (ACIF and TCP)	7 816	11 647	8 790
Customer Transfer (ACIF and TCP)	2 331	2 696	2 458
Life Threatening/Unwelcome Calls	244	504	571
Consumer Contracts (ACIF and TCP)	252	108	141
Priority Assistance	1	42	93
Commercial Churn	77	111	4
Connect Outstanding	5	5	3
Mobile Number Portability	16	11	1
Calling Number Display			
Local Number Portability	1		
Pre-Selection			
<b>TOTAL</b>	<b>53 809</b>	<b>66 501</b>	<b>144 255</b>

Table 19 Possible code issues by category

Code Name	2006/07	2007/08	2008/09
Complaint Handling (ACIF and TCP)	100	109	1 211
Billing (ACIF and TCP)	97	96	470
Credit Management (ACIF and TCP)	40	80	438
Prices, Terms & Conditions (ACIF and TCP)	47	90	192
General Rules (TCP Only)			114
Customer Transfer (ACIF and TCP)	42	22	68
Priority Assistance	1		13
Connect Outstanding	1		12
Consumer Contracts (ACIF and TCP)	17	15	7
Life Threatening/Unwelcome Calls		1	5
Calling Number Display			2
Mobile Number Portability	2	1	2
Local Number Portability			2
Pre-Selection			1
Commercial Churn	1		
<b>TOTAL</b>	<b>348</b>	<b>414</b>	<b>2 537</b>

Table 20 Confirmed code breaches by category

During the 2008/09 year, we completed some investigations for which the relevant codes have now been de-registered by the ACMA. Accordingly, this annual report contains some information pertaining to the following codes:

- *Commercial Churn Code*
- *ACIF Billing Code*
- *ACIF Credit Management Code*
- *ACIF Complaint Handling Code*
- *ACIF Consumer Contracts Code*
- *ACIF Customer Transfer Code*
- *ACIF Prices, Terms and Conditions Code.*

Telecommunications Consumer Protections Code chapters and their deregistered ACIF Code equivalents have been combined in the above tables.



## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### MOBILE PREMIUM SERVICES

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 generally provided by a separate content provider.

Mobile premium services operate on their own number ranges and typically start with the following prefixes: 191, 193, 194, 195, 196, 197 or 199. Services that operate on these ranges are regulated under rules devised by ACMA, set out in the *Telecommunications Service Provider (Mobile Premium Services) Determination 2005 (No.1)* (Cth).

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 of complaints about mobile premium services.

#### The Mobile Premium Services Industry Scheme (MPSI Scheme)

The TIO, as the nominated escalated complaints handling body under the MPSI scheme, began recording mobile premium services complaints on 1 December 2006. As the TIO's power to investigate MPSI complaints comes from the MPSI scheme rather than the TIO scheme, we record and report on MPSI complaints separately to other types of complaints. This financial year is the second and final full year of the MPSI scheme it was replaced on 1 July 2009 by the new *Mobile Premium Services Code*, an industry code issued by Communications Alliance.

#### MPSI complaints and complaint issues

This year, complaints recorded under the MPSI scheme increased by 12.6% compared to 2007/08. Complaint issues under the MPSI scheme increased by 28.7%.

	Complaints	Complaint issues
2008/09	15 653	28 809
2007/08	13 899	22 391
2006/07 (1 December 2006 to 30 June 2007)	7 086	10 083

Table 21 MPSI scheme, complaints and complaint issues

#### Categories of MPSI complaint issues

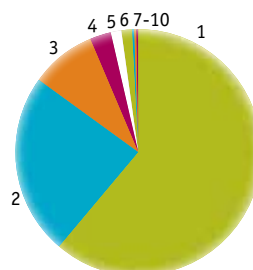
This year, 61.3% of MPSI complaint issues (68.4% in 2007/08) were about disputed usage charges. These included claims by consumers that:

- the disputed usage charges were incurred for services not requested
- opt-out requests were either not followed up or refused
- the disputed charges related to services for which prices, terms and conditions were not disclosed.

There were several reasons for claims by consumers that they were charged for mobile premium 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 total 32.6% of MPSI complaint issues in 2008/09 (25.6% in 2007/08) were about claims of poor customer service or complaint handling. These included claims by consumers that service providers:

- failed to assist consumers to resolve their complaints
- failed to refer them to the TIO
- were unable to be contacted.



Issue Type	No of Issues
1 Disputed Usage Charges	17 661
2 Complaint Handling	6 832
3 Customer Service	2 552
4 Information / Advertising	803
5 Credit Management	378
6 Refund / Credit	363
7 Access to Content	89
8 Other	83
9 Disputed Admin Charges	37
10 Contracts	11
Total	28 809

Figure 25 MPSI complaint issues

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

	2006/07	2007/08	2008/09
<b>Disputed usage charges (total)</b>	<b>7 482</b>	<b>15 293</b>	<b>17 661</b>
Disputed usage charges (service not requested)	6 040	12 325	13 626
Disputed usage charges (opt-out not actioned)	919	1 585	1 965
Disputed usage charges (prices, terms and conditions not disclosed)	198	1 054	1 710
Dispute usages charges others	325	329	360
<b>Complaint handling (total)</b>	<b>1 664</b>	<b>3 942</b>	<b>6 832</b>
Complaint handling (failure to assist)	244	2 660	5 901
Complaint handling (failure to refer to the TIO)	1 143	1 054	607
Complaint handling (others)	277	228	324
<b>Customer service (total)</b>	<b>112</b>	<b>1 793</b>	<b>2 552</b>
Customer service (unable to contact)	98	1 648	2 274
Customer service (discourtesy)	14	145	278
<b>Information/advertising</b>	<b>382</b>	<b>479</b>	<b>803</b>
<b>Refund/credit</b>	<b>270</b>	<b>435</b>	<b>363</b>
<b>Credit management</b>	<b>93</b>	<b>261</b>	<b>378</b>
<b>Others</b> <i>include complaints about alleged breaches of privacy, disputes about administration charges and access to prohibited content, contracts</i>	<b>80</b>	<b>188</b>	<b>220</b>
<b>Total complaint issues</b>	<b>10 083</b>	<b>22 391</b>	<b>28 809</b>

Table 22 MPSI complaint issues by category

The data for the MPSI Scheme during 2006/07 starts in December 2006)

### MPSI Scheme Possible Issues and Confirmed Breaches

The TIO recorded a total of 22 283 issues against specific clauses of the MPSI Scheme in 2008/09. This represents a 29.5 per cent increase on the number we recorded last year.

MPSI Scheme	2007/08	2008/09
Possible issues	17 180	22 192
Confirmed breaches	24	91
<b>Total</b>	<b>17 204</b>	<b>22 283</b>

Table 23 Possible and confirmed MPSI code breaches

Of the 22 283 MPSI Scheme issues recorded, 91 were assessed at Level 3 or Level 4 and confirmed as actual breaches of the MPSI Scheme. The TIO did not formally investigate the remaining 22 192 MPSI Scheme possible issues as these related to Level 1 and Level 2 complaints.

The MPSI Scheme clauses most frequently identified in 2008/09 as giving rise to possible issues are Clauses 5.3.1 and 5.3.2. These clauses pertain to the provision and billing of mobile premium services where the consumer claims that they did not request these services. The TIO recorded 11 684 possible issues against these clauses in 2008/09, 29 of which were confirmed as breaches following formal investigation.

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### IMPORTANT NOTE RELATING TO HUTCHISON 3G AUSTRALIA PTY LTD

In the TIO's 2008 *Annual Report* we incorrectly published a case study relating to Hutchison 3G Australia Pty Ltd about 'non-application of bonus credits on pre-paid mobile services'. As we did not formally investigate this complaint under our systemic procedure, the issue should not have been included in the case studies presented.

### OUR POWERS TO INVESTIGATE SYSTEMIC ISSUES

Our constitution provides special powers to investigate complaints that are systemic in nature. Clause 5A of the *TIO Constitution* defines a systemic problem as:

'... a problem with or the failure of a system, process or practice of a member that causes detriment (that is not trivial) to a significant number or a class of end-users of a carriage service and which arises from a complaint that is within the jurisdiction of the TIO...'

During 2008/09 we did not raise any formal systemic investigations. However, a number of potential systemic problems were raised and resolved with members.

The case studies below are examples of issues we looked into during 2008/09.

#### Back billing of charges

We were made aware of an issue where a number of consumers were being billed for charges and line rental which were incurred more than 190 days before the bills were issued. Under the *Telecommunications Consumer Protections Code* providers must not bill for charges older than 190 days. Where charges are billed over 190 days, we expect that the provider will waive them.

The TIO raised a concern over this billing practice with the provider and was told that the delayed charges were caused by processing problems relating to its call detail records. We were informed that a manual processing problem caused the delay in the charges. The provider said that in order to resolve the issue it had changed its billing process from manual to automatic. Further, the provider agreed to waive any charges billed over 190 days. The TIO also asked the provider to consider any financial hardship issues associated with any charges billed close to 190 days and the provider agreed to do this on a case-by-case basis.

We closed the potential systemic problem when we were satisfied that there were no further incidences of back billing and were satisfied that the member had adequately resolved the issue. We also recorded a breach by the member under the back billing provision in the *Telecommunications Consumer Protections Code*.

### Advice at the point of sale about early termination fees

We received a number of complaints from consumers approached by a sales company which was acting on behalf of a telecommunications provider (the Telco). The TIO was informed that the sales company was telling consumers that if they transferred their service to the Telco, it would pay any early termination fees they incurred from their previous service provider.

The TIO was made aware of a dispute between the Telco and the sales company acting on its behalf, which resulted in the Telco not immediately paying the early termination fees it had promised to pay. As a result of this dispute and the associated delays, various service providers had begun taking credit management action against the customers who had transferred their services to the Telco.

In cases like these, the TIO's position is that a telecommunications provider is responsible for any representations made by sales companies acting on its behalf. The TIO explained this position to the Telco, and after some discussions it agreed to pay all of its customer's outstanding early termination fees. The Telco also agreed to allow consumers to terminate their contract without financial penalty, due to the advice they received when they initially agreed to transfer their service to the Telco.

### Withdrawal of a rate plan feature

A potential systemic problem was brought to our attention when a consumer complained about a provider suddenly withdrawing a specific call plan feature because they had exceeded the threshold of a fair use policy. The consumer claimed that they were given little warning of the provider's decision to withdraw the call plan which resulted in the consumer getting a significantly higher bill.

The provider argued that it was able to change a plan due to its fair use policy but the consumer argued that they were not aware of this policy and in addition were not warned of the rate plan feature being withdrawn prior to it being withdrawn. The TIO raised a number of concerns with the provider about how it advertised the fair use policy to its customers as well as issues relating to procedures for withdrawing the call plan feature. The provider agreed to make some changes to its policy, including putting in place a notification process which involved sending out warning letters to customers as well as educating its customers about the rate plan feature and including details of the plan's threshold in its terms and conditions.

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### MEMBER COMPLAINT STATISTICS

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

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

#### 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 complaints. 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 these complaints were resolved. This gives 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.

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### COMPLAINTS AGAINST TIO MEMBERS BY LEVEL - LANDLINE, MOBILE AND INTERNET

1 July 2008 - 30 June 2009 (Includes members that received 25 or more complaints logged for the financial year)

		Level 1	Level 2	Level 3	Level 4
1800Mumdad Pty Ltd (t)	28	28	0	0	0
AAPT Ltd (t&i) (c)	5 164	4 795	292	70	7
ACN Pacific Pty Ltd (t & i)	272	245	25	2	0
ACTew Retail Ltd & AGL ACT Retail Investments Pty Ltd (i)	36	31	5	0	0
Adam Pty Ltd (i)	211	204	6	1	0
Allegro Networks Pty Ltd (i) (c)	42	30	7	5	0
Amcom Telecommunications Limited (i) (c)	33	31	2	0	0
Askom Pty Ltd (t & i)	133	117	13	3	0
Astron Communication and Information Services Pty Ltd (t)	144	142	2	0	0
AUSTAR United Mobility Pty Ltd (t)	35	33	2	0	0
Australia Internet Solutions Pty Ltd (i)	310	277	21	10	2
Australia Star Communications (t & i)	160	135	18	7	0
Australian Cable & Wireless Pty Ltd (t)	41	31	6	4	0
Australian Private Networks Pty Ltd (t & i) (c)	242	222	13	7	0
Australian Telecommunications Pty Ltd (t)	44	34	7	3	0
Axis Telecoms Pty Ltd (t)	57	40	7	9	1
Bell Networks Voice & Data Pty Ltd (t)	120	100	12	8	0
BEST Internet and Telecom Pty Ltd (t & i) (c)	187	151	25	10	1
Better Telecom Pty Ltd (t & i)	44	41	3	0	0
Bharti Telecom Pty Ltd (t)	87	68	12	6	1
Blitz Telecom Operations Pty Ltd (t & i)	89	89	0	0	0
Bluemaxx Communications Pty Ltd (i) (c)	123	106	13	4	0
BroadbandNet Pty Ltd (i) (c)	29	22	2	4	1
Bytecard Pty Ltd (i)	36	29	5	2	0
CardCall Pty Ltd (t & i)	464	428	24	11	1
Chariot Ltd (i) (c)	187	170	13	4	0
Chilli Internet Solutions Pty Ltd (i)	29	25	2	2	0
Cirrus Communications Pty Ltd (i) (c)	100	93	5	1	1
Clarus Telecom Pty Ltd (t & i)	40	39	1	0	0
Clear Networks Pty Ltd (t & i) (c)	126	103	15	8	0
Clear Telecoms (Aust) Pty Ltd (t & i)	660	569	56	32	3
Commander Australia Pty Ltd (t&i)	239	195	33	10	1
CommodiTel (Australia) Pty Ltd (t)	32	32	0	0	0
Conceptual Internet Australia Pty Ltd (i)	59	50	6	3	0
CyberOne Pty Ltd (i)	50	46	4	0	0
Dodo Australia Pty Ltd (i)	4 150	3 949	172	29	0
Ecomtel Pty Ltd (t & i)	30	23	2	3	2
Edirect Pty Ltd (t)	614	581	30	3	0
EFTel Pty Ltd (t & i)	665	570	59	36	0
E-Talk Communications Pty Ltd (t & i)	50	45	4	1	0
Excite Mobile Pty Ltd (t)	48	45	2	1	0
Exetel Pty Ltd (i)	316	309	7	0	0
Forteconnect Pty Ltd (t)	343	334	8	1	0
Global Card Services Pty Ltd (t)	25	23	1	1	0
GoBush Broadband Pty Ltd (i)	96	91	3	2	0
G0talk Australia Pty Ltd (t)	2 939	2 637	217	80	5
HarbourIT Pty Ltd (i)	90	84	5	1	0
Hi Tech Telecom Pty Ltd (t)	85	77	7	1	0
Hotkey Internet Services Pty Ltd (i)	27	26	1	0	0
Hutchison 3G Australia Pty Ltd (o)	13 876	12 769	944	162	1
iiNet Ltd (i)	1 315	1 202	83	27	3
Imagine Global Pty Ltd (t & i)	46	42	3	1	0
Internode Systems Pty Ltd (i)	305	284	17	4	0
IntraPower Terrestrial Pty Ltd (i)	26	17	4	3	2
Komtel Pty Ltd (t & i)	96	85	6	3	2
L.I.S.P Pty Ltd (Local Internet Service Provider) (i)	196	174	10	9	3
Lime Australia Pty Ltd (t & i)	28	23	3	2	0
Lime Telecom Pty Ltd (t)	49	31	12	6	0

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

		Level 1	Level 2	Level 3	Level 4
M2 Telecommunications Pty Ltd (t)	69	62	6	1	0
m8 Telecom Pty Ltd (o)	573	488	78	7	0
Macquarie Telecom Group Limited (t)	23	20	1	1	1
McKay, Jason Kenneth (i)	180	178	1	1	0
Mibroadband Pty Ltd (t) (c)	153	144	7	2	0
Mobileworld Operating Pty Ltd (t)	690	638	47	5	0
Motion Telecom Pty Ltd (t)	115	79	18	15	3
My Net Fone Pty Ltd (t & i)	51	43	7	1	0
NationTel Pty Ltd (t)	77	77	0	0	0
NC Cable Pty Ltd (t & i)	36	33	3	0	0
Netspace Online Systems Pty Ltd (i)	534	487	40	7	0
Network Company Australia Pty Ltd (t & i)	74	58	9	6	1
Next Business Telecommunications Pty Ltd (t & i)	34	28	4	2	0
Ocean Broadband Ltd (i) (c)	78	63	10	4	1
OneWorld Telecom Pty Ltd (t & i)	57	44	7	4	2
Optus Broadband Pty Ltd (i)	5 561	5 188	352	21	0
Optus Mobile Pty Ltd (t) (c)	16 926	15 640	1 169	114	3
Optus Networks Pty Ltd (t) (c)	8 723	8 042	569	106	6
Orion Satellite Investments Pty Ltd (t & i)	28	24	3	1	0
PacNet Internet (A) Pty Ltd (i)	106	92	7	7	0
People Telecommunications Ltd (t)	1 699	1 625	60	14	0
Pivotel Satellite Pty Limited (t)	28	26	2	0	0
Primus Online Pty Ltd (t & i)	64	54	7	3	0
Primus Telecommunications Pty Ltd (t & i) (c)	3 753	3 200	395	150	8
Pulse Telecom Pty Ltd (t)	70	65	4	1	0
Reward Mobile Pty Limited (t)	132	118	12	2	0
Saunders Properties Pty Ltd (i)	44	33	8	3	0
Savvy Telecommunications Pty Ltd (t)	259	246	11	2	0
SIMplus Mobile Pty Limited (t)	1 053	876	152	25	0
SkyMesh Pty Ltd (i)	65	62	2	1	0
Soul Communications Pty Ltd (t & i)	9 244	7 950	986	295	13
Southern Cross Telco Ltd (t & i)	102	93	7	2	0
Southern Phone Company (t)	150	140	7	3	0
Spin Internet Services Pty Ltd (i)	122	110	10	2	0
Sprint Telecommunication Pty Ltd (t & i)	83	79	3	1	0
Startel Communications Pty Ltd (o)	167	142	18	7	0
Technical Aid to the Disabled Inc (i)	122	105	10	5	2
Tel.Pacific Pty Ltd (t & i)	176	162	11	3	0
Telco Blue Pty Ltd (t)	390	353	24	13	0
Telfin Pty Ltd (t)	60	39	11	7	3
Telstra Big Pond (i)	22 848	20 925	1 647	256	20
Telstra Corporation (t) (c)	80 983	70 949	7 426	2 275	333
Thomas Ford Trading Pty Ltd (t)	47	37	5	4	1
Time Telecom Pty Ltd (t)	41	40	1	0	0
TPG Internet Pty Ltd (i)	3 622	3 333	226	63	0
TransACT Capital Communications (t&i) (c)	225	200	17	6	2
Trinity Telecom Pty Ltd (t & i)	61	57	4	0	0
Unwired Australia Pty Ltd (t & i) (c)	139	127	9	3	0
Virgin Mobile (Australia) Pty Ltd (t & i)	7 934	7 125	732	76	1
Vodafone Australia Limited (t) (c)	9 459	9 009	396	52	2
Westnet Pty Ltd ( t & i)	204	198	5	1	0
Your Telecom Pty Limited (t)	40	37	3	0	0

(t) = telephone service provider

(i) = internet service provider

(o) = other

( c ) = holds carrier licence



## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### COMPLAINTS AGAINST TIO MEMBERS BY ISSUE - LANDLINE, MOBILE, INTERNET (NON-STANDARDISED)

1 July 2008 - 30 June 2009 (Includes members that received 25 or more complaints logged for the financial year)

	Landline											
	Total Issues	Billing and Payments	Credit Management	Complaint Handling	Customer Transfer	Customer Service	Contracts	Faults	Privacy	Provisioning	Other*	Total Landline
1800Mumdad Pty Ltd (t)	37	0	0	0	0	0	0	0	0	0	0	0
AAPT Ltd (t&i) (c)	10 094	1 950	929	855	146	1 209	332	714	54	358	76	6 623
ACN Pacific Pty Ltd (t & i)	568	58	28	33	7	23	16	27	2	4	4	202
ACTew Retail Ltd & AGL ACT Retail Investments Pty Ltd (i)	6	7 0	0	0	0	0	0	0	0	0	0	0
Adam Pty Ltd (i)	391	14	0	8	0	13	2	29	0	11	1	78
Allegro Networks Pty Ltd (i) (c)	104	2	0	4	0	9	5	2	0	3	0	25
Amcom Telecommunications Limited (i) (c)	53	0	0	0	0	2	0	0	0	0	0	2
Askom Pty Ltd (t & i)	320	59	5	23	66	60	74	3	1	0	0	291
Astron Communication and Information Services Pty Ltd (t)	297	74	23	17	34	43	48	11	16	0	0	266
AUSTAR United Mobility Pty Ltd (t)	62	0	0	0	0	0	0	0	0	0	0	0
Australia Internet Solutions Pty Ltd (i)	555	3	0	6	3	0	0	1	0	6	0	19
Australia Star Communications (t & i)	308	45	13	12	6	22	21	12	0	2	0	133
Australian Cable & Wireless Pty Ltd (t)	92	12	0	9	0	10	6	19	0	0	0	56
Australian Private Networks Pty Ltd (t & i) (c)	469	3	1	7	1	18	1	18	0	1	0	50
Australian Telecommunications Pty Ltd (t)	80	10	0	6	7	4	8	5	0	2	0	42
Axis Telecoms Pty Ltd (t)	125	15	0	20	2	20	34	15	0	0	0	106
Bell Networks Voice & Data Pty Ltd (t)	290	33	4	7	19	11	21	7	1	4	0	107
BEST Internet and Telecom Pty Ltd (t & i) (c)	427	103	50	35	108	58	52	1	2	7	0	416
Better Telecom Pty Ltd (t & i)	78	18	4	4	14	7	19	7	2	0	0	75
Bharti Telecom Pty Ltd (t)	183	43	19	9	73	28	8	0	0	2	1	183
Blitz Telecom Operations Pty Ltd (t & i)	184	8	1	3	1	11	0	9	0	1	0	34
Bluemaxx Communications Pty Ltd (i) (c)	274	3	0	6	0	7	0	7	0	0	0	23
BroadbandNet Pty Ltd (i) (c)	54	0	0	0	0	0	0	0	0	0	0	0
Bytecard Pty Ltd (i)	79	2	0	2	0	0	0	0	0	0	0	4
CardCall Pty Ltd (t & i)	791	0	0	0	0	0	0	0	0	0	791	791
Chariot Ltd (i) (c)	40	3 0	0	0	0	0	0	0	0	0	0	0
Chilli Internet Solutions Pty Ltd (i)	52	0	0	0	0	0	0	0	0	0	0	0
Cirrus Communications Pty Ltd (i) (c)	186	0	0	4	0	0	0	5	0	2	0	11
Clarus Telecom Pty Ltd (t & i)	65	13	0	0	12	7	13	7	10	0	0	62
Clear Networks Pty Ltd (t & i) (c)	256	4	0	0	0	3	0	7	0	0	0	14
Clear Telecoms (Aust) Pty Ltd (t & i)	1 360	290	34	134	72	165	289	136	5	20	2	1 147
Commander Australia Pty Ltd (t&i)	491	119	38	35	10	41	81	30	0	7	3	364
CommodiTel (Australia) Pty Ltd (t)	49	0	0	0	0	0	0	0	0	0	0	0
Conceptual Internet Australia Pty Ltd (i)	131	0	0	1	1	3	0	14	0	5	0	24
CyberOne Pty Ltd (i)	105	2	0	4	0	0	1	1	0	4	0	12
Dodo Australia Pty Ltd (i)	8 957	779	146	306	110	450	357	208	36	244	10	2 646
Ecomtel Pty Ltd (t & i)	70	5	1	6	2	3	0	0	0	1	0	18
Edirect Pty Ltd (t)	1 382	0	0	0	0	0	0	0	0	0	0	0
EFTel Pty Ltd (t & i)	1 414	126	33	84	127	60	49	22	10	7	3	521
E-Talk Communications Pty Ltd (t & i)	94	3	3	3	1	4	3	0	0	9	0	26
Excite Mobile Pty Ltd (t)	98	0	0	0	0	0	0	0	0	0	0	0
Exetel Pty Ltd (i)	620	17	2	11	8	30	6	53	0	6	0	133
Forteconnect Pty Ltd (t)	673	8	26	11	3	283	18	297	0	1	0	647
Global Card Services Pty Ltd (t)	42	0	0	0	0	0	0	0	0	0	42	42
GoBush Broadband Pty Ltd (i)	173	0	0	0	0	0	0	0	0	0	0	0
G0talk Australia Pty Ltd (t)	6 597	1 069	148	612	284	670	477	418	22	135	90	3 925
HarbourIT Pty Ltd (i)	156	0	0	0	0	0	0	0	0	0	0	0
Hi Tech Telecom Pty Ltd (t)	160	23	0	15	0	19	9	25	0	0	2	93
Hotkey Internet Services Pty Ltd (i)	42	0	0	0	0	0	0	0	0	0	0	0
Hutchison 3G Australia Pty Ltd (o)	27 266	0	0	0	0	0	0	0	0	0	0	0
iiNet Ltd (i)	2 647	140	15	156	53	164	48	308	13	142	19	1 058
Imagine Global Pty Ltd (t & i)	101	39	4	14	18	12	11	2	0	1	0	101
Internode Systems Pty Ltd (i)	549	5	2	6	4	8	0	17	0	6	1	49
IntraPower Terrestrial Pty Ltd (i)	56	19	12	5	5	6	0	1	0	0	0	48
Komtel Pty Ltd (t & i)	201	35	2	19	9	52	30	45	0	3	0	195

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

\*Other includes directories, disability, land access, payphones, phonecard

^Other includes directories, disability, land access, provisioning

#Other includes land access and customer transfer

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

Mobile										Internet									
Billing and Payments	Contracts	Credit Management	Customer Service	Complaint Handling	Faults	Customer Transfer	Privacy	Other^	Total Mobile	Billing and Payment	Contracts	Credit Management	Customer Service	Complaint Handling	Faults	Privacy	Provisioning	Other	Total Internet
23	1	0	10	1	0	0	2	0	37	0	0	0	0	0	0	0	0	0	0
216	107	133	137	103	44	26	9	14	789	624	283	204	586	350	414	17	124	80	2 682
63	75	29	56	23	39	1	4	5	295	13	28	4	7	0	18	0	1	0	71
0	0	0	0	0	0	0	0	0	0	14	12	3	11	7	19	1	0	0	6
0	0	0	0	0	0	0	0	0	0	51	21	5	54	42	92	0	42	6	313
0	0	0	0	0	0	0	0	0	0	19	7	0	23	14	12	0	4	0	79
0	0	0	0	0	0	0	0	0	0	14	5	0	8	10	11	0	0	3	51
0	0	0	0	0	0	0	0	0	0	10	5	0	7	6	0	0	0	1	29
0	1	1	0	0	0	1	0	0	3	8	3	1	5	4	2	0	5	0	28
21	17	4	7	5	7	0	0	1	62	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	137	63	46	96	106	64	0	15	9	536
49	36	16	20	16	2	1	1	0	141	12	6	2	6	3	3	0	0	2	34
1	2	4	8	5	15	1	0	0	36	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	53	16	12	99	65	161	0	8	5	419
3	5	0	3	3	0	0	0	0	14	3	5	3	6	1	5	0	1	0	24
7	2	1	1	4	0	0	0	0	15	0	1	0	0	0	3	0	0	0	4
32	83	4	20	27	12	4	0	1	183	0	0	0	0	0	0	0	0	0	0
1	0	0	1	0	0	0	0	0	2	5	3	0	0	1	0	0	0	0	9
0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	2	0	0	0	3
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1	0	1	2	0	1	1	0	0	6	24	7	6	62	4	41	0	0	0	144
0	0	0	0	0	0	0	0	0	0	26	30	0	45	60	90	0	0	0	251
0	0	0	0	0	0	0	0	0	0	2	1	0	7	9	33	0	2	0	54
0	0	0	0	0	0	0	0	0	0	16	1	6	17	15	19	0	1	0	75
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	94	65	18	87	61	65	5	6	2	40
0	0	0	0	0	0	0	0	0	0	14	14	1	8	7	8	0	0	0	52
0	0	0	0	0	0	0	0	0	0	15	11	2	38	23	85	0	0	1	175
0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	2	0	0	0	3
0	0	0	0	0	0	0	0	0	0	35	25	7	35	47	92	0	0	1	242
54	38	10	28	20	23	0	2	3	178	8	6	3	3	6	9	0	0	0	35
17	26	8	12	12	6	2	0	0	83	14	5	10	4	6	5	0	0	0	44
8	6	4	16	8	1	4	0	2	49	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	26	12	1	25	19	14	3	4	3	107
0	0	0	0	0	0	0	0	0	0	26	14	3	17	10	20	0	0	3	93
377	254	93	227	161	86	33	10	19	1 260	1 301	834	254	893	598	844	27	253	47	5 051
0	0	0	0	0	0	0	0	0	0	19	6	0	11	6	9	0	1	0	52
375	272	154	323	136	67	11	19	25	1 382	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	294	139	24	200	109	100	0	14	13	893
0	0	0	0	0	0	0	0	0	0	14	17	6	13	1	17	0	0	0	68
15	36	5	18	6	0	0	11	7	98	0	0	0	0	0	0	0	0	0	0
0	0	0	2	1	1	0	0	0	4	72	33	9	131	62	135	3	23	15	483
2	2	2	8	0	12	0	0	0	26	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	14	4	2	68	6	79	0	0	0	173
86	38	13	66	63	25	15	3	5	314	552	311	64	391	380	390	2	157	111	2 358
0	0	0	0	0	0	0	0	0	0	26	28	4	27	13	55	0	3	0	156
4	1	0	7	7	5	4	0	4	32	5	5	0	7	4	14	0	0	0	35
0	0	0	0	0	0	0	0	0	0	8	5	1	11	2	14	0	1	0	42
4 822	3 522	1 867	3 969	2 663	4 516	162	242	102	21 865	1 436	888	654	760	658	961	11	32	1	5 401
0	0	0	0	0	0	0	0	0	0	280	144	42	282	255	401	1	153	31	1 589
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	82	48	8	77	56	157	2	60	10	500
1	1	1	0	0	0	0	0	0	3	3	1	1	0	0	0	0	0	0	5
1	0	0	2	0	2	1	0	0	6	0	0	0	0	0	0	0	0	0	0

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

## COMPLAINTS AGAINST TIO MEMBERS BY ISSUE - LANDLINE, MOBILE, INTERNET (NON-STANDARDISED) CONTINUED

1 July 2008 - 30 June 2009 (Includes members that received 25 or more complaints logged for the financial year)

	Landline											
	Total Issues	Billing and Payments	Credit Management	Complaint Handling	Customer Transfer	Customer Service	Contracts	Faults	Privacy	Provisioning	Other*	Total Landline
L.I.S.P Pty Ltd (Local Internet Service Provider) (i)	382	0	0	0	0	0	0	0	0	0	0	0
Lime Australia Pty Ltd (t & i)	65	0	0	0	0	0	0	0	0	0	0	0
Lime Telecom Pty Ltd (t)	92	0	0	0	0	0	0	0	0	0	92	92
M2 Telecommunications Pty Ltd (t)	129	7	1	4	4	6	2	8	0	6	0	38
m8 Telecom Pty Ltd (o)	1 241	14	12	17	0	2	7	2	1	0	0	55
Macquarie Telecom Group Limited (t)	39	6	0	3	0	1	10	0	0	3	0	23
McKay, Jason Kenneth (i)	660	0	0	0	0	0	0	0	0	0	0	0
Mibroadband Pty Ltd (t) (c)	295	53	3	29	7	30	28	44	2	6	0	202
Mobileworld Operating Pty Ltd (t)	1 361	0	0	0	0	0	0	0	0	0	0	0
Motion Telecom Pty Ltd (t)	241	62	9	44	42	23	37	8	1	0	4	230
My Net Fone Pty Ltd (t & i)	85	18	0	7	3	18	20	16	0	0	3	85
NationTel Pty Ltd (t)	154	9	6	18	0	64	5	52	0	0	0	154
NC Cable Pty Ltd (t & i)	60	3	1	1	0	9	2	3	2	1	2	24
Netspace Online Systems Pty Ltd (i)	1 122	61	5	46	9	50	21	54	0	57	3	306
Network Company Australia Pty Ltd (t & i)	158	19	2	20	0	21	30	15	0	9	0	116
Next Business Telecommunications Pty Ltd (t & i)	79	21	2	9	22	7	10	2	0	0	0	73
Ocean Broadband Ltd (i) (c)	157	0	0	0	0	0	0	0	0	0	0	0
OneWorld Telecom Pty Ltd (t & i)	137	11	9	14	0	26	9	28	0	0	4	101
Optus Broadband Pty Ltd (i)	12 010	0	0	0	0	0	0	0	0	0	0	0
Optus Mobile Pty Ltd (t) (c)	35 022	0	0	0	0	0	0	0	0	0	0	0
Optus Networks Pty Ltd (t) (c)	17 624	2 594	1 172	1 798	823	2 788	1 396	1 652	242	1 134	145	13 744
Orion Satellite Investments Pty Ltd (t & i)	62	0	0	0	0	1	1	0	0	0	0	2
PacNet Internet (A) Pty Ltd (i)	210	10	1	6	6	12	2	6	0	7	1	51
People Telecommunications Ltd (t)	3 689	467	128	233	377	317	363	88	23	27	5	2 028
Pivotal Satellite Pty Limited (t)	53	6	2	1	0	2	0	1	0	1	0	13
Primus Online Pty Ltd (t & i)	139	0	0	0	0	0	0	0	0	0	0	0
Primus Telecommunications Pty Ltd (t & i) (c)	7 973	1 111	355	627	137	739	331	643	42	281	34	4 300
Pulse Telecom Pty Ltd (t)	127	38	7	13	30	19	17	0	2	0	1	127
Reward Mobile Pty Limited (t)	279	0	0	0	0	0	0	0	0	0	0	0
Saunders Properties Pty Ltd (i)	94	2	0	2	4	3	2	1	0	1	0	15
Savvy Telecommunications Pty Ltd (t)	490	0	0	0	0	0	0	0	0	0	0	0
SIMplus Mobile Pty Limited (t)	2 24	3 0	0	0	0	0	0	0	0	0	0	0
SkyMesh Pty Ltd (i)	117	0	0	1	0	3	0	14	0	0	0	18
Soul Communications Pty Ltd (t & i)	21 525	2 044	747	895	119	1 016	385	235	25	114	9	5 589
Southern Cross Telco Ltd (t & i)	204	25	17	21	10	20	7	14	1	9	0	124
Southern Phone Company (t)	286	48	9	9	7	36	13	19	2	4	1	148
Spin Internet Services Pty Ltd (i)	273	12	2	1	7	20	8	9	1	9	1	70
Sprint Telecommunication Pty Ltd (t & i)	163	45	2	11	5	46	20	34	0	0	0	163
Startel Communications Pty Ltd (o)	355	0	0	0	0	0	0	0	0	0	0	0
Technical Aid to the Disabled Inc (i)	266	5	3	9	1	6	0	5	0	0	0	29
Tel.Pacific Prt Ltd (t & i)	302	0	0	0	0	0	0	0	0	0	302	302
Telco Blue Pty Ltd (t)	795	183	37	69	90	109	190	63	8	9	0	758
Telfin Pty Ltd (t)	148	42	11	14	2	25	40	11	0	3	0	148
Telstra Big Pond (i)	49 285	0	0	0	0	0	0	0	0	0	0	0
Telstra Corporation (t) (c)	174 123	26 637	7 817	17 377	2 470	21 862	5 055	9 546	2 095	8 879	2 320	104 058
Thomas Ford Trading Pty Ltd (t)	76	14	2	5	2	18	18	3	0	0	0	62
Time Telecom Pty Ltd (t)	73	16	2	4	11	9	20	1	5	1	2	71
TPG Internet Pty Ltd (i)	7 510	82	3	49	9	53	28	56	1	7	9	297
TransACT Capital Communications (t&i) (c)	499	73	26	37	10	71	63	27	11	12	3	333
Trinity Telecom Pty Ltd (t & i)	112	24	7	10	16	18	11	12	3	0	0	101
Unwired Australia Pty Ltd (t & i) (c)	269	0	0	0	0	0	0	0	0	0	0	0
Virgin Mobile (Australia) Pty Ltd (t & i)	16 731	255	64	330	115	548	143	967	10	40	13	2 485
Vodafone Australia Limited (t) (c)	18 818	0	0	0	0	0	0	0	0	0	0	0
Westnet Pty Ltd (t & i)	363	35	24	13	7	32	1	41	5	13	4	175
Your Telecom Pty Limited (t)	79	30	1	9	2	13	3	0	0	0	0	58

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

\*Other includes directories, disability, land access, payphones, phonecard

^Other includes directories, disability, land access, provisioning

#Other includes land access and customer transfer

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

Mobile										Internet									
Billing and Payments	Contracts	Credit Management	Customer Service	Complaint Handling	Faults	Customer Transfer	Privacy	Other^	Total Mobile	Billing and Payment	Contracts	Credit Management	Customer Service	Complaint Handling	Faults	Privacy	Provisioning	Other	Total Internet
0	0	0	0	0	0	0	0	0	0	40	5	8	155	14	160	0	0	0	382
16	19	3	8	14	5	0	0	0	65	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
14	16	3	6	3	0	5	0	1	48	15	2	8	5	6	2	2	2	1	4
364	187	180	249	156	37	7	3	3	1 186	0	0	0	0	0	0	0	0	0	0
0	2	0	0	0	0	0	0	0	2	1	4	0	0	2	5	0	2	0	14
0	0	0	0	0	0	0	0	0	0	317	14	4	124	176	25	0	0	0	660
0	0	0	0	0	0	0	0	0	0	21	10	2	17	11	23	0	7	2	93
211	348	106	238	159	252	21	8	9	1 352	0	1	0	0	3	5	0	0	0	9
0	0	0	0	0	0	0	0	0	0	4	2	0	0	1	0	0	1	3	11
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	12	5	3	6	4	5	0	1	0	36
0	0	0	0	0	0	0	0	0	0	175	98	19	194	95	157	0	61	17	816
4	7	0	3	5	1	0	0	0	20	1	3	0	5	1	11	0	0	1	22
1	0	0	1	0	4	0	0	0	6	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	4	2	2	33	29	75	0	9	3	157
1	2	4	9	2	11	4	0	2	35	0	0	0	0	0	0	0	1	0	1
0	0	0	0	0	0	0	0	0	0	2 987	1 730	1 252	2 305	1 552	1 794	50	252	88	12 010
8 215	5 716	3 308	6 875	5 163	4 533	429	397	386	35 022	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	963	592	264	677	595	493	13	183	100	3 880
0	0	0	0	0	0	0	0	0	0	3	2	0	12	14	20	0	7	2	60
0	0	0	0	0	0	0	0	0	0	40	20	11	23	33	23	1	5	3	159
133	159	81	122	84	41	10	1	1	632	265	174	50	198	165	109	4	32	32	1 029
6	6	0	11	3	12	0	0	0	38	1	0	0	1	0	0	0	0	0	2
0	0	0	0	0	0	0	0	0	0	27	20	1	33	29	27	0	2	0	139
79	45	34	44	48	13	3	1	3	270	802	554	171	588	513	544	13	172	46	3 403
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
76	37	57	44	45	13	2	2	3	279	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	10	10	5	19	20	10	0	3	2	79
119	35	2	189	73	30	27	2	13	490	0	0	0	0	0	0	0	0	0	0
598	438	442	368	282	53	42	8	12	2 24	3 0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	3	1	1	12	32	50	0	0	0	99
3 501	1 594	1 596	2 341	1 856	629	88	46	37	11 688	1 163	658	364	874	618	449	6	79	37	4 248
7	12	7	10	7	1	4	1	0	49	12	6	5	3	1	2	1	0	1	31
31	35	9	21	15	10	0	0	0	121	5	1	0	4	1	5	1	0	0	17
0	0	0	0	0	0	0	0	0	0	57	40	11	31	24	30	0	10	0	203
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
87	121	31	48	29	19	11	6	3	355	0	0	0	0	0	0	0	0	0	0
4	0	0	1	3	1	0	0	0	9	45	19	18	53	25	49	2	15	2	228
0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	2	3	0	1	2	1	0	0	16	5	4	3	3	3	0	0	2	1	21
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	12 171	6 431	3 282	10 720	7 242	6 514	337	2 046	501	49 285
19 736	11 315	6 498	14 000	10 595	5 872	682	690	677	70 065	0	0	0	0	0	0	0	0	0	0
10	4	0	0	0	0	0	0	0	14	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	2
669	202	88	396	348	118	155	12	47	2 035	964	599	72	1 124	760	1 210	20	333	96	5 178
20	12	5	12	15	1	4	0	0	69	31	23	2	15	9	12	0	3	2	97
1	2	1	1	1	0	0	0	0	6	2	0	0	1	0	1	0	0	1	5
0	0	0	0	0	0	0	0	0	0	73	43	1	43	45	59	3	2	0	269
1 689	1 083	724	1 905	1 519	1 439	644	54	147	9 204	659	615	182	1 009	700	1 830	5	26	16	5 042
3 656	1 859	2 299	3 317	1 957	2 052	173	195	92	15 600	749	471	377	514	403	677	8	16	3	3 218
0	0	0	0	0	0	0	0	0	0	36	19	10	44	15	46	0	11	7	188
0	0	0	0	0	0	0	0	0	0	9	5	1	2	3	0	0	0	1	21

## MAJOR COMPLAINT CATEGORIES

INDUSTRY CODES | MOBILE PREMIUM SERVICES | SYSTEMIC ISSUES | MEMBER COMPLAINT STATISTICS

### COMPLAINTS AGAINST TIO MEMBERS BY LEVEL – MOBILE PREMIUM SERVICES INDUSTRY SCHEME

1 July 2008 - 30 June 2009 (Includes members that received 25 or more complaints logged for the year)

(t) = telephone service provider

(i) = internet service provider

(o) = other

(c) = holds carrier licence

		Level 1	Level 2	Level 3	Level 4
AAPT Ltd (t&i) (c)	241	231	9	1	0
ACN Pacific Pty Ltd (t & i)	45	4	3	1	0
Dodo Australia Pty Ltd (i)	63	60	3	0	0
Hutchison 3G Australia Pty Ltd (o)	1 498	1 409	81	8	0
m8 Telecom Pty Ltd (o)	93	71	18	4	0
Mobileworld Operating Pty Ltd (t)	79	71	8	0	0
Optus Mobile Pty Ltd (t) (c)	2 739	2 682	54	3	0
Primus Telecommunications Pty Ltd (t & i) (c)	36	32	3	1	0
Reward Mobile Pty Limited (t)	90	82	7	1	0
Savvy Telecommunications Pty Ltd (t)	26	20	3	3	0
SIMplus Mobile Pty Limited (t)	168	140	27	1	0
Soul Communications Pty Ltd (t & i)	795	690	79	24	2
Telstra Corporation (t) (c)	7 484	7 175	266	42	1
TransACT Capital Communications (t&i) (c)	54	51	3	0	0
Virgin Mobile (Australia) Pty Ltd (t & i)	601	567	32	2	0
Vodafone Australia Limited (t) (c)	1 425	1 389	34	2	0

### COMPLAINTS AGAINST TIO MEMBERS BY ISSUE - MPSI ONLY (NON-NON-STANDARDISED)

1 July 2008 - 30 June 2009 (Includes members that received 25 or more complaints logged for the quarter)

(t) = telephone service provider

(i) = internet service provider

(o) = other

(c) = holds carrier licence

	MPSI Scheme										
	Total Issues	Access to Content	Complaint Handling	Customer Service	Credit Management	Disputed Admin Charges	Disputed Usage Charges	Information Advertisment	Refund / Credit	Other	Total MPSI
AAPT Ltd (t&i) (c)	426	0	97	39	3	2	264	10	3	8	426
ACN Pacific Pty Ltd (t & i)	82	1	15	9	0	0	54	3	0	0	82
Dodo Australia Pty Ltd (i)	118	1	36	7	2	0	69	3	0	0	118
Hutchison 3G Australia Pty Ltd (o)	2 733	20	676	173	77	4	1 658	97	25	3	2 733
m8 Telecom Pty Ltd (o)	179	0	54	12	7	0	99	3	4	0	179
Mobileworld Operating Pty Ltd (t)	158	3	41	15	8	2	81	8	0	0	158
Optus Mobile Pty Ltd (t) (c)	4 896	15	1 141	372	58	8	3 075	130	73	24	4 896
Primus Telecommunications Pty Ltd (t & i) (c)	61	0	18	3	0	0	38	2	0	0	61
Reward Mobile Pty Limited (t)	162	0	45	17	1	0	98	1	0	0	162
Savvy Telecommunications Pty Ltd (t)	48	0	10	9	0	0	29	0	0	0	48
SIMplus Mobile Pty Limited (t)	332	1	83	26	13	0	189	14	6	0	332
Soul Communications Pty Ltd (t & i)	1 629	5	437	119	48	0	967	31	22	0	1 629
Telstra Corporation (t) (c)	13 804	27	3 189	1 400	84	17	8 473	373	191	50	13 804
TransACT Capital Communications (t&i) (c)	95	0	28	3	3	0	58	2	0	1	95
Virgin Mobile (Australia) Pty Ltd (t & i)	1 116	7	280	89	8	3	682	32	13	2	1 116
Vodafone Australia Limited (t) (c)	2 575	8	590	232	50	1	1 570	93	25	6	2 575

# Financial Report

for the year ended 30 June 2009

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## DIRECTORS' REPORT

Your directors present their report of Telecommunications Industry Ombudsman Ltd ("TIO") for the year ended 30 June 2009.

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 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:

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

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:

- vacant

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 directors:

- J M Harvey
- J F Rohan (Chairman)

Changes to Board composition are summarised in note 6 to the financial statements. The names of persons who were directors of the 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 (part alternate)	23 April 2008	Continuing
G Smith (alternate)	4 March 2002	Continuing
T Hill	30 October 2002	Continuing
J Harvey	7 April 2003	Continuing
J Parkin (part alternate)	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
G K Schubert (alternate)	1 January 2009	30 June 2009

## DIRECTORS' REPORT (CONTINUED)

### Operating Results

The TIO recorded an operating surplus for the year of \$3,798,651 (2007-2008, \$1,505,576). The TIO's total revenue has increased in line with the Scheme's complaint load while expenditure has been managed to a lower level, resulting in an increase from the predicted surplus. The results for the year ended 30 June 2009 are as follows:

Year	Total Revenue	Total Expenditure	Surplus/(Deficit)
<b>2007-2008</b>	\$15,194,799	\$13,689,223	<b>\$1,505,576</b>
<b>2008-2009</b>	\$26,568,125	\$22,769,474	<b>\$3,798,651</b>

Due to the surplus, members' funds were increased from \$2,565,817 at the start of the financial year to \$6,364,468 at the end of 2008-2009.

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 2014.

### Review of Operations

- Long Term Growth

Overall contacts for 2008-2009 are presented below. Contacts include enquiries and complaints.

Year	Total Contacts	% Increase over previous year
<b>2007-2008</b>	173,005	41
<b>2008-2009</b>	261,818	51

This increase is in excess of the long term trend.

- Debt Recovery

Bad debts of \$292,484 (GST inclusive) were written-off during the financial year. The provision for bad debts was increased to \$427,427 (GST inclusive) for specific provisions. Debts were settled with a small number of members.

- Cash Flow

The TIO's bankers, Commonwealth Bank of Australia, provide the TIO with an overdraft facility of \$150,000. This facility was created 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 51% growth in enquiry/complaint levels. To respond to this growth the TIO increased staff numbers by approx 40% 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.

- Industry Development

During 2008-2009 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 undertook the connect.resolve program, aimed at assisting industry to reduce customer service and complaint handling complaints.

- 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 introduced a number of changes to financial management during the year. Revised financial reporting formats were initiated along with a review of the funding of the Scheme. External auditors were changed during the year and internal auditors were appointed for the first time.

## DIRECTORS' REPORT (CONTINUED)

### • Increase to the financial reserve

The Board initiated a review of the adequacy of the financial reserve by PwC and accepted the recommendation to adopt a new formula for calculation of a liquidity reserve, resulting in an increase in the reserve amount.

### • Fee Increases

Based on the budgeted demand for the year and the projected complaint numbers it was not necessary to increase prices for 2008-2009, or for 2009-2010.

### • Membership

The *Telecommunications Act 1997* (Cwlth) 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 increased from 1,106 at 30 June 2008 to 1,125 at 30 June 2009. 113 new members joined the scheme and 94 members departed the scheme.

### • Staffing

As at 30 June 2009, the TIO employed 218 staff. This is an increase from 30 June 2008 when the TIO employed 155 staff.

### 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

The TIO's staff numbers expanded to meet complaint demand during the year and the TIO was required to occupy a floor of another building at 477 Collins Street.

### Matters Subsequent to the End of the Financial Year

#### • Complaint volume

There has been some stabilisation of complaint numbers in the latter part of 2008-2009 and this has continued into early 2009-2010.

Except for the matters noted above, at the date of this report no matter or circumstance has arisen since 30 June 2009 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 the TIO in future financial years.

### Likely Developments and Expected Results of Likely Developments and Expected Results of Operations

While the TIO has budgeted for an increase in complaint numbers of 25% in 2009-2010 based on past trends the early months of 2009-2010 have shown a stabilisation in complaint numbers which may continue further into the year.

### Environmental Regulations

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

## DIRECTORS' REPORT (CONTINUED)

### Insurance of Officers

During the financial year, the TIO paid a premium of \$13,277 (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 and the Executive Management Team.

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.

### Information on Directors

Director	Experience	Responsibility
J F Rohan, <i>B Mech Eng, Grad Dip IE, MBA</i>	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 Alternate Director from 23 July 2009
G R Smith, <i>B Econ/Politics (Hons)</i>	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, <i>BCom, MBA, FCA, FAICD</i>	Directorships include: IOOF Holdings Ltd, Royal Flying Doctor Service (National & Vic), 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 and Director from 23 July 2009
B S Chapman	Head of Corporate Security and Regulatory Operations, AAPT Limited. Brian has been in the telecommunications industry in both Australia and New Zealand for over 35 years and has held roles in performance improvement, regulatory and security.	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 <i>BA, MBA, MComLaw, MAICD</i>	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 number of meetings of the company's directors (excluding meetings of committees of directors) held during the year ended 30 June 2009, and the number of meetings attended by each director were:

Number of meetings held: 6	Full Meetings of Directors	
	Number Eligible to Attend	Number Attended
Number of meetings attended by:		
Number of meetings attended by:		
J F Rohan	6	6
A R Thomas	6	5
J M Parkin	5	3
T C Hill	6	6
G R Smith	0	0
M J Elsegood	6	5
B S Chapman	6	5
S J Dalby	6	5
J M Harvey	6	6
L J Fielding	3	3

### Auditors

RSM Bird Cameron Partners were replaced by Pitcher Partners as auditors at a General Meeting of the company held on 18 June 2009.


### 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



**J M Harvey**  
Director

Melbourne  
17 September 2009

## AUDITOR'S INDEPENDENCE DECLARATION



### AUDITOR'S INDEPENDENCE DECLARATION

To the Directors of Telecommunications Industry Ombudsman Pty Ltd

In relation to the independent audit for the year ended 30 June 2009, to the best of my knowledge and belief there have been:

- (i) No contraventions of the auditor independence requirements of the *Corporations Act 2001*.
- (ii) No contraventions of any applicable code of professional conduct.

  
S SCHONBERG  
Partner  
Date 17/9/09

  
PITCHER PARTNERS  
Melbourne



## INCOME STATEMENT

FOR THE YEAR ENDED 30 JUNE 2009

	Notes	2009 \$	2008 \$
Sales revenue	4	26,085,686	15,018,005
Other income	4	482,439	176,794
		<b>26,568,125</b>	15,194,799
Employee benefits expense	5	(16,492,710)	(10,305,790)
Depreciation and amortisation expense	5	(474,372)	(264,028)
Bad and doubtful debts expense	5	(427,427)	(241,936)
Information technology expense		(1,009,563)	(524,665)
Consultancy expense		(887,267)	(168,709)
Legal expense		(93,390)	(106,691)
Marketing expense		(282,263)	(306,956)
Occupancy expense		(1,542,712)	(804,484)
Relocation/fitout expense		(63,836)	(69,050)
Travel expense		(235,573)	(149,337)
Telephone and faxes		(414,069)	(301,683)
Finance costs	5	(168,246)	(11,690)
Other expenses		(678,046)	(434,204)
		<b>(22,769,474)</b>	(13,689,223)
<b>Total expenses</b>		<b>(22,769,474)</b>	<b>(13,689,223)</b>
<b>Surplus for the year</b>		<b>3,798,651</b>	<b>1,505,576</b>

The accompanying notes form part of these financial statements.

## BALANCE SHEET

AS AT 30 JUNE 2009

	Notes	2009 \$	2008 \$
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	7	9,787,890	3,406,749
Trade receivables	8	101,548	829,710
Other current assets	9	27,577	25,309
<b>TOTAL CURRENT ASSETS</b>		<b>9,917,015</b>	<b>4,261,768</b>
<b>NON CURRENT ASSETS</b>			
Plant and equipment	10	2,526,938	2,910,124
<b>TOTAL NON CURRENT ASSETS</b>		<b>2,526,938</b>	<b>2,910,124</b>
<b>TOTAL ASSETS</b>		<b>12,443,953</b>	<b>7,171,892</b>
<b>CURRENT LIABILITIES</b>			
Trade and other payables	11	2,402,992	999,334
Borrowings	12	211,909	233,899
Provisions	13	1,131,090	743,671
Unearned lease incentives	14	139,997	139,997
<b>TOTAL CURRENT LIABILITIES</b>		<b>3,885,988</b>	<b>2,116,901</b>
<b>NON CURRENT LIABILITIES</b>			
Borrowings	12	1,168,917	1,380,827
Provisions	13	91,269	35,040
Unearned lease incentives	14	933,311	1,073,307
<b>TOTAL NON CURRENT LIABILITIES</b>		<b>2,193,497</b>	<b>2,489,174</b>
<b>TOTAL LIABILITIES</b>		<b>6,079,485</b>	<b>4,606,075</b>
<b>NET ASSETS</b>		<b>6,364,468</b>	<b>2,565,817</b>
<b>MEMBERS' FUNDS</b>			
Accumulated Surplus	15	6,364,468	2,565,817
<b>TOTAL MEMBERS' FUNDS</b>		<b>6,364,468</b>	<b>2,565,817</b>

The accompanying notes form part of these financial statements.

## STATEMENT OF CHANGES IN EQUITY

FOR THE YEAR ENDED 30 JUNE 2009

	Notes	2009 \$	2008 \$
Total members funds at the beginning of the financial year		2,565,817	1,060,241
Surplus for the year		3,798,651	1,505,576
<b>Total members funds at the end of the financial year</b>	15	<b>6,364,468</b>	2,565,817

The accompanying notes form part of these financial statements.

## STATEMENT OF CASH FLOW

FOR THE YEAR ENDED 30 JUNE 2009

	Notes	2009 \$	2008 \$
<b>CASH FLOW FROM OPERATING ACTIVITIES</b>			
Receipts from members		30,042,430	14,231,039
Payments to suppliers and employees		(23,650,395)	(13,063,283)
Rental receipts		299,772	48,800
Interest paid		(168,246)	(11,691)
Interest received		182,667	127,994
Net cash provided by operating activities	19 (b)	6,706,228	1,332,859
<b>CASH FLOW FROM INVESTING ACTIVITIES</b>			
Payment for plant and equipment		(91,186)	(1,708,962)
Net cash used in investing activities		(91,186)	(1,708,962)
<b>CASH FLOW FROM FINANCING ACTIVITIES</b>			
Lease incentive received		-	71,325
Proceeds/(repayments) from borrowings		(44,439)	1,600,000
Repayment of leases		(189,462)	(158,469)
Net cash provided by/(used in) financing activities		(233,901)	1,512,856
Net increase in cash held		6,381,141	1,136,753
Cash at beginning of financial year		3,406,749	2,269,996
Cash at end of financial year	19 (a)	9,787,890	3,406,749

The accompanying notes form part of these financial statements.

# NOTES TO THE FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2009

## NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

The financial report is a general purpose financial report that has been prepared in accordance with Accounting Standards, Interpretations and other authoritative pronouncements of the Australian Accounting Standards Board and the Corporations Act 2001. The financial report is for the entity Telecommunications Industry Ombudsman Pty Ltd ("TIO") as an individual entity. Telecommunications Industry Ombudsman Pty Ltd is a company limited by guarantee, incorporated and domiciled in Australia. The following is a summary of the material accounting policies adopted by the company in the preparation and presentation of the financial report. The accounting policies have been consistently applied, unless otherwise stated.

### (a) Basis of preparation of the financial report

#### *Compliance with IFRS*

Australian Accounting Standards include Australian Equivalents to International Financial Reporting Standards (AIFRSs). Compliance with AIFRS ensures compliance with International Financial Reporting Standards (IFRSs).

#### *Historical Cost Convention*

The financial report has been prepared under the historical cost convention, as modified by revaluations to fair value for certain classes of assets as described in the accounting policies.

### (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 2014 by the ATO.

### (c) Revenue

Volume and operating fees are charged to members for complaint resolution services. 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. Revenue is recognised based on the number of complaints received.

Interest revenue is recognised when it becomes receivable on a proportional basis taking into account the interest rates applicable to the financial assets.

All revenue is stated net of the amount of goods and services tax (GST).

### (d) Trade Receivables

Amounts due from all 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 the 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.

### (e) Plant and Equipment

Each class of plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation.

#### *Plant and equipment*

Plant and equipment is measured on the cost basis.

#### *Depreciation*

The depreciable amount of all fixed assets are depreciated over their estimated useful lives to the company commencing from the time the asset is held ready for use.

Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

The depreciation rates used for each class of assets are:

Class of fixed asset	Depreciation rates	Depreciation basis
Leasehold improvements	14 %	Straight Line
Plant and equipment	33 %	Straight Line
Furniture, Fixtures and Fittings	14 %	Straight Line

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### (f) Leases

Leases are classified at their inception as either operating or finance leases based on the economic substance of the agreement so as to reflect the risks and benefits incidental to ownership.

##### *Finance Leases*

Leases of fixed assets, where substantially all the risks and benefits incidental to the ownership of the asset, but not the legal ownership, are transferred to the company are classified as finance leases. Finance leases are capitalised, recording an asset and a liability equal to the present value of the minimum lease payments, including any guaranteed residual values. Leased assets are depreciated on a straight line basis over their estimated useful lives where it is likely that the company will obtain ownership of the asset, or over the term of the lease. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

##### *Operating leases*

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which they are incurred.

Lease incentives received under operating leases are recognised as a liability. Lease payments received reduced the liability.

#### (g) Employee Benefits

Liabilities arising in respect of wages and salaries, annual leave, sick leave and any other employee benefits expected to be settled within twelve months of the reporting date are measured at their nominal amounts based on remuneration rates which are expected to be paid when the liability is settled. All other employee benefit liabilities are measured at the present value of the estimated future cash outflow to be made in respect of services provided by employees up to the reporting date.

Contributions made by the company to an employee superannuation fund are recognised in the balance sheet as a liability, after deducting any contributions already paid and in the income statement as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payment is available.

#### (h) Finance Costs

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

#### (i) Impairment of assets

Assets with an indefinite useful life are not amortised but are tested annually for impairment in accordance with AASB 136. Assets subject to annual depreciation or amortisation are reviewed for impairment whenever events or circumstances arise that indicate that the carrying amount of the asset may be impaired. An impairment loss is recognised where the carrying amount of the asset exceeds its recoverable amount. The recoverable amount of an asset is defined as the higher of its fair value less costs to sell and value in use.

#### (j) Financial Instruments

##### *Cash and cash equivalents*

Cash on hand and at bank are valued at face value. Interest revenue is recognised as it accrues.

##### *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.

##### *Prepayments*

Prepayments are carried at lower of cost or net realisable value.

##### *Trade and other payables*

Liabilities are recognised for amounts to be paid in future for goods and services received, whether or not billed to the company.



## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

#### (j) Financial Instruments (continued)

##### *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 amounts, with the lease payments discounted to present value using the interest rate implicit in the lease.

#### (k) 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.

#### (l) Amounts Due to Members

Amounts due to members represent funds owing as a result of estimated costs billed at the start of the quarter differing to complaints received. Each quarter actual and estimated charges are reconciled. The resulting adjustment represents amounts owed to members.

#### (m) Cash and Cash Equivalents

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

#### (n) 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 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 balance sheet.

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.

#### (o) 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.

The TIO has recognised the aggregate benefit of incentives as a reduction of rental expenses 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.

#### (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.

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 2: NEW ACCOUNTING STANDARDS AND INTERPRETATIONS

A number of accounting standards and interpretations have been issued at the reporting date but are not yet effective. There is no direct impact on the entity's financial statements for the year ended 30 June 2009 arising from accounting standards issued but not effective at the reporting date.

### NOTE 3: CRITICAL ACCOUNTING ESTIMATES AND JUDGEMENTS

Estimates and judgements are based on past performance and management's expectation for the future.

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

### NOTE 4: REVENUE

	Notes	2009 \$	2008 \$
<b>Operating activities</b>			
Complaint handling fees		<b>26,085,686</b>	15,018,005
Interest		<b>182,667</b>	127,994
Rent		<b>299,772</b>	48,800
Total revenue		<b>26,568,125</b>	15,194,799

### NOTE 5: SURPLUS FROM CONTINUING ACTIVITIES

Surplus from continuing activities has been determined after:

Finance charges on finance leases/loan liability	<b>168,246</b>	11,690
Depreciation of non current assets:		
plant and equipment	<b>7,369</b>	19,370
furniture, fixtures and fittings	<b>217,129</b>	210,797
	<b>224,498</b>	230,167
Amortisation of non current assets:		
leasehold improvements	<b>249,874</b>	33,861
Total depreciation and amortisation	<b>474,372</b>	264,028
Bad and doubtful debts	<b>427,427</b>	241,936
Remuneration of the auditors for:		
audit services	<b>28,000</b>	24,000
other services	-	38,850
Rental expense on operating leases:		
lease payments - rent, communications and IT and other	<b>1,693,631</b>	1,080,142
Employee benefits:		
short term benefits	<b>16,492,710</b>	10,305,790

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 6: KEY MANAGEMENT PERSONNEL COMPENSATION

	Notes	2009 \$	2008 \$
Compensation received by key management personnel of the company:			
Short term employee benefits		1,113,090	901,409

The names of directors who have held office during the year are listed below.  
All directors were in office for the full year unless noted.

#### Name

J F Rohan

J M Harvey

L J Fielding

T C Hill

M J Elsegood

S J Dalby

B S Chapman

A R Thomas

G R Smith (alternate)

J M Parkin (alternate)

G K Schubert (alternate) (appointed 1 January 2009)

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

Name	Position
D O'Donnell	Ombudsman
S Cleary	Deputy Ombudsman
P Carruthers	Company Secretary
V Hickey	Chair of Council
T Corbin	Member of Council
L Kreet	Member of Council
W Warburton	Member of Council
M Russell	Member of Council
M Pincott	Member of Council
R Wheeler	Member of Council
C Dodds	Member of Council
A Howells (appointed 6 February 2009)	Member of Council
S Sdregas (appointed 28 November 2008)	Member of Council
L Parkinson (appointed 22 June 2009)	Member of Council
R Doyle (departed 6 April 2009)	Member of Council
N Mounsher (departed 12 November 2008)	Member of Council
T Bean (departed 28 November 2008)	Member of Council

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 7: CASH AND CASH EQUIVALENTS

	Notes	2009 \$	2008 \$
Cash on hand		1,000	600
Cash at bank		401,458	311,966
Cash on deposit		9,385,432	3,094,183
		<b>9,787,890</b>	<b>3,406,749</b>

### NOTE 8: RECEIVABLES

CURRENT			
Trade receivables		496,585	340,951
Provision for doubtful debts		(420,189)	(258,660)
		<b>76,396</b>	<b>82,291</b>
Amounts due from members		-	714,439
Other receivables		25,152	32,980
		<b>101,548</b>	<b>829,710</b>

As at 30 June 2009 current trade receivables with a nominal value of \$496,585 (2008-\$340,951) were potentially impaired. A provision for non recoverability of \$420,189 (2008-\$258,660) was considered adequate as a portion of the receivables outstanding at the end of the financial year are expected to be recovered.

**The ageing of these receivables is as follows**

1 to 3 months	107,940	222,594
3 to 6 months	388,645	46,527
Over 6 months	-	71,830
	<b>496,585</b>	<b>340,951</b>

### NOTE 9: OTHER ASSETS

CURRENT		
Prepayments	27,577	25,309

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 10: PROPERTY, PLANT AND EQUIPMENT

	Notes	2009 \$	2008 \$
<b>Leasehold Improvements</b>			
At cost		1,652,341	1,652,341
Less accumulated depreciation		(255,725)	(19,674)
		1,396,616	1,632,667
<b>Plant and Equipment</b>			
Plant and equipment			
At cost		181,212	145,285
Less accumulated depreciation		(141,955)	(134,367)
		39,257	10,918
Furniture, fixtures and fittings			
At cost		1,669,814	1,614,336
Less accumulated depreciation		(578,749)	(347,797)
		1,091,065	1,266,539
Total plant and equipment		1,130,322	1,277,457
Total property, plant and equipment		2,526,938	2,910,124

#### (a) Movements in Carrying Amounts

Movement in the carrying amounts for each class of property, plant and equipment between the beginning and the end of the current financial year:

	Leasehold improvements \$	Plant & equipment \$	Furniture, fixtures & fittings \$	Total \$
<b>2009</b>				
Balance at 1 July 2008	1,632,667	10,918	1,266,539	2,910,124
Additions	-	35,708	55,478	91,186
Depreciation and amortisation expense	(236,051)	(7,369)	(230,952)	(474,372)
Balance at 30 June 2009	1,396,616	39,257	1,091,065	2,526,938

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 11: PAYABLES

	Notes	2009 \$	2008 \$
CURRENT			
<i>Secured liabilities</i>			
Trade creditors		885,496	223,381
Sundry creditors and accruals		1,492,715	751,553
Unearned revenue		24,781	24,400
		2,402,992	999,334

### NOTE 12: BORROWINGS

CURRENT			
<i>Secured liabilities</i>			
Finance lease liability	16	211,909	233,899
NON CURRENT			
<i>Secured liabilities</i>			
Finance lease liability	16	1,168,917	1,380,827

- (a) The company has a business card facility of \$250,000 which may be utilised at any time and is subject to an annual review.
- (b) 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 overdraft facility is secured by a charge over the assets of the company.

### NOTE 13: PROVISIONS

CURRENT			
Employee benefits	(a)	1,131,090	743,671
		1,131,090	743,671
NON CURRENT			
Employee benefits	(a)	91,269	35,040
		91,269	35,040
(a) Aggregate employee benefits liability		1,222,359	778,711
(b) Number of employees at year end		218	155



## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 14: OTHER LIABILITIES

	Notes	2009 \$	2008 \$
CURRENT			
Unearned lease incentives		139,997	139,997
NON CURRENT			
Unearned lease incentives		933,311	1,073,307

### NOTE 15: ACCUMULATED SURPLUS

Accumulated surplus at the beginning of the financial year	2,565,817	1,060,241
Surplus for the year	3,798,651	1,505,576
Accumulated surplus at the end of the financial year	6,364,468	2,565,817

### NOTE 16: CAPITAL AND LEASING COMMITMENTS

#### (a) Finance leasing commitments

Payable			
not later than one year		331,438	356,547
later than one year and not later than five years		1,320,398	1,796,474
Minimum lease payments		1,651,836	2,153,021
Less future finance charges		(271,010)	(582,733)
Total finance lease liability		1,380,826	1,570,288
Represented by:			
Current liability	12	211,909	233,899
Non current liability	12	1,168,917	1,380,827
		1,380,826	1,614,726

#### (b) Operating lease commitments

Non cancellable operating leases contracted for but not capitalised in the financial statements:

Payable			
not later than one year		1,612,765	1,537,198
later than one year and not later than five years		5,945,417	5,691,406
later than five years		6,289,189	5,597,157
		13,847,371	12,825,761

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

### FOR THE YEAR ENDED 30 JUNE 2009

#### NOTE 17: CONTINGENT LIABILITIES

The TIO has the following contingent liabilities:

- 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 18: RELATED PARTY TRANSACTIONS

- (a) J Rohan is a current TIO director nominated by Vodafone Australia Ltd. The TIO invoiced Vodafone Australia Ltd for \$1,090,270 during the year in respect of complaint handling fees.
- (b) One current director T Hill, and two alternate directors, L Fielding and J Parkin are employees of Telstra Corporation. The TIO invoiced Telstra Corporation and Telstra Big Pond for \$14,198,787 and \$3,039,847 respectively for complaint handling fees incurred during the year. Telstra Corporation invoiced the TIO for \$61,670 for the provision of telecommunications services during the reporting period.
- (c) Two current directors, M Elsegood and A Thomas, and one alternate director, G Smith, are employees of Singtel Optus Pty Ltd. The TIO invoiced Singtel Optus Pty Ltd and related entities for \$4,084,414. Optus entities invoiced the TIO for \$345,776 for the provision of telecommunications services during the reporting period.
- (d) One current director, B Chapman, is an employee of AAPT Ltd. The TIO invoiced AAPT Ltd and related entities for \$563,547 during the year in respect of complaint handling fees. AAPT Ltd and related entities invoiced the TIO for \$53,100 for the provision of telecommunications services during the reporting period.
- (e) One current director, S Dalby, is an employee of iiNet Ltd. The TIO invoiced iiNet Ltd and related entities for \$137,906 during the year in respect of complaint handling fees.
- (f) 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)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 19: CASH FLOW INFORMATION

	Notes	2009 \$	2008 \$
<b>(a) Reconciliation of cash</b>			
For the purposes of the statement of cash flows, cash includes cash on hand and at call deposits with banks or financial institutions, investments in money market instruments maturing within less than two months and net of bank overdrafts.			
Cash at the end of the financial year as shown in the statement of cash flows is reconciled to the related items in the balance sheet as follows:			
Cash at bank and on hand		402,458	312,556
Deposits at call		9,385,432	3,094,183
		<b>9,787,890</b>	<b>3,406,739</b>
<b>(b) Reconciliation of cash flow from operations with profit after income tax</b>			
Profit from ordinary activities after income tax		3,798,651	1,505,576
Non cash flows in profit from ordinary activities			
Depreciation		474,372	264,026
Net (gain) / loss on disposal of property, plant and equipment		-	(133,995)
Changes in assets and liabilities			
(Increase)/decrease in receivables		720,334	(787,798)
Decrease in other assets		5,559	-
Increase in payables		1,263,664	233,634
Increase in provisions		443,648	251,416
Cash flows from operations		<b>6,706,228</b>	<b>1,332,859</b>

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 20: FINANCIAL INSTRUMENTS

#### (a) Interest rate risk

The company's exposure to interest rate risk, which is the risk that a financial instrument's value will fluctuate as a result of changes in market interest rates and the effective weighted average interest rates on classes of financial assets and financial liabilities, is as follows:

2009						
Financial Instruments	Floating interest rate	Fixed interest rate maturing in: 1 year or less	Fixed interest rate maturing in: Over 1 to 5 years	Non interest bearing	Total carrying amount	Weighted average effective interest rate
	\$	\$	\$	\$	\$	%
<i>(i) Financial assets</i>						
Cash	402,458	-	-	-	402,458	2.5
Trade and other receivables	-	-	-	101,548	101,548	-
Short term deposits	9,385,432	-	-	-	9,385,432	-
Total financial assets	9,787,890	-	-	101,548	9,889,438	

2008						
Financial Instruments	Floating interest rate	Fixed interest rate maturing in: 1 year or less	Fixed interest rate maturing in: Over 1 to 5 years	Non interest bearing	Total carrying amount	Weighted average effective interest rate
	\$	\$	\$	\$	\$	%
<i>(ii) Financial assets</i>						
Cash	3,406,749	-	-	-	3,406,749	4.9
Trade and other receivables	-	-	-	829,710	829,710	-
Total financial assets	3,406,749	-	-	829,710	4,236,459	

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 20: FINANCIAL INSTRUMENTS CONTINUED

2009						
Financial Instruments	Floating interest rate	Fixed interest rate maturing in: 1 year or less	Fixed interest rate maturing in: Over 1 to 5 years	Non interest bearing	Total carrying amount	Weighted average effective interest rate
	\$	\$	\$	\$	\$	%
<i>(iii) Financial liabilities</i>						
Trade creditors	-	-	-	885,496	885,496	-
Other creditors	-	-	-	1,517,496	1,517,496	-
Finance lease liability	-	211,909	1,168,917	-	1,380,826	11.3
Unearned lease incentive	-	139,997	933,311	-	1,073,308	-
Total financial liabilities	-	351,906	2,102,228	2,402,992	4,857,126	

2008						
Financial Instruments	Floating interest rate	Fixed interest rate maturing in: 1 year or less	Fixed interest rate maturing in: Over 1 to 5 years	Non interest bearing	Total carrying amount	Weighted average effective interest rate
	\$	\$	\$	\$	\$	%
<i>(iv) Financial liabilities</i>						
Trade creditors	-	-	-	223,381	223,381	-
Other creditors	-	-	-	775,953	775,953	-
Finance lease liability	-	233,899	1,380,827	-	1,614,726	11.3
Unearned lease incentive	-	-	-	1,213,304	1,213,304	-
Total financial liabilities	-	233,899	1,380,827	2,212,638	3,827,364	

## NOTES TO THE FINANCIAL STATEMENTS (CONTINUED)

FOR THE YEAR ENDED 30 JUNE 2009

### NOTE 20: FINANCIAL INSTRUMENTS CONTINUED

#### (b) Credit Risk

Credit risk is the risk that a debtor will not repay all or a portion of an amount outstanding in a timely manner and therefore will cause a loss to the TIO.

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

The company does not have any material credit risk exposure to any single debtor or group of debtors under financial instruments entered into by the company.

The company's debtors are concentrated in one industry.

#### (c) Net Fair Values

The net fair value of financial assets and financial liabilities approximates their carrying values as disclosed in the balance sheet and notes to the financial statements.

#### (d) Liquidity Risk

Liquidity risk is the risk that the company may not have, or may not be able to raise, funds when needed and therefore encounter difficulties in meeting obligations associated with financial liabilities.

The TIO maintains a cash reserve and actively monitors 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.

#### (e) Sensitivity

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

The aggregate net fair values and carrying amount of financial assets and financial liabilities are disclosed in the balance sheet and in the notes to the financial statements.

### NOTE 21: COMPANY DETAILS

The registered office of the company is:

Telecommunications Industry Ombudsman Pty Ltd

Level 3

595 Collins Street

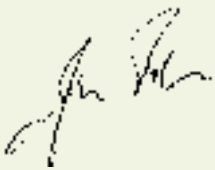
Melbourne VIC 3000

## DIRECTORS' DECLARATION

The directors of the company declare that:

1. The financial statements and notes, as set out on pages 80 - 97, are in accordance with the Corporations Act 2001:
  - (a) comply with Accounting Standards in Australia and the Corporations Regulations 2001; and
  - (b) give a true and fair view of the financial position as at 30 June 2009 and performance for the year ended on that date of the company.
2. In the directors' opinion 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 Board of Directors.



Director  
**J F Rohan**



Director  
**J M Harvey**

Dated this 17th day of September 2009





**TELECOMMUNICATIONS INDUSTRY OMBUDSMAN PTY LTD**  
**ABN 46 057 634 787**

**INDEPENDENT AUDITOR'S REPORT**  
**TO THE MEMBERS OF**  
**TELECOMMUNICATIONS INDUSTRY OMBUDSMAN PTY LTD**

We have audited the accompanying financial report of Telecommunications Industry Ombudsman Pty Ltd, which comprises the Balance Sheet as at 30 June 2009, 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 in 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.

*Independence*

In conducting our audit, we have complied with the independence requirements of the *Corporations Act 2001*.



**TELECOMMUNICATIONS INDUSTRY OMBUDSMAN PTY LTD**  
**ABN 46 057 634 787**

**INDEPENDENT AUDITOR'S REPORT**  
**TO THE MEMBERS OF**  
**TELECOMMUNICATIONS INDUSTRY OMBUDSMAN PTY LTD**

*Auditor's Opinion*

In our opinion,

(a) the financial report of Telecommunications Industry Ombudsman Pty Ltd 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 2009 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.

S SCHONBERG

Partner

Date 17/9/09

PITCHER PARTNERS

Melbourne

## APPENDICES

TIO MEMBER LIST | HOW WE ARE FUNDED | GLOSSARY | TABLE AND FIGURE INDEX | INDEX

### AT 30 JUNE 2009 TIO MEMBER LIST

Includes “Three-month Cessation Period”, “Current Member”, “In Liquidation”, “Unable to Contact”, “Under Administration”

Member category	total
Internet service provider	519
Other*	57
Telephone and internet service provider	354
Telephone service provider	195
Total	1 125

\*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.

INTERNET SERVICE PROVIDER	DATE JOINED
1990 Multiline BBS Pty Ltd	8-Sep-1998
2000 Computers and Networks Pty Ltd	27-Jan-2006
2B Wise Pty Ltd	19-Jul-2005
3 Guys Broadband Internet	20-Nov-2006
A & R Computer Services Pty Ltd	15-Aug-2006
Access Net Internet Services Pty Ltd	25-May-2002
AccessPlus Pty Ltd	24-Apr-2001
Accsoft Computer Technology Pty Ltd	27-Oct-1997
Accsys IT Pty Ltd	21-Feb-2002
Ace Internet Services Pty Limited	1-Sep-1997
Acenet Internet Services	18-Jan-1999
ACTew Retail Ltd & AGL ACT Retail Investments Pty Ltd	7-Jun-2001
Acure Technology Pty Ltd	1-Jun-2004
Adam Pty Ltd	15-Oct-1997
ADNET Holiday Coast Internet	7-Aug-1998
Advatel Wireless Pty Ltd	15-Apr-2004
Airweb Connect Pty Ltd	18-Mar-2005
Albury Local Internet Pty Ltd	30-Nov-2000
Allegro Networks Pty Ltd	3-Feb-2006
Alpha Dot Net Australia Pty Ltd	31-Oct-1997
Alphawest Services Pty Ltd	9-Jul-1998
AlwaysOnline Pty Ltd	29-Jan-2001
Amcom Telecommunications Limited	1-Jun-2007
Amisoft	13-Nov-1997
Analyst Programmers Pty Ltd	22-Jul-1999
Anderson, Michael John	11-Nov-2008
ANS Communications Pty Ltd	2-Apr-1998
Arcadia Technology	10-Dec-1997
Argonaut Internet Service	21-Jul-2000
Armadillo Applied Computer Technologies Pty Ltd	2-Sep-2005
Auction Classifieds Pty Ltd	10-Sep-2002
AUSTAR United Broadband Pty Ltd	10-Nov-2003
AustLink Pty Ltd	6-May-2008
Australia Internet Solutions Pty Ltd	13-Oct-1997
Australia On Line Pty Ltd	25-Mar-1998
Australian Corporate Technology Pty Ltd	18-Aug-2005
Australian Internet Billing Pty Ltd	21-Apr-2004
Australian Regional Networks Pty Ltd	18-Jul-2006
AustraliaNet IT Pty Ltd	14-Mar-2000
Auzynet Pty Ltd	1-Feb-2002
AW Communications Pty Ltd	11-Mar-2003
Awebit Pty Ltd	26-Feb-2004
Azure Wireless Pty. Ltd.	14-Jul-2005
Banana Shire Council	17-May-1999
Barden, Paul William	1-Mar-2006

INTERNET SERVICE PROVIDER	DATE JOINED
Barnetwork Pty Ltd	7-Oct-2003
BBIT Pty Ltd	27-Aug-1998
Beagle Internet Pty Ltd	9-Jun-2004
Belmont Computer Centre Pty Ltd	22-May-2008
Berating Pty Ltd	11-Oct-2005
Betterlink Pty Ltd	21-Dec-1998
Big Button Pty Ltd	14-Jan-1998
BigAir Group Limited	25-Nov-2002
Bigdy Pty Limited	20-Dec-2004
Biota Blue Pty Ltd	12-Sep-2008
Bizyweb Internet Services	25-Jul-2002
BKB Internet Pty Ltd	5-Feb-2004
Blitzwave Pty Ltd	11-Jul-2005
Blubroadband Pty Ltd	19-Dec-2007
Blue Net Pty Ltd	19-Nov-2002
Bluefire Corporation Pty Limited	28-Jun-1999
Bluemaxx Communications Pty Ltd	26-Jul-2005
Bon Media Pty Ltd	30-Jun-2005
Bordernet Internet Pty Ltd	23-Jun-2003
Bravo Internet Pty Ltd	13-Aug-2007
Broadband Phone Pty Ltd	7-Dec-2005
Broadband Wireless Pty Ltd	9-Jan-2006
BroadbandNet Pty Ltd	11-Jan-2006
Broadcast Engineering Services (Australia) Pty Ltd	19-Sep-2002
BTelecom Pty Ltd	5-Dec-2008
Bucan Holdings Pty Ltd	1-Jul-1997
Buijk Finance Pty Ltd	2-Nov-2005
C.S. Sutherland Corporation Pty Ltd	8-Sep-2003
C1 Consulting Pty Ltd	18-Oct-2002
CafeOz Internet	14-Nov-2006
CBIT Pty Limited	22-Nov-2005
Central Coast Internet Pty Ltd	13-Nov-1997
Central Data Pty Ltd	3-Nov-2000
Central Online Pty Ltd	10-Sep-2001
Channel Communications Pty Ltd	14-Mar-2006
Chariot Ltd	30-Oct-1997
Charter Resources Security Solutions Pty Ltd	21-Sep-2005
Cheapanet Pty Ltd	6-Jul-2006
Childs, Nicholas D	26-Apr-2004
Ciphertel Pty Ltd	21-Apr-2005
Cirrus Communications Pty Ltd	18-May-2005
Citisystems (Aust) Pty Ltd	7-May-1999
City Cable Pty Ltd	19-Sep-2006
ClariNET Internet Solutions Pty Ltd	25-Jul-1997
Clear Technology Pty Ltd	22-Nov-2006

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INTERNET SERVICE PROVIDER	DATE JOINED
Clever Communications Operations Pty Ltd	6-Jan-2003
Clover Computing	10-Jun-1998
ClubNet International Pty Ltd	18-Jan-1999
Cmon.com.au Pty Ltd	15-Dec-2003
Comaxes Corporation Pty Ltd	29-Jun-1999
ComCen Pty Ltd	17-Jul-1997
Commerce Australia Pty Ltd	3-Apr-1998
Commslogic Pty Ltd	28-Jun-2005
Communicat Pty Ltd	1-Jul-1997
Community Information Strategies Australia Inc	22-Nov-2004
Computers Now Pty Ltd	9-Aug-2002
Comstar Internet Services Pty Ltd	12-Feb-2003
Comstech Systems	23-Apr-2003
Conceptual Internet Australia Pty Ltd	3-Jul-2000
Connect West Pty Ltd	22-Oct-2004
Contal Information Technology Pty Ltd	12-Jun-1998
Coretech Aust Pty Ltd	3-Aug-2007
Corinthian Engineering Pty Ltd	6-Apr-1998
Cornish Business Solutions	11-Sep-2003
Corpita Pty Ltd	15-Apr-2003
Coulston, Evan James	2-Oct-2000
Country Energy	9-Dec-2002
CQ Net Pty Ltd	22-Mar-2002
Creagh McGlasson Pty Ltd	29-Mar-2004
Cross Link Pty Ltd	28-May-2002
CSI Holdings Pty Ltd	18-Jul-1997
CyberCentral Pty Ltd	26-Aug-2008
CyberOne Pty Ltd	3-Sep-1997
Cynergic Pty Ltd	11-Sep-2006
D & M Technologies Pty Ltd	2-Apr-2001
D.J HOOTON & Kingtone Pty Ltd & B.P RANDALL & M.J SWEET	2-Aug-2005
Data Traffic Services Pty Ltd	3-Aug-2007
Datalan Australia Pty Ltd	16-Jun-2003
Davis, Catherine Marie	24-Jun-2005
DAYTEC Australia Pty Ltd	20-Feb-2000
DCS Internet Pty Ltd	15-Oct-1997
Demand Broadband Pty Ltd	22-May-2008
Depot IT Pty Limited	23-Aug-2004
Diggy Australia Pty Ltd	13-Sep-1999
Digimedia Pty Ltd	30-Aug-2002
Digital River Pty Ltd	23-Nov-2005
Digital Signal Solutions Pty Ltd	10-Jul-2006
Digital Technologies & Telecommunications Pty Ltd	1-Jan-2006
Distribute IT Pty Ltd	12-Jan-2009
Domain Network Solutions Pty Ltd	2-Sep-1999
DotAussie.com Pty Ltd	1-Apr-2003
Down Under Consultants Pty Ltd	12-May-1998
DPT SOLUTIONS PTY. LTD.	29-Jun-2009
E-Sharp Technology Pty Ltd	6-Aug-2002
Easemail.net Pty Ltd	26-Apr-2005
Eastcoast Internet	10-Jul-1999
Eastern Wireless Pty Ltd	20-Jun-2005

INTERNET SERVICE PROVIDER	DATE JOINED
Easy Internet Services Pty Ltd	3-Oct-2003
Easynet Pty Ltd	28-Nov-1997
EasyTel Communications Pty Ltd	14-Jun-2006
Echobreeze Pty Ltd	20-Jan-2003
ECN Pty Ltd	13-Mar-2003
Ecopost Pty Ltd	4-Aug-1997
Editure Education Services Limited	1-Jul-1997
Eftel Radio Pty Ltd	6-May-2002
Elders Telecommunications Pty Ltd	16-Jun-2006
Elmtree Consulting Services Pty Ltd	28-May-1999
Elu Information Systems Pty Ltd	27-Oct-1997
Emerge Technologies Pty Ltd	15-Nov-1999
Ensyst Pty Limited	13-May-2005
EON Technology Pty Ltd	18-May-1998
Escape Communications Pty Ltd	9-Aug-2002
Escape.Net	12-Jan-1998
EtherTech Pty Ltd	2-Jun-1999
ETT Limited	20-Nov-2007
Evanscorp Pty Ltd	2-Nov-2001
Evolving Technology Solutions Pty Ltd	5-Dec-2006
Exetel Pty Ltd	21-Apr-2004
Export Mission Information Systems Pty Ltd	10-Jan-2000
Extentia Corporation Pty Limited	24-Mar-2004
EZ ADSL Pty Ltd	24-Jan-2007
Ezylink Internet Pty Ltd	19-Jan-1999
F1 (Formula One) Internet Services	18-Jan-1999
F1 Computer Services	16-Jun-1999
Firestorm Computing Pty Ltd	21-Jan-2004
First Link Internet Service Pty Ltd	1-Jul-1997
Fish Telecom Pty Ltd	1-Jul-2002
Flexinet Pty Ltd	14-Jun-2006
Flexirent Capital Pty Ltd	
Foundation IT Services Pty Ltd	28-Mar-2008
Fox All Service Pty Ltd	24-Aug-1998
Freegate Networks	1-Sep-1999
Frontier ISP Pty Ltd	6-Apr-2001
Futureweb Pty Ltd	9-Jul-1998
G-Node Networks Pty Ltd	21-Sep-2006
G.A Wigzell & M.E Wigzell	18-Jan-2007
Gamexpress Glen Waverley Pty Ltd	21-Jun-2002
Geecko	21-May-2002
Gel Works Pty Ltd	22-Jul-1999
General Communicatons Business Pty Ltd	18-Jun-2003
Genisyst Pty Limited	1-Jul-1997
Geo Media Broadband Pty Ltd	26-Apr-2006
Geocel Pty Ltd	16-Feb-2006
GeoNet Pty Ltd	26-Apr-2006
GetOnIt Pty Ltd	22-Sep-2003
GKY Distributors Pty Ltd	1-Jul-1997
Global Dial Pty Ltd	3-May-2000
Global Solutions Network Pty Ltd	25-Aug-2003
Global Wire Internet Pty Ltd	5-Jul-2000

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GoBush Broadband Pty Ltd	26-Apr-2006
GoConnect Australia Pty Ltd	25-Nov-1999
Golden IT Pty Ltd	12-Dec-2003
Goulburn Internet Pty Ltd	14-Nov-2003
GPC Pty Ltd	30-Nov-1998
Graham C Maltby & Klaus D Boehme	7-Aug-2007
Gratesand Pty Ltd	20-Nov-1998
Graytech Hosting Pty Ltd	18-Jan-2008
Green Tree Frog Pty Limited	15-Aug-2006
GreenBay Communications Pty Ltd	17-Apr-2003
Greenhatch Nominees Pty Ltd	17-Jun-1999
GRHANet Ltd	12-Dec-2007
Haddow, Shane Robert	7-Jul-2006
Hande Pty Ltd	31-Mar-2003
Hanod Investments Pty Ltd	29-Aug-2001
HarbourIT Pty Ltd	16-Jan-2006
Hermes Internet	24-Jul-1997
Highlands Internet Pty Ltd	21-Dec-1997
Highlevel Innovations Pty Ltd	11-Mar-1998
Highway Internet Services Pty Ltd	3-Jul-2001
Hissey & Associates Pty Ltd	6-Jan-2003
Hitech Support Pty Ltd	23-Jun-2002
Home Secure (Aus & Nz) Pty Ltd	26-Nov-2007
Hood Sweeney Technology Pty Ltd	4-Jan-2007
Horizen Enterprises Pty Ltd	8-Sep-1999
Hosting HQ Pty Ltd	8-Nov-2007
Hosting Technologies Pty Ltd	26-Aug-2003
Hotkey Internet Services Pty Ltd	29-Oct-1997
Hotline Support Pty Ltd	12-Feb-2004
Hotspotzz Pty Ltd	1-Jul-2005
Howard IT Operations Trust	4-Sep-2006
HTML Net	9-Jul-1998
Hussain, Dawud Ameen	4-May-1998
Hyperlink Pty Ltd	11-Sep-2003
I-Connect Internet Pty Ltd	31-Jul-2003
I-maginet.com Pty Ltd	21-Mar-2001
IDXNET Computing Pty Ltd	3-Dec-1997
iForm	21-Jul-1997
Independent Computer Retailers (ICR) Pty Ltd	11-Jan-2000
Infinite Networks Pty Ltd	27-Oct-2003
Information Systems Technology Network Pty Ltd	15-May-2000
InfoXchange Australia	3-Dec-1997
InfoXchange Australia	15-Sep-2006
Instra Corporation Pty Ltd	20-Jun-2007
Integrated Data Labs Pty Ltd	1-Sep-1999
Integrity Network Solutions Pty Ltd	21-Feb-2003
Intek Pty Ltd	21-Aug-2000
InterDomain Pty Ltd	1-Jan-1998
InterNet Australis	1-Feb-2000
Internet Tasmania Pty Ltd	19-Dec-2006
Internet Victoria Pty Ltd	28-Oct-1997
InterNex Australia Pty Ltd	10-Mar-1998
Internode Pty Ltd	1-Jul-1997

INTERNET SERVICE PROVIDER	DATE JOINED
Interwerks Pty Ltd	7-Dec-2001
IntraPower Terrestrial Pty Ltd	29-Jul-1998
IP Exchange Pty Ltd	8-Nov-2007
Isage	7-Jun-1999
Issa, Michael	18-Apr-2006
ITD Group Pty Ltd	14-Sep-2004
J C McInerney Pty Ltd & Cabeat Pty Ltd	18-Jan-1999
J.R Hawthorn and L.W Mckay	13-Nov-2007
Jackar Australia Pty Ltd	2-Mar-2006
Jaspar Solutions	19-Jan-2001
Jigsaw Technology Pty Ltd	20-Apr-1998
Jimojo Pty Ltd	9-Jan-2007
Justin Fultiak & Goldline Technologies Pty Ltd	15-Aug-2007
JWC Internet Services	15-Jul-2002
Kaphoops Pty Ltd	11-Jun-2008
Kean, Michael Charles	6-Apr-2009
Keishen Pty Ltd	19-Dec-2006
Ketteridge, Peter Walter	13-Apr-2004
King Island Internet Service	12-Aug-1999
L.I.S.P Pty Ltd (Local Internet Service Provider)	8-Jan-1998
LANcare IT Pty Ltd	29-Dec-2004
Laptop Connect Wireless Pty Ltd	29-Jun-2009
LastMileAccess Pty Ltd	4-Mar-2004
LB & GL Rodda Pty Ltd t/as Quik Internet NNSW	13-Nov-2003
Leading Edge Internet Pty Limited	2-Jul-2001
Legion.com.au Pty Ltd	29-Sep-2005
Lennox, Damian James	25-Mar-2009
Library Board of Victoria	26-Mar-1998
Link Innovations Pty Ltd	28-Nov-2003
Linkit Internet Services	10-Nov-1998
Linknet Communications NSW Pty Ltd	16-Mar-1999
Locall Pty Ltd	27-May-2002
M.T Newham & R.M Newham & J.B Quinn	16-Apr-1999
M.W Frahn & A.J Stevens t/as Copper Wire	8-Jan-2004
Mackay Computer Services Pty Ltd	11-Feb-2000
Magnafield Technology Distribution Pty Ltd	29-Dec-1997
Marlec Pty Ltd	25-Aug-2008
Matilda Internet Pty Ltd	17-Sep-1998
Maurie Fountain & Sons Pty Ltd	7-Jul-2003
Maxi Internet Services Pty Ltd	23-Apr-2002
McCullagh Family Trust	23-Sep-2005
McKay, Jason Kenneth	21-Dec-1998
McLean, Ian Duke	21-Aug-2007
McPherson Media Pty Ltd	21-Jan-1998
MedEmail Pty Ltd	18-May-2000
Megalink Australia Pty Ltd	29-Apr-2003
Melbourne PC User Group Inc	13-Oct-1997
Melbourne Wireless Incorporated Association	2-Dec-2005
Merday Pty Ltd	16-Jan-2004
Metro Net Corporation Pty Ltd	28-Mar-2001
MICHAEL PARNELL PTY LTD	10-Sep-1999
Miconica	30-Apr-1998
Microsystems Support	18-Dec-1997

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Mikka International Pty Ltd	23-Jul-1997
Mindvision Interactive Pty Ltd	20-Aug-1997
Minerva Micro Pty Ltd	2-Apr-1998
Minopher Pty Ltd	31-Dec-1997
Mobile Office Pty Ltd	
Modern Pty Ltd	16-Nov-1999
Multibase Web Australis	1-Jul-1997
MyDoor.Com.Au Pty Ltd	20-Nov-2006
MYKP Networks Pty Ltd	22-Apr-2009
MyLink Wireless Pty Ltd	28-May-2004
Myspeed Australia Pty Ltd	24-Oct-2008
Nanoetek Pty Ltd	30-Apr-2003
Nareg Internet Pty Ltd	30-Aug-2001
NEC Australia Pty Ltd	2-Aug-2002
Net Solutions Pty Ltd	16-Jul-1999
Net2000 Pty Ltd	14-Jul-1998
Netbay Internet Pty Ltd	2-Jan-2001
NetCentral.com.au Pty Ltd	14-Aug-2000
Netcomplete Pty Ltd	25-Oct-2001
Netcore Pty Ltd	1-Jul-1997
Netforce Pty Ltd	14-Dec-2001
Netmagic Internet	25-Jul-2002
Netmail Axxess Pty Ltd	7-Jun-1999
Netmastery Pty Ltd	23-Aug-1999
Netracom	11-Feb-1999
Netspace Online Systems Pty Ltd	1-Jul-1997
Network Computer Training Pty Ltd	15-Nov-2000
Network Synergy Corporation Pty Ltd	11-May-2006
Network Technology (Aust) Pty Ltd	20-May-2002
Networks Multimedia Pty Ltd	26-Mar-2001
NetXP	8-Oct-2002
NetYP	10-Nov-1998
New Millennium Networking	19-Feb-2001
Nexacom Pty Ltd	16-Jul-1999
Nexon Asia Pacific Pty	11-Sep-2003
Nissen Technologies Pty Ltd	27-Aug-2004
No More Wires.com Pty Ltd	31-Oct-2000
Nomad Networks Pty Ltd	20-Jun-2006
Nornet Enterprises Pty Ltd	29-Aug-2002
North Industries Pty Ltd	10-Oct-2003
Northern Technology Holdings	24-Jul-2003
Nowires Pty Limited	31-Jul-2006
NT Technology Pty Ltd	27-Aug-1998
Nuskope Pty Ltd	6-May-2008
Nvision Pty Ltd	27-Aug-1999
Ocean Broadband Ltd	22-Mar-2005
OCTEC Incorporated	11-Feb-1999
Officelink Plus Pty Ltd	17-Mar-2003
Offis Pty Ltd	20-Nov-1998
On The Net Pty Ltd	31-Oct-1997
Operations & Technology Group Pty Limited	20-Jun-2007
OPOC Solutions Pty Ltd	18-Aug-2003
Optic Fibre & Wireless Pty Ltd	24-Feb-2004

INTERNET SERVICE PROVIDER	DATE JOINED
Optus Broadband Pty Ltd	29-Jun-2000
Orion Online	6-Apr-1998
Orli-Tech Pty Ltd	20-Apr-1999
Ossini Pty Ltd	27-Mar-2000
Our Haven Pty Ltd	17-Jun-2002
Output DSJ Pty Ltd	27-Jun-2003
Over The Wire Pty Ltd	26-Mar-2007
Oxnee Pty Ltd	18-Nov-1999
Ozcom Consulting Services	1-Jun-2007
OzConnect Internet	28-Apr-2003
OzGuide	15-Jun-1999
OzISP Pty Ltd	18-Nov-2002
Ozziweb Pty Ltd	11-Jul-2001
Pacific Wireless Australia Pty Ltd	19-Mar-2002
PacNet Internet (A) Pty Ltd	30-Apr-1999
Paragon Systems Pty Ltd	10-Dec-2002
Patash Pty Ltd	14-Oct-1997
PCA NU Systems Pty Ltd	21-Sep-2006
Pentana Solutions Pty Ltd	12-May-2000
Personal Broadband Australia Limited	18-Dec-2003
Perth international Exchange ATF the Perth IX Trust	18-Apr-2006
Petersen's Online Services	4-Dec-1998
Pivit Pty Ltd	27-May-2005
Planet Ozi Pty Ltd	14-Mar-2006
Platform Computing Pty Ltd	9-Mar-2000
Port Of Brisbane Corporation	31-Jul-2006
Powernet Communications Pty Ltd	29-Jun-2006
Precision Wireless Pty Ltd	28-Feb-2007
Precisium	12-May-1999
Preferred Internet Provider	26-Nov-1997
Primebase Pty Ltd	14-Dec-2004
Project Eclectic R&D (SA) Pty Ltd	20-Oct-2005
Prokop, Gerard Michael	20-Jun-2007
Proxyconn Australia Pty Ltd	4-Sep-2006
Quik Internet Australia Pty Ltd	13-Nov-2003
Quintessa Holdings Pty Ltd	5-Jul-1999
Qwest Australia Pty Ltd	6-May-2002
Radcomp Pty Ltd	7-Dec-2005
Ram Network Services Pty Ltd	8-May-1998
Rapid Telecom Pty Ltd	11-May-2006
Rascal Internet Pty Ltd	29-Oct-2003
RBE Internet Services	10-Nov-1998
Redgum Software & Support Pty Ltd	17-Sep-2000
Regional Wireless Pty Ltd	7-Aug-2006
Restless Online Services	17-Sep-1998
Reverence Pty Ltd	13-Feb-2009
Reynolds Technology Pty Ltd	23-Jul-2001
Rimway Holdings Pty Ltd	21-Nov-2002
Ripper IT Pty Ltd	7-Jul-2006
ROK Technology Pty Ltd	20-Jan-2000
Rothnie, Colin William	29-Apr-1999
Rubix Computers Pty Ltd	14-May-1999
Rural & Peninsula Disability Support Inc	15-Sep-2003



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INTERNET SERVICE PROVIDER	DATE JOINED
Rural Business Machines Pty Ltd	3-Feb-1998
Satellite and Wireless Pty Ltd	15-Aug-2006
Saunders Properties Pty Ltd	31-Jul-2002
Savvis Australia Pty Ltd	22-Oct-1999
ScoastNet Pty Ltd	15-Oct-1997
Sebastopol College	10-Aug-1999
SELTEK Australia Pty Ltd	10-Jan-2000
Shopsafe Pty Ltd	30-May-2003
SHS Holding Pty Ltd	15-May-2003
Silver Telecom Pty Ltd	3-Jul-2006
SIS Group Pty Ltd	12-Mar-2003
Sixty Second Crater Pty Ltd	15-Aug-2005
SkyMesh Pty Ltd	10-Jun-2005
Smith, Alwyn Laurence	16-Dec-2005
SMV & GJ Bambrick	1-Sep-2003
Snowsports Interactive Pty Ltd	5-Apr-2006
Sohonet Pty Ltd	23-Oct-2003
South Sydney Junior Rugby League Club Ltd	12-Nov-2001
South West Alliance of Rural Health (Vic)	15-Apr-2008
South West Communications Company Pty Ltd	8-Jan-2004
Southern Aurora Web Designs	8-Jul-2002
Spacelink Communications Pty Ltd	25-Jul-2002
Speednet Communications Pty Ltd	27-Jul-1999
Spencer Gulf Telecasters Ltd	20-Sep-2002
SPI Electricity Pty Ltd	31-Jul-2006
Spiderweb Access	14-Jul-1998
Spin Internet Services Pty Ltd	20-Apr-1998
Spitfire Internet Services Pty Ltd	18-Apr-2000
Sprint International Australia Pty Ltd	25-Jul-2000
Steal Internet Pty Ltd	31-Jan-2006
Stenzel Farming Enterprises Pty Ltd	1-Aug-2006
Sublime IP Pty Ltd	11-Aug-1998
Switch.Com Pty Ltd	14-Jul-1998
Sympac Computing Pty Ltd	3-Jun-1998
Synapse I.T Pty Ltd	20-Jun-2007
Taccom Pty Ltd	23-Mar-1999
Tas Communications Pty Ltd	9-Jun-2005
Tasmanet Pty. Ltd.	27-Oct-2005
Tech 2U Pty Ltd	10-Aug-1999
Tech Info Pty Ltd	16-Jun-1999
Technical Aid to the Disabled Inc	13-Oct-2005
Techno Access	12-May-1998
Techsus Pty Ltd	18-Aug-2005
Teklogik Pty Ltd	8-Feb-2006
Teksupport Pty Ltd	3-Oct-1997
Telco Talk Communications Pty Ltd	2-May-2006
Tellurian Pty Ltd	6-Jan-2005
Telstra Big Pond	1-Jul-1997
The Australian Internet Company Pty Ltd	1-Jul-1997
The Boss Group Pty Ltd	24-Mar-2006
The Emery Corporation Pty Ltd	14-Jul-1998
The Friendly Giant Pty Ltd	28-Oct-1999
The Murray Pioneer Pty Ltd	9-Dec-1997

INTERNET SERVICE PROVIDER	DATE JOINED
The Trustee for Hurst Family Trust & Trustyrom	31-Jul-2006
The Trustee for RO Family Trust	17-Nov-1997
The Youle Family Trust	11-Jan-1999
TouchTV Pty Ltd	26-Feb-2004
Tourist Facilities Pty Ltd	29-Jul-2002
Tower Computer Aid Pty Ltd	19-Aug-2004
Townsville Division Of General Practice Ltd	29-May-2007
Towong Shire Council	5-May-2009
TPG Internet Pty Ltd	1-Jul-1997
Trumpnet Pty Ltd	16-Dec-1997
Turbonet Pty Ltd	13-Jun-2003
TX Communications Pty Ltd	23-Nov-1998
Unistar Enterprises Pty Ltd	24-Jul-2007
UnitedIP Pty Ltd	29-Nov-2004
University of Queensland Information Technology Services	17-Jun-1998
Van Den Eynde Robert Frank & Denise Joan	11-Apr-2006
Velocity Internet Pty Limited	25-Aug-2003
Vertical Telecoms Pty Ltd	8-Feb-2001
Vintek Pty Ltd	24-May-2001
Virtual Communities Ltd	7-Apr-2003
Virtual Computers Pty Ltd	3-Nov-1997
Virtualcity Pty Ltd	22-Mar-2004
Visiontek Pty Ltd	17-Sep-1997
W Connect Pty Ltd	8-Apr-2004
Wackado Communications Pty Ltd	22-Jul-2005
Warianne Investments Pty Ltd	2-Sep-2003
Warick Grubb J	4-Aug-2004
We Solve It Pty Ltd	28-Apr-2004
Web Australis Pty Ltd	1-Jul-1997
Web Prophets Pty Ltd	22-Oct-2003
Webcentral Pty Ltd	30-Jun-2003
Webzone Holdings Pty Ltd	21-Mar-2003
Wellington Communications Pty Ltd	25-Jul-2000
Welsh, Steven Edward	22-Apr-2009
Westconnect Technologies Pty Ltd	8-Sep-1998
Western Advance Pty Ltd	18-Oct-2007
Western Internet Services	15-Jun-1999
Westway Nominees Pty Ltd	14-Jul-2005
Wide Blue Ocean Pty Ltd	23-Aug-2004
Willis, Donna Michelle	18-Jul-2007
Winderee investments Pty Ltd	19-Feb-2008
Winshop Internet (Aust) Pty Ltd	5-Dec-2008
Winshop Internet Pty Ltd	1-Jul-2002
Wired Sky Pty Ltd	2-May-2006
Wirefree Networks Pty Ltd	15-Aug-2006
Wireless Broadband Services Pty Ltd	
Wireless Systems Australia Pty Ltd	25-Aug-2004
Wireless Telecommunications Pty Ltd	31-Jul-2006
Wizz Pty Ltd	14-Jun-2006
Wobygong Pty Ltd	3-Dec-2002
Wood Dragon Pty Ltd	18-Dec-2002
World.Net Services Pty Ltd	20-Mar-2000



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Worldwide Internet	2-Sep-1998
Worth IT	2-Apr-2003
XYZed Pty Ltd	21-Jul-2000
Yates, Daniel Alan	22-Oct-1997
Yea Computing Services	23-Sep-1999

OTHER	DATE JOINED
1800 FREECALL PTY LTD	6-Feb-2007
Air Portal Pty Ltd	5-Dec-2000
Alinta Asset Management (2) Pty Ltd	31-Jan-2008
Askari, Kamal	5-Dec-2008
Australia-Japan Cable (Australia) Limited	2-Feb-2001
Boeing Australia Limited	24-Jan-2001
Bottle Communications Pty Ltd	22-Jul-2008
Broad IP Pty Ltd	20-Mar-2006
C.J Scafe & S Scafe	4-Apr-2006
Card & Go International Pty Ltd	21-Mar-2006
Clarinet Australia Pty Ltd	8-Dec-2005
D.J BLACKER & M.J BLACKER	23-May-2005
Dialogue Communications Pty Ltd	30-Aug-2004
Digital Distribution Australia Pty Ltd	12-Feb-2001
Ensphere Pty Ltd	22-Apr-2009
ETSA Utilities	15-Jan-2001
Ezy 2 Call	
Ezycomm	
FaktorTel Pty Ltd	24-Mar-2006
Fiber Vision Networks Pty Ltd	14-Nov-2006
FibreLite Networks Pty Ltd	11-May-2006
Index Consultancy - Australia Pty Ltd	21-Jul-2006
Ipera Communications Pty Ltd	20-Mar-2000
iPSTAR Australia Pty Ltd	21-Sep-2006
Jam Networking Pty Limited	29-May-2007
Kallistrate Pty Ltd	6-Sep-2006
Kazatky, Samuel Joshua	6-Dec-2005
New Skies Satellites Australia Pty Ltd	2-Jan-2006
Nextgen Networks Pty Ltd	14-Feb-2001

INTERNET SERVICE PROVIDER	DATE JOINED
Yless4U Pty Ltd	23-May-2006
Your ASP Pty Ltd	27-May-2002
Zion Internet Services	10-Feb-2003
<b>Total internet service providers</b>	<b>519</b>

OTHER	DATE JOINED
Office Advisors Pty Ltd	11-Mar-2004
OMNIconnect Pty Ltd	18-Sep-1997
OPENetworks Pty Ltd	26-Feb-2007
OptiComm Co Pty Ltd	7-Apr-2009
Optus Vision Pty Ltd	8-Dec-1997
Oziplex Pty Ltd	27-Sep-2002
Powertec Telecommunications Pty Ltd	9-Feb-2006
PowerTel Ltd	1-Jul-1997
Puddlenet Pty Ltd	18-Jul-2006
Quantum Multimedia Communications Pty Ltd	30-Aug-2002
RailCorporation of NSW	28-Apr-2009
ReelTime Media Limited	7-Jul-2006
RP 25 Pty Ltd	12-Jul-2006
Sensis Pty Ltd	1-Jul-1997
Silogen Pty Ltd	29-May-2007
Soul Pattinson Telecommunications Pty Ltd	5-May-1999
Startel Communications Pty Ltd	13-Mar-2007
Suretek Pty Ltd	8-Apr-2004
Suretel Pty Ltd	10-Nov-2004
Symbio Networks Pty Ltd	23-May-2006
Telstra Multimedia Pty Ltd	16-Jul-1997
The Trustee for The Kwietniak Family Trust	1-Mar-2006
Verizon Australia Pty Limited	26-Jun-1998
Vernet Pty Ltd	30-May-2006
Vodafone Hutchison Australia Pty Limited	20-Aug-2002
Windytide Pty Ltd	28-Sep-1998
World Without Wires	19-Jun-2006
Xantic B.V.	17-Feb-2003
<b>Total other</b>	<b>57</b>

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TELEPHONE AND INTERNET SERVICE PROVIDER	DATE JOINED
1410 Communications Pty Ltd	18-Sep-2002
2Tribe Pty Ltd	23-Feb-2009
5Star Telecom Pty Ltd	15-Apr-2008
A.C.N. 134 291 008 Pty Ltd	12-Jan-2009
AAPT Ltd	1-Jul-1997
Aardvark Internet Pty Ltd	16-Jul-2003
Access Wireless & Cable Pty Ltd	21-Jul-2006
Ace Communications Group Pty Ltd	17-Apr-2003
ACN Pacific Pty Ltd	22-Mar-2006
Acquire Enterprises Pty Ltd	17-Jul-2007
Active Utilities Pty Ltd	31-Jul-2006
Aeon Group Pty Ltd	16-Mar-2006
AI Tel Pty Ltd	21-Jul-2006
All2Connect Pty Ltd	28-Oct-2004
Alpha Network Shop Pty Ltd	31-May-1999
Alphanet Pty Ltd	6-Oct-1997
AmityOne Network Pty Ltd	13-May-2003
Answer Plus Communications (Aust) Pty Ltd	25-Mar-2003
Arcon Communications Pty. Ltd.	5-Oct-2005
Asian Pacific Telecommunications Pty Ltd	13-Jul-2000
Askom Pty Ltd	31-Jul-2006
Aspark Pty Ltd	1-Aug-2005
Astron Business Services Pty Ltd	17-Aug-2005
Auracom Pty Ltd	20-Mar-2009
Aussie Broadband Pty Ltd	22-Jul-2008
Australasia Telecommunications Consultants Pty Ltd	20-Aug-2007
Australian Cable & Wireless Pty Ltd	15-Aug-2008
Australian Communications Consortium Limited	23-May-2006
Australian IT & Telecommunication Service Pty Ltd	25-Aug-2008
Australian Private Networks Pty Ltd	18-Jan-2006
Australian Technology Partnerships Pty Ltd	12-Feb-2004
Australux Enterprises Proprietary Limited	15-Sep-2008
Australux Telecommunications (Australia) Pty Ltd	10-Jun-2009
AUZ Telecom Pty Ltd	23-Feb-2009
Axis Telecoms Pty Ltd	19-Dec-2007
Ballarat Community Enterprise Limited	18-Apr-2005
Basejump Pty Ltd	13-May-2005
Baycrown Management Pty Ltd	1-Aug-2006
BEACHLEY, PHILIP PAUL	23-Jun-2003
Bendigo Community Telco Ltd	15-Sep-2000
BEST Internet and Telecom Pty Ltd	10-Oct-2007
Better Telecom Pty Ltd	7-Feb-2006
BetterOff Networks Pty Ltd	1-Jul-2008
Blackstump Solutions	29-Jan-2007
Blitz Telecom Operations Pty Ltd	22-Mar-2007
Blue Orb Telecommunications Pty Ltd	29-May-2007
BlueIQ Pty Ltd	29-May-2007
Bluestar Telecoms Pty Ltd	29-Aug-2006
Botel Communication Pty Ltd	19-Sep-2006
Brennan Voice and Data Pty Ltd	4-Dec-2008
Broadband Anywhere Pty Ltd	19-Jul-2005
Broadband Solutions Pty Ltd	22-Jan-2007

TELEPHONE AND INTERNET SERVICE PROVIDER	DATE JOINED
Budget Telecom Pty Ltd	23-Feb-2005
Business By Phone (NSW) Pty Limited	10-Jun-2009
Business Services Direct Pty Ltd	27-Oct-2005
Buzz Broadband Pty Limited	25-May-2005
Bwired Group Pty Ltd	5-Jul-2005
C-Fone Pty Ltd	8-Oct-2008
Caliad Pty Ltd	5-Dec-2006
Canard Pty Ltd	24-Dec-2007
CardCall Pty Ltd	18-Sep-1997
Charitel Australia Pty Ltd	24-Sep-2007
Chime Communications Pty Ltd	31-Aug-2000
Christmas Island Internet Administration Limited	25-Mar-2001
Clarkson McLaren Corporate Communications Pty Ltd	6-May-2004
Clarus Telecom Pty Ltd	21-Jul-2006
Clear Networks Pty Ltd	19-Apr-2005
Clear Telecoms (Aust) Pty Ltd	3-Mar-2008
Clublinks Telco Pty Ltd	14-Feb-2006
Clublinks Utilities Pty Ltd	4-Aug-2005
Coast to Coast Telecoms Pty Ltd	20-Jun-2007
Coghlan, Kim	20-Jun-2007
Commander Australia Ltd (Receivers and Managers Appointed)	21-Aug-2003
CommsChoice Pty Ltd	25-Jun-2009
Commsys Pty Ltd	11-Oct-2006
Communicomm Pty Ltd	30-May-2006
Community Assets Ltd	13-Aug-2007
Community Solutions Australia Pty Ltd	9-Oct-2003
Community Telco Australia Ltd	22-Oct-2003
Coms Centre Australia Pty Ltd	12-Jan-2009
Convergence Pty. Ltd.	14-Nov-2005
Convergent ComCo Pty Ltd	31-Jan-2005
CONVOITEC PTY LTD	28-Nov-2008
Cooper, Matthew Phillip	9-Jan-2009
Corporate Telecom Pty Limited	4-Oct-2005
Country Telecommunications Pty Ltd	26-Jul-2005
Crave Communications Pty Ltd	30-May-2006
Creative Telcom Pty Ltd	20-Jul-2005
customONLINE Pty Ltd	22-Jun-2006
D Kingdom & V.L. Millerd & W.A. Millerd & D.L. Noonan	27-Feb-2009
D. Seeto Nominees Pty Limited	22-Apr-2005
D2P Pty Ltd	23-Oct-2006
Dart Global Pty Ltd	23-Oct-2003
Datawave Internet Pty Ltd	23-Mar-2007
Davison, Joshua David	17-Oct-2008
Dell Telecom Pty Ltd	24-Jun-2008
Destra Corporation Ltd	22-Feb-2006
Dialog Corporation Pty Ltd	25-Aug-2008
Digital Network Innovations Pty Ltd	12-Sep-2008
Dodo Australia Pty Ltd	10-Sep-2001
Dombec Pty Ltd	19-Feb-2008
Dow Telecom Pty Ltd	2-Sep-2005
Down Under Communications Pty Limited	2-May-2005
Du Plessis Investments (QLD) Pty Ltd	23-Feb-2006

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E-Talk Communications Pty Ltd	21-Aug-2007
E-Tel Communications Pty Ltd	8-Apr-2004
E-Vision Internet Pty Ltd	22-Jul-2008
Ecomtel Pty Ltd	13-Jul-1999
Efficient Data Communications Pty Ltd	6-May-2008
EFTel Limited	17-Feb-2000
EFTel Pty Ltd	2-Jan-2001
EHW Technology Pty Ltd	14-Jun-2006
Empcom Pty Ltd	17-Feb-2003
Empicentre Systems Pty Ltd	5-Dec-2006
Endeavour Clever Networks Pty Ltd	17-Jul-2007
Endeavour Connect Pty Ltd	11-Nov-2006
Enterprise IP Pty Ltd	6-May-2008
Esmonde, David John	25-Jul-2005
ETB Qld Pty Ltd	27-Apr-2004
Everything Telco Pty Ltd	19-Mar-2009
Fabfone Pty Ltd	12-Jul-2006
First Reach Pty Ltd	17-May-2004
Flirt Digital Signage Pty Ltd	28-Apr-2009
Focus Voice & Data	10-Jan-2007
Freecall Connect Pty Ltd	16-Feb-2006
Fuel-Tel Pty Ltd	29-Jun-2009
Fuzeconnect Pty Ltd	18-Jun-2008
Gallagher Investments Qld Pty Ltd	29-May-2007
Gazal Telecom Pty Ltd	10-Jan-2008
GC Telecom Pty Ltd	3-Mar-2006
Geelong Community Investments Ltd	29-May-2007
Global Connect Communications Pty Ltd	23-Aug-1999
Global Net Media Pty Ltd	9-Mar-2006
Glocomm Pty Ltd	31-Oct-2006
Gould, Simon David	1-Jun-2004
GTel Pty Ltd	21-Dec-2007
Health Telecom Pty Ltd	28-Apr-2009
Heit, Cody Glen	16-Aug-2007
Highway 1 (Australia) Pty Ltd	21-Jul-1998
HomeLinX Pty Ltd	7-Apr-2004
Horizon Mobile Communications (Australia) Pty Ltd	26-May-2009
Hottest Deals Pty Ltd	10-Jun-2009
Hub Business Services Pty Ltd	20-Dec-2004
Hummertime Pty Ltd	22-Jul-2008
IF Telecom Pty Ltd	12-Oct-2005
ihug Pty Ltd	3-Nov-2003
iiNet (OzEmail) Pty Ltd	10-Mar-2005
iiNet Ltd	25-Aug-1998
Imagine Global Pty Ltd	18-Jun-2008
In-Tech Telecommunications Pty Ltd	28-Aug-1998
Indigo Telecom (Aust) Pty Ltd	12-Nov-2008
IndiTel Pty Ltd	8-Nov-2007
Infinity Plus Communications Pty Ltd	1-Apr-2005
Information Service Providers Pty Ltd	10-Oct-2007
Infynite Technologies Pty Ltd	11-Sep-2006
Innoveight Pty Ltd	15-Sep-2005

TELEPHONE AND INTERNET SERVICE PROVIDER	DATE JOINED
Inspired Communications Pty Ltd	29-May-2007
Inspired Island Pty Ltd	5-Aug-2005
Integrity Automation Pty Ltd	11-Aug-2005
Intelligent IP Communications Pty Ltd	2-Apr-2009
Inticon Pty Ltd	1-May-2009
IP Systems Pty Ltd	10-Dec-2003
ISP Networks Pty Ltd	25-Oct-2005
Isphone Australasia Pty Ltd	26-Jul-2005
Ivery Holdings Pty Ltd	23-Jul-2007
J.L. Reichman & K Reichman	4-Jun-2007
Jaamax Pty Ltd	27-Feb-2008
James Anthony Byrnes	23-Mar-2007
JARRAJ Pty Ltd	13-Feb-2009
JKR Holdings Pty Ltd	19-Jul-2004
Join Internet Corporation Pty Ltd	27-Nov-2007
Join Internet Services Pty Ltd	27-Nov-2007
Jonaro Pty Ltd	11-May-2007
Jordan Telecommunications Australia Pty Ltd	12-Mar-2007
KDDI Australia Pty Ltd	11-Feb-1999
Kevin Paget	16-Mar-2007
Kia Communications Pty Ltd	27-Jul-2004
King Computer Solutions Pty Ltd	22-Sep-2008
Kironet Pty Ltd	29-May-2007
KJT Holdings Pty Ltd	31-Dec-2004
Knowledge By Design Pty Ltd	1-Jul-1997
Koala Telecom (Australia) Pty Ltd	13-Aug-2007
Koala Telecom Pty Ltd	
Komtel Pty Ltd	29-Aug-2006
LG Communications Pty Ltd	
Liberty Telecoms Pty Ltd	16-May-2006
Lime Australia Pty Ltd	28-Nov-2005
Linked Telecom Pty Ltd	28-Apr-2009
Living Networks Enterprises Pty Ltd	27-Nov-2007
LMHA Network Ltd	27-Nov-2007
Loaded Net Pty Ltd	19-Jun-2007
Logitel Communications Pty Ltd	20-Mar-2002
Lucidity Enterprises Pty Ltd	21-Jul-2005
M Dunne & G Donohoe	18-Jul-2007
m8 Telecom Pty Ltd	11-Mar-2003
Mach Technology Group Pty Ltd	15-Sep-2005
Macquarie Telecom Network Carrier Services Pty Limited	22-Dec-2000
Managed Solutions Pty Ltd	29-Mar-2000
Max Telecom Pty Ltd	26-Nov-2008
MBV Ltd	16-May-2006
McCracken, Steven Thomas	1-Aug-2008
Member Service Australia Pty Ltd	10-Jun-2009
Members Telecom Pty Ltd	15-May-2009
Message Stick Telecommunications Pty Ltd	11-Feb-2004
Meucci Pty Ltd	9-Jul-2004
Miracom Telecommunications Pty Ltd	22-Sep-2005
Montimedia Pty Ltd	27-Apr-2006
Morrtel Pty Ltd	6-Sep-2005

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TELEPHONE AND INTERNET SERVICE PROVIDER	DATE JOINED
Motiv Communications Pty Ltd	22-Sep-2008
My Net Fone Pty Ltd	13-Feb-2006
My Telecom Holdings Pty Ltd	21-Dec-2007
National Australia Communications Pty Ltd	28-Apr-2009
National Phone & Data Pty Ltd	31-Oct-2006
NATTEC Communications Pty Ltd	22-Jul-2008
NC Cable Pty Ltd	15-May-2000
Neoinvent Pty Ltd	1-Mar-2006
Neptune Communications Pty Ltd	22-Mar-2007
Netscapade Pty Ltd	26-Aug-2004
NETSIP Pty Ltd	20-Oct-2008
Network Company Australia Pty Ltd	27-Jun-2005
New Telecom Australia Pty Ltd	24-Sep-2007
New Telecom Pty Ltd	12-Jan-2004
NewSat Networks Pty Ltd	6-Aug-2001
Next Business Telecommunications Pty Ltd	16-Jan-2006
Next Generation Voice Pty Ltd	31-Jan-2008
Next Telecom Pty Ltd	27-Feb-2008
NEXT WAVE COMMUNICATIONS PTY LTD	12-Mar-2007
North Queensland Telecom Pty Ltd	24-Nov-2004
Now Telecom Pty Ltd	28-Apr-2009
Nurv Telecom Pty Ltd	12-Nov-2008
Office Home Mobile Internet Telecommunications Pty Ltd	18-Sep-2008
One Earth Telecoms Pty Ltd	23-Oct-2006
One Telecommunications Pty Ltd	5-Dec-2008
OneNetwork Pty Ltd	18-Jul-2006
OneWorld Telecom Pty Ltd	22-Sep-2008
Optus Networks Pty Ltd	1-Jul-1997
Orion Satellite Investments Pty Ltd	16-Jun-2006
Orion Satellite System Pty Ltd	2-Jul-2003
Ouriptel Holdings Limited	24-Dec-2007
OurTel Pty Ltd	2-Dec-2008
Outside Edge Australia Pty Ltd	19-Oct-2005
Ozetel Pty Ltd	23-Sep-2005
Paladin Communications Pty Ltd	11-Sep-2007
People Telecommunications Ltd	13-Dec-2000
Perracom Pty Ltd	10-Nov-2005
Pipe Networks Limited	10-Jul-2002
Platform Networks Pty Ltd	3-Aug-2007
Powercom Pacific Pty Ltd	19-Apr-2004
Prime Call (Australia) Pty Ltd	21-Jun-2005
Primus Online Pty Ltd	8-Aug-2003
Primus Telecommunications Pty Ltd	1-Jul-1997
PTC Communications Pty Ltd	24-May-1999
QBIC Communications Pty Ltd	28-Apr-2009
QR Tel Pty Ltd	11-Sep-2006
Qualitel Pty Ltd	20-Aug-2007
Quantum Telecom Pty Limited	13-Oct-2005
R.J Hicks & B.D McIntosh & N Somner	13-Jul-2005
Rabbit International - Pink Link - Physic Friends Network Pty Ltd	4-Feb-1999
Rate Squeeze Pty Ltd	6-Sep-2006

TELEPHONE AND INTERNET SERVICE PROVIDER	DATE JOINED
RCOM International Pty Ltd	6-May-2008
Real Telecom Pty Ltd	3-Dec-2004
Real World Technology Solutions Pty Ltd	22-May-2008
Rebtel Services S.a.r.l	12-Mar-2007
Red Media Solutions Pty Ltd	24-Feb-2006
Red Mercury Communications Pty Ltd	28-Apr-2009
Redback Communications Pty Ltd	2-Jun-2008
RickSure Pty Ltd	16-Feb-2001
Royle Holdings (Aust) Pty Ltd	5-Sep-2005
RSL COM Business Communications Pty Ltd (Receivers and Managers Appointed)	21-Aug-2003
RSL COM Business Solutions Pty Ltd	21-Aug-2003
Saands Marketing Australia Pty Ltd	6-Nov-2003
Sancom Pty Ltd	4-Dec-2007
SC Communications Pty Ltd	3-Mar-2005
Schilling, Adrian Thomas	23-Oct-2006
Scott Raymond Gibson	23-Jan-2007
Scott-Welsh Holdings Pty Ltd	12-Jan-2009
Secure Trac Pty Ltd	8-Oct-2008
Servcorp Digital Strategy Pty Ltd	31-Oct-2001
Silver Communities Pty Ltd	28-Mar-2005
Skywave Communications Australia Pty Ltd	8-Mar-2005
Snoopa Community Geelong Pty Ltd	3-Aug-2007
Snooper Systems Pty Ltd	5-Mar-2004
Snowy Mountains Telecommunications	10-Dec-2003
Soft Telcom Pty Ltd	2-Jun-2005
Soul Communications Pty Ltd	26-May-1999
South East Qld Community Telco Limited	14-Nov-2002
Southern Cross Telco Ltd	5-Sep-2007
Speak Ezy Voice and Data Pty Ltd	25-Aug-2008
Spectrum Networks Pty Ltd	12-May-2000
Speed Telecom Pty Ltd	6-Apr-2009
Spinosa-Catella, Richard David	10-May-2005
Spirit Telecom (Australia) Pty Ltd	24-May-2005
Sprint Telecommunication Pty Ltd	31-Jan-2008
Spungold Nominees Pty Ltd	6-Sep-2004
ST Telecom Pty Ltd	5-Feb-2002
Star Telecom Pty Ltd	18-Oct-2007
Staticcom Pty Ltd	11-Feb-2004
Student Administration Pty Limited	28-Aug-2006
Sunshine Coast Community Enterprises Ltd	24-Feb-2005
Sydney Internet Exchange (SIX) Pty Ltd	14-Oct-2004
Talk Down Under Pty Ltd	6-Aug-2007
Tanguinya Pty Ltd	23-May-2005
Tastel Community Telco Pty Ltd	21-May-2001
Team Telco Pty Ltd	13-Nov-2006
Telair Pty Ltd	29-May-2007
Telarus Pty Ltd	12-Feb-2004
Telco Plus Pty Ltd	4-Aug-2004
Telcogreen Pty Ltd	24-Dec-2007
Telcoinabox Australia Pty Ltd	25-Aug-2003
Telfa Pty. Limited	12-Nov-2004
TellStar Pty Ltd	7-Nov-2005

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TELEPHONE AND INTERNET SERVICE PROVIDER	DATE JOINED
Texcel Communications Pty Ltd	29-Aug-2006
The 3rd Eye Telecom Pty Ltd	28-Nov-2008
The Axxess Solutions Group Pty Ltd	18-Aug-2005
The Cornish Family Trust	10-Oct-2007
The Credit Union Financial Services (Tas) Pty Ltd	8-Nov-2007
The Halogen Group Pty Ltd	10-Jan-2008
The Mercuri Group Pty Ltd	1-Aug-2005
The Trustee for Calltext Unit Trust	5-Mar-2008
The Trustee for Diamond Telecom Unit Trust	17-Jan-2006
The Trustee for Nobleheart Trust	14-Nov-2008
The Trustee for ProTalk Australia Unit Trust	2-Apr-2009
The Trustee for the AllTell Trust	11-Sep-2007
The Trustee for THE TELECOMMUNICATIONS TRUST	3-May-2005
The Trustee for Vtree Trust	16-Feb-2006
TKM Australia Pty Ltd	9-Oct-2006
Trans Pacific Communications Pty Ltd	24-May-2005
TransACT Capital Communications Pty Ltd	22-Sep-2000
Trinity Telecom Pty Ltd	29-May-2007
Twin Technologies Australia Pty Ltd	6-Apr-2009
Uecomm Ltd	1-Jul-1997
Universal Communications Group Pty Ltd	29-Jan-2009
Unwired Australia Pty Ltd	19-Sep-2002

TELEPHONE AND INTERNET SERVICE PROVIDER	DATE JOINED
US Telecom Pty Ltd	29-Jun-2006
VCall Services Pty Ltd	11-Sep-2006
VE Telecommunications Pty Ltd	7-Mar-2008
ViaIP Pty Limited	28-Nov-2008
Virgin Mobile (Australia) Pty Ltd	11-Sep-2000
Vocal Pty Ltd	8-Jun-2004
VOIPEX Pty Ltd	3-Jul-2007
Voncom NZ Limited	11-Sep-2006
Voxcom Pty Ltd	11-May-2006
Walsh and Marshall Pty Ltd	9-Dec-2004
Westnet Pty Ltd	14-Jul-1998
Westvic Broadband Pty Ltd	6-Aug-2004
White, Nathan John	29-May-2007
Wideband Networks Pty Ltd	10-May-2004
Widelinx Pty Ltd	17-Jan-2006
Wild Internet & Telecom Pty Ltd	11-Feb-2004
Yodial Pty Ltd	24-Aug-2004
Your Local Telecom Trust	25-Jul-2005
Yourtility Pty Ltd	7-Feb-2006
Z & K Investments Pty Ltd	30-Aug-2005
Zebra Telco Providers Pty Ltd	12-Sep-2008
<b>Total telephone and internet service provider</b>	<b>354</b>

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0014 Pty Ltd	1-Nov-2000
1300 Words Pty Ltd	11-Jul-2005
1800 Reverse Pty Ltd	2-Jan-2001
1800Mumdad Pty Ltd	25-Feb-2004
1World Telecommunications Pty Ltd	17-Jun-2003
7Star Communications Pty Ltd	28-Oct-2004
A1 Sytems Pty Ltd	29-Aug-2006
ABG Group Pty Ltd	29-Jun-2004
Access International Group Pty Ltd	5-Dec-2008
Advance Net Pty Ltd	11-Mar-2008
Advanced Future Technology Pty Ltd	25-Jan-2003
Agile Pty Ltd	8-Sep-1998
Alphawise Solutions Pty Ltd	25-Nov-1999
Asia Telco Investments Pty Ltd	24-Jun-2005
Aspire Telecom Services Pty Ltd	16-Mar-2006
Astracom Pty Ltd	15-Jan-2003
Astron Communication and Information Services Pty Ltd	16-Jul-1997
AT&T Global Network Services Australia Pty Ltd	28-Feb-2000
Aussie Dial Pty Ltd	17-Aug-2006
AUSTAR United Mobility Pty Ltd	10-Nov-2003
Australia Star Communications Pty Ltd (Receivers and Managers Appointed)	21-Aug-2003
Australian Communication Exchange Ltd	1-Jul-1997
Australian Telecommunications Pty Ltd	18-Mar-2002
Avendi Australia Pty Ltd	
B33hive Pty Ltd	24-May-2004
Baghchal Systems Proprietary Ltd	22-Jul-2008
Bareena Holdings Pty Ltd	12-Sep-2002
Bell Networks Voice & Data Pty Ltd	3-Sep-2007
Bharti Telecom Pty Ltd	31-Jul-2008
Blue Call Pty Ltd	17-Mar-2004
Blue Ridge Telecom Systems, LLC	16-Jul-2004
Boost Tel Pty Ltd	26-Nov-2003
Bugal Pty Ltd	24-Nov-2004
Bugeja, Carmen	24-Aug-2007
Buzz-Tel Pty Ltd	18-Jan-2007
Call Australia Pty Ltd	26-Aug-2003
Callsave Pty Ltd	14-Nov-2001
Capital Business Solutions Pty Ltd	28-Mar-2008
ccgIT Pty Ltd	13-May-2005
ChannelIP Australia Pty Limited	28-Dec-2006
Chi Telecom Pty Ltd	4-Jan-2002
Commander Express Telecommunication Solutions Pty Ltd	8-Apr-2004
CommodiTel (Australia) Pty Ltd	11-Aug-2004
Concerotel Pty Ltd	23-Feb-2009
Connec2 Global Pty Ltd	30-Jun-2008
Cybertel Telecom Pty Ltd	18-Jan-2008
Danbaz Pty Ltd	27-Feb-2008
Darren Pro Pty Ltd	31-Mar-2009
Delacon Pty Limited	
Direct Telecoms No 1 Pty Limited	25-Mar-2001
Direct Telecoms Pty Ltd	19-Feb-2008
DRL Communications P/L	5-Feb-2007

TELEPHONE SERVICE PROVIDER	DATE JOINED
E-Tone Corporation Australia Pty Ltd	10-Jan-2005
Easy Mobiles Pty Ltd	8-Apr-2009
Eclipse Telecommunications Pty Ltd	1-Jul-1997
Edirect Pty Ltd	23-May-2006
Excite Mobile Pty Ltd	26-Mar-2009
Express Teleconferencing Pty Ltd	13-Jan-2005
Eztel Communications	22-May-2001
Ezycall Pty Ltd	4-Jun-2007
Flex Group Pty Ltd	15-May-2009
FoneBox Australia Pty Ltd	18-Oct-2007
Fones R Us	
Fortecconnect Pty Ltd	12-Dec-2005
Freshtel Pty Ltd	30-Jul-2004
Global Card Services Pty Ltd	8-Jan-2003
Global Touch Solutions Australia Pty Ltd	23-Oct-2006
Globe Telecom Pty Ltd	19-May-2003
Globechat Communications Pty Ltd	20-Nov-2006
G0talk Australia Pty Ltd	8-Jan-2003
Gruze International Pty Ltd	18-Oct-2007
GS Telecom Pty Ltd	11-Aug-2008
HGA IT & T Solutions Pty Ltd	22-Jul-2008
Hi Tech Telecom Pty Ltd	3-May-2005
Hill, Dwain Joseph	29-Jan-2009
Hill, Dwayne Joseph	
ICB Telco Pty Ltd	28-Dec-2006
Idea Telecommunications Pty Ltd	9-Oct-2006
IDT Telecom Asia Pacific (Australia) Pty Ltd	28-Aug-2006
iTalk Pty Ltd	12-Jul-2006
ITTelenet Limited	11-Aug-2008
J.M.D. Telecoms Pty Ltd	20-Oct-2004
Jet Interactive Pty Ltd	10-Jun-2008
Jonsa Ellis (Aust) Pty Ltd	1-Aug-2006
Kanga Talk Pty Ltd	15-Aug-2006
Kiss Mobile Pty Ltd	29-Jul-2005
Korpcorn Australia Pty Ltd	25-Jul-2002
Lamu Holdings Pty Ltd	13-Feb-2009
Lebara Australia Limited	30-Jun-2009
Leda International Pty Ltd	13-Feb-2009
Light Technologies Pty Ltd	4-Jul-2002
Lime Telecom Pty Ltd	30-Aug-2004
Linqk Australia Pty Ltd	4-Jun-2007
M2 Telecommunications Pty Ltd	11-Dec-2001
Mach Communications Pty Ltd	31-Oct-2006
Macquarie Telecom Group Limited	1-Jul-1997
Magicmotion Pty Ltd	11-Sep-2007
mCall.Com.Au Pty Ltd	15-May-2009
McMillan, Alan Jackson	8-Nov-2005
Mediatel Services Pty Ltd	25-Feb-2009
Memphis Telecom Pty Ltd	18-Jan-2007
Mibroadband Pty Ltd	23-Sep-2004
Mirror Image Access (Australia) Pty Ltd	22-Aug-2006
Mobicom Communication Services Pty Ltd	20-Apr-2004



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Mobile Office Pty Ltd	24-Dec-2008
Mobiles2go Pty Ltd	11-Oct-2005
Mobileworld Operating Pty Ltd	28-Sep-2007
Motion Telecom Pty Ltd	11-Feb-2000
Multelink Services Pty Ltd	21-Oct-2004
MX Telecom Pty Ltd	15-Sep-2006
My Number Pty Ltd	12-Nov-2008
Mytel Voice & Data Pty Ltd	4-Oct-2005
NationTel Pty Ltd	29-May-2003
Nehos Communications Pty Ltd	13-Aug-2007
Neo Telecom Pty Ltd	5-May-2009
New Tel Services Pty Ltd (Receivers and Managers Appointed)	21-Aug-2003
NorthVoice Communications Pty Ltd	7-Jul-2000
Online IT Services Pty Ltd	16-Apr-2003
Optus Mobile Pty Ltd	1-Jul-1997
Ozicom Solutions Pty Ltd	12-Nov-2001
PayTel Australia Pty Ltd	15-Dec-2003
Phone Business Pty Ltd	15-Apr-2004
Pipe International (Australia) Pty Ltd	18-Oct-2007
Pivotel Group Pty Limited	27-Mar-2003
Pivotel Satellite Pty Limited	28-Apr-2003
Portnoy, Alex	24-Jul-2007
Premier Technologies Pty Ltd	23-May-2006
PrePaid Services Pty Ltd	3-Jul-2007
Prime Telecoms No 1 Pty Ltd	13-Dec-2005
Prime Telecoms Pty Ltd	19-Feb-2008
Prodial Pty Ltd	22-Mar-2007
PROJECTION PLUS (AUSTRALIA) PTY LTD	10-Sep-2004
PSR Group Pty Ltd	1-Jul-1997
Pulse Telecom Pty Ltd	5-Sep-2007
Purple Oranges Pty Ltd	20-Jun-2007
Reliance Communications (Australia) Pty Ltd	20-Jul-2007
Reward Mobile Pty Limited	7-Feb-2005
Rich, Alex Lewis	4-Jun-2007
Savvy Telecommunications Pty Ltd	7-Mar-2006
SBS Telecom Pty Ltd	24-Sep-2007
Select Telecoms Pty Ltd	22-Jan-2007
SIMplus Mobile Pty Limited	7-Dec-2001
Simtex Communications Pty Ltd	1-Aug-2008
Skink Marketing Pty Ltd	24-Aug-2007
Sky Telecom (Aust) Pty Ltd	4-Jan-2007
Solutions International Pty Ltd	2-Jan-2001
Southern Phone Company Ltd	17-Jan-2003
Speed Communications Pty Ltd	28-Jul-2004
Synergy Australia Pty Ltd	23-Jul-2003
T-Networks Pty Ltd	23-Jul-2007

TELEPHONE SERVICE PROVIDER	DATE JOINED
T.One Telecommunications Pty Ltd	13-Aug-1999
TCI Australia Pty Ltd	12-Sep-2003
Technocash Pty Ltd	8-Dec-2006
Tel.Pacific Limited	6-Jan-1998
Telco Blue Pty Ltd	21-Mar-2003
Telco Worx (Aust) Pty Ltd	29-Jun-2009
Telecom Connect Pty Ltd	23-Feb-2006
Telecom International Group	24-Mar-2005
Telecorp Limited	8-Jan-2003
Telesaver Pty Ltd	7-Sep-1997
Telfin Pty Ltd	13-Oct-2008
Telstra Corporation	1-Jul-1997
TheBuzz Corp Pty Ltd	6-Mar-2007
Think Mobile Pty Limited	25-Jul-2006
Thirgood Holdings Pty Ltd	19-Nov-2007
Thomas Ford Trading Pty Ltd	2-Feb-2006
Ticehurst, Andrew Giles	19-Feb-2008
Time Telecom Pty Ltd	5-Sep-2005
Times Telecom (Australia) Pty Ltd	21-Oct-2003
Trade Mobile Pty Ltd	12-Jan-2009
Traitel Telecommunications Pty Ltd	30-Mar-2006
Trans Orbit Pty Ltd	15-Sep-2006
Tritel Australia Pty Ltd	22-Sep-1999
Unidial Pty Ltd	26-Nov-2002
United Asia Pacific Telkom Pty Ltd	13-Aug-2007
United Wholesale Communications Pty Ltd	1-Dec-2003
Universal One Communication Pty Ltd	12-Dec-2002
Valaiti Pty Ltd	9-May-2005
Veetel Pty Limited	11-Oct-2006
Vocaltone Networks Australia Pty Ltd	2-Jun-2008
Vodafone Australia Limited	1-Jul-1997
Voicetek Pty Ltd	3-Dec-2001
Voiceworks Australia Pty Ltd	27-Feb-2008
Voise Pty Ltd	4-Jul-2005
Voxbone Public Ltd	20-Oct-2008
VRoam Australia Pty Ltd	23-Dec-2002
Welcome Telecom Pty Ltd	4-Jul-2005
Widetalk Pty Ltd	13-Feb-2002
WorldPacific Communications Pty Ltd	6-Jan-2000
Wow Tel Pty Ltd	19-Nov-2007
Xcelleron Pty Ltd	1-Apr-2008
XEL Connect Pty Ltd	12-Sep-2008
Your Telecom Pty Limited (Receivers and Managers Appointed)	19-Feb-2001
Yourtel Pty Ltd	26-May-2009
Zintel Communications Pty Ltd	5-Dec-2003
<b>Total telephone service provider</b>	<b>195</b>



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### HOW WE ARE FUNDED

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 2008/09 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.

Complaint Level	Dollar Cost	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

Table 24 TIO complaint fees

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 2008/09, only 18% (198) of the 1 125 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 complaints each quarter are free to members. This resulted in members not being charged for 2 900 level 1 complaints and 460 level 2 complaints in 2008/09.

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<b>ACCC (Australian Competition and Consumer Commission)</b>	The government body responsible for regulating competition policy, anti-competitive conduct or unfair business practices and enforcing the <i>Trade Practices Act 1974</i> (Cth). ( <a href="http://www.accc.gov.au">www.accc.gov.au</a> )
<b>ACMA (Australian Communications and Media Authority)</b>	The Australian Communications and Media Authority (the ACMA) is responsible for the regulation of broadcasting, radiocommunications, telecommunications and online content. ( <a href="http://www.acma.gov.au">www.acma.gov.au</a> )
<b>Alternative dispute resolution (ADR)</b>	Any means of settling disputes outside of the courtroom. The TIO is an ADR body.
<b>Carriage service provider (CSP)</b>	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 <i>Telecommunications Act 1997</i> (Cth).
<b>Carrier</b>	An organisation that holds a carrier licence as defined by the <i>Telecommunications Act 1997</i> (Cth). In very general terms, a carrier provides the physical infrastructure used to supply carriage services to the public.
<b>Constitution</b>	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.
<b>Customer Service Guarantee (CSG)</b>	A set of performance requirements placed by the 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 <a href="http://www.acma.gov.au">www.acma.gov.au</a> .
<b>Default listing</b>	<p>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).</p> <p>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.</p> <p>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.</p> <p>Default listings are also known as 'credit defaults' and 'credit listings'.</p>
<b>The Department of Broadband, Communications and the Digital Economy</b>	This Commonwealth Government Department provides strategic advice and professional support to its Minister on a wide range of policy areas, including the national broadband network and telecommunications, and broadcasting and digital switchover. The department also administers legislation, including regulations, and delivers programs.
<b>DIST benchmarks</b>	In 1997 the Department of Industry Science and Tourism produced the <i>Benchmarks for Industry-Based Customer Dispute Resolution Schemes</i> . These benchmarks were developed in consultation with industry dispute resolution schemes, consumer organisations, government and regulators. 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 this benchmark, which sets out key ADR practices within the principles of accessibility, independence, fairness, accountability, efficiency and effectiveness.
<b>Eligible carriage service provider</b>	Eligible carriage service providers are defined by the <i>Telecommunications (Consumer Protection and Service Standards) Act 1999</i> (Cth) as a carriage service provider who supplies a standard telephone service, where any of the customers are residential customers or small business customers; or a public mobile telecommunications service; or a carriage service that enables end-users to access the Internet; or a carriage service intermediary who arranges for the supply of a service referenced above.
<b>Enquiry Officer</b>	TIO staff member who handles enquiries and level 1 complaints, both written and oral.
<b>Investigations Officer</b>	TIO staff member who handles level 2, 3 and sometimes level 4 complaints.
<b>Informed consent</b>	Under Clause 8.1.3(e) of Customer Transfer — Chapter 8 of the TCP Code, a customer must give informed consent before transferring a service to a new provider. In order for the customer to do this, the provider gaining the customer's service must ensure the customer is authorised to permit the service transfer, and is aware of the terms and conditions of the transfer.
<b>Member</b>	A telecommunications service provider that is a member of the TIO scheme. The <i>Telecommunications (Consumer Protection and Service Standards) Act 1999</i> (Cth) requires all carriers and eligible carriage service providers to be members of the TIO.
<b>Memorandum and Articles of Association</b>	Document outlining the rules and principles governing the TIO and its members. It is broader and more comprehensive than the <i>Constitution</i> , 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.
<b>Resolution</b>	A fair and reasonable settlement of a complaint between a customer and a provider with the assistance of the TIO.
<b>Standard telephone service</b>	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.
<b>VoIP</b>	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.

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## 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.

### Writer

Alana Keynes

### Analysis and statistics

Michelle Cassin

Chelsey Callaghan

Simone Eason

William Lopez

Shobini Mahendra

Tarmindar Mann

Amanda Martin

Jessica Sayer

Baris Tansel

### Contributions

Kara Barbaro

David Brockman

John DuBois

Kate Eadie

Heidi Matthes

Monique Molaro

Olivia Munro

Monica Okulicz

Kalma Rathouski

### Case studies

Debra Lusty and the complex cases team

### Bankers

Commonwealth Bank of Australia

### Solicitors

Corrs Chambers Westgarth

### Auditors

Pitcher Partners



Telecommunications  
Industry  
Ombudsman

**Telecommunications Industry Ombudsman Limited**

ACN 057 634 787

Telephone 03 8600 8700

Facsimile 03 8600 8797

Freecall™ 1800 062 058

Freefax™ 1800 630 614

TTY 1800 675 692

Translator & Interpreter Service 131 450

**Website** [www.tio.com.au](http://www.tio.com.au)

**Postal Address** PO Box 276 COLLINS STREET WEST Victoria 8007 Australia

**Street Address** Level 3, 595 Collins Street, Melbourne Victoria 3000 Australia