

WC75: Handling of Life Threatening and Unwelcome Communications

Terms of Reference

The **WC75 : Handling of Life Threatening and Unwelcome**

Communications Working Committee has been established to perform an area of work identified by the Operations Reference Panel (ORP). This Working Committee in carrying out the specific terms below is to observe the following guidelines, as appropriate:



- to ensure that if the Code is to be registered with ACMA that it comply with Part 6 of the *Telecommunications Act 1997* and the ACMA “*Developing Telecommunications Codes for registration – a Guide*” including the identification of:
 - the sections of the industry that are to be covered by the Code, as per s.110 of the Act; and
 - the telecommunications activities to be covered by the Code, as per s.109 of the Act.

Specifically the Working Committee is to carry out a revision of C525:2010 **Handling of Life Threatening and Unwelcome Communications** Code in order to;

- recommend a common approach to the type of evidence sent out within the warning letter(s) from each provider
- clarify references to the **Privacy Act 1988**, and replace as necessary any reference to the National Privacy Principles
- investigate process(es) for:
 - (i) when a customer who makes or receives Unwelcome Communications moves from one carrier or CSP to another;
 - (ii) the handling of Unwelcome Communications from:
 - i. international origins that are associated with an Australian entity or Australian phone number e.g. from offshore call centres or a global roaming mobile phone associated with an Australian phone number;
 - ii. one way VoIP out service(s);and
 - iii. providing a reason for an inability to send a warning letter;
 - (iii) where a suspect is making Unwelcome Communications to several numbers that belong to the same business at different locations, ie: where the person is not calling the same number in the frequency that meets a criteria for a warning letter to be sent, but by calling more than one number in the same business, *collectively* the frequency of those calls may meet a criteria for a warning letter;
 - (iv) where evidence required from a Supplier needs to come from a downstream provider, or where the customer has changed providers, and due to handoffs the evidence falls into the greater than 30 days category;

(v) when the A party supplier's system does not provide sufficient evidence, but they can confirm the calls / communication were made;

- clarify the intent of the Code in relation to 'Confidentiality and Record Keeping';

and to update, if necessary, industry lists of contacts (i.e. not publicly available) for the handling of:

- (i) Unwelcome Communications; and
- (ii) Life Threatening Communications.

Primary deliverables

- A revised version of the C525:2010 **Handling of Life Threatening and Unwelcome Communications** Code. (C525:201x)
- An updated industry list of contacts for the handling of Unwelcome Communications
- An updated industry list of contacts for the handling of Life Threatening Communications

Supporting deliverables

- Documented responses to comments received during the public consultation process.