

14 May 2021

Communications Alliance
PO Box 444
Milsons Point NSW 1566

Submitted online at <https://www.commsalliance.com.au/Documents/Documents-under-Review/submit-comments>

Dear Communications Alliance

C566:2005 Rights of Use of Numbers Code Review

Thank you for the opportunity to comment on Communication Alliance's scheduled review of the *Rights of Use of Numbers Code (the Code)*.

We support the continued operation of the Code as a registered code. The Code plays an important role in regulating the management of service numbers by carriage service providers and in implementing the details of the *Telecommunications Numbering Plan 2015 (the Numbering Plan)*. It also plays a useful explanatory function, providing an overview of service number processes and concepts, and helping industry participants to understand their obligations in managing service numbers.

In reviewing the Code, we draw two matters to Communications Alliance's attention.

1. Some references in the Code need to be updated

Since the introduction of the Code, a number of the other relevant industry codes, statutes, regulatory and industry bodies referred to in the Code have changed. For example, the Code includes references to:

- The Australian Communications Authority (now the Australian Communications and Media Authority)
- The Australian Communications Industry Forum (now Communications Alliance)
- *Telecommunications Numbering Plan 1997*.

Communications Alliance should consider updating these references to reflect current arrangements. This would ensure the Code remains accurate.

2. Consider including provisions to allow consumers impacted by family violence to keep mobile numbers

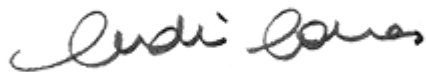
Communications Alliance could consider codifying the process for allowing consumers impacted by family violence to keep mobile numbers where they are the end user of the number and the perpetrator is the account holder. An outline of how this process could work is set out in Chapter 9 of *Industry Guideline G660:2018 – Assisting Customers Experiencing Domestic and Family Violence (the Guidelines)*.

Providers have not universally adopted the Guideline's process for allowing an end user experiencing family violence to keep their mobile number. While some providers have implemented this process, others are concerned that regulatory obligations stand in the way of them doing so.

Currently the Code does not recognise the process for transferring a service number to an end user experiencing family violence. Section 8.4.2 of the Code says a CSP must have authority from the account holder before it can transfer their service number to another person. We suggest that this section of the Code could be amended to make allowance for the process outlined in the Guidelines.

It is worth noting that sections 97 and 99 of the Numbering Plan also require a CSP to obtain the permission of the account holder to recall a number, although these provisions may be replaced by substantially similar code provisions.¹ While changes to the Numbering Plan are outside the scope of this review, the Code could be amended to make allowances for the transfer process outlined in the Guidelines.

Yours sincerely

A handwritten signature in black ink that reads "Judi Jones". The signature is written in a cursive, flowing style.

Judi Jones
Telecommunications Industry Ombudsman

¹ Section 105 *Telecommunications Numbering Plan 2016* (Cth).