



ACIF G612:2003

AUSTRALIAN COMMUNICATIONS INDUSTRY FORUM

INDUSTRY GUIDELINE

CUSTOMER REQUESTED BARRING

Industry Guideline – *Customer Requested Barring*

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EXPLANATORY STATEMENT

This is the Explanatory Statement for the ACIF G612:2003 *Customer Requested Barring* Industry Guideline.

This Explanatory Statement outlines the purpose of the Guideline and the factors that have been taken into account in its development.

Background

The ACIF G612:2003 *Customer Requested Barring* Industry Guideline has its origins in the ACIF C504:1998 *Customer Barring* Industry Code. The Review of the Customer Barring Code was conducted in conjunction with the Review of the ACIF C541:2001 *Credit Management* Industry Code due to similarities in subject matter. The Consumer Codes Reference Panel (CCRP), in convening the *CCRP/WC9 Credit Management* Working Committee, set terms of reference for that Working Committee to undertake a review of the Customer Barring Code to assess the currency of the Rules contained in the Code.

The Credit Management Code Working Committee were tasked to review and assess whether clauses in the ACIF C504:1998 *Customer Barring* Industry Code:

- (a) should be covered by the Credit Management Code;
- (b) were already covered by the Credit Management Code;
- (c) should be referred to the Operations Code Reference Panel (OCRP) for inclusion in an Operations Code; and/or
- (d) could be omitted.

Having completed this Review, a report of the Credit Management Working Committee's findings was referred to the OCRP to determine what further work was required. The OCRP referred the Report and Terms of Reference to the OCRP/WC27 *Customer Requested Barring* Working Committee, to determine the status, and future of the Customer Barring Code.

This document is the product of that Working Committee, having completed a formal review of the Report tabled by the Credit Management Working Committee. As the content of this document is only a subset of the Customer Barring Code, it is published with a new publication number.

The Working Committee conducted a substantive review of the remaining content of the Customer Barring Industry Code, and in doing so formed the view that the document should be published as a Guideline.

Regulatory Framework

Section 112 of the *Telecommunications Act 1997* (herein the Act) sets out the intention of the Commonwealth Parliament that bodies and associations within the telecommunications industry develop industry codes relating to telecommunications activities.

Section 113 of the Act lists examples of matters that might be dealt with by industry codes in a self-regulatory environment. The topic of Customer Requested Barring is not covered within section 113 of the Act, however, the Working Committee, in concluding the Terms of Reference set by the OCRP, deemed it wise for the Working Committee to incorporate the remaining content of the C504:1998 in a new Guideline for the purposes of providing guidance to current and future industry participants of a minimum standard when performing barring on a customer's telecommunications service. The decision to provide such guidance is deemed desirable given the dynamic nature of the telecommunications service provider industry.

Guideline Structure and Content

The Guideline sets the proposition that barring is initiated by a customer and relates to the blocking of access to particular call types; for example International Direct Dial; 190X voice services etc. where applicable. Flowing from this, the Guideline outlines the objectives to be met. Essentially, the Guideline ensures that a minimum standard is applicable to the barring of particular call types at the request of a customer.

The Guideline then maps the responsibilities of Carriers/CSPs in performing a customer-initiated request for call types to be barred from access.

The Guideline identifies particular call types that are capable of being barred. In doing this, the Working Committee addressed issues relating to the availability of override codes when connecting to competing service providers; the complex nature of arrangements between service providers; and the nature of the delivery technology through which the customer's service is provided. The rationale for doing this was to ensure the categories capable of being barred, and the Carrier's/CSP's IT infrastructure, were capable of delivering such barring across the industry generally.

Importantly, the Guideline distinguishes barring initiated by a customer at the customer's request, and barring initiated by a Carrier/CSP for credit management purposes. The latter category is not covered by the terms of the Guideline. In circumstances where barring is initiated by a Carrier/CSP for credit management purposes, this is covered by the Credit Management Code, which sets clear rules for such practices.

Current Regulatory Arrangements

Apart from this Guideline, there is currently no direct regulatory regime which applies specifically to Customer Requested Barring practices in the telecommunications industry. The Guideline is the product of revised content extracted from the C504:1998.

Importantly, the practices of Carriers/CSPs in barring access to a customer's telecommunications service for credit management purposes is covered by the Credit Management Industry Code. It is the intention of the Credit Management Working Committee that that Code be submitted to the ACA for registration. Registration of the Code by the ACA under Part 6 of the Act ensures the provisions of the Code can be enforced against all suppliers who fall within those sections of the industry governed by the Code whether or not the suppliers have chosen to adopt it voluntarily through ACIF processes.

How the Guideline Builds on and Enhances the Current Regulatory Arrangements

The Guideline builds on protection given to consumers through the Trade Practices Act. The Trade Practices Act sets legal rules prohibiting anti-competitive conduct. The Guideline seeks to map a process to ensure that such conduct is not engaged in by Carriers/CSPs by technically blocking access to other Carrier's/CSP's service offerings.

Anticipated Benefits to Consumers

As an information tool, the Guideline will serve to educate consumers that particular call types are capable of being barred from use. This has the benefit of enabling consumers to choose the particular products and services available through their Carrier/CSP that best suits their budgets.

Benefits to Telecommunications Industry

The Guideline delivers clear benefits to industry in that it provides clear guidance applicable to the barring of access to telecommunications services when initiated by a customer.

Brian McDonnell
Chairman

OCR/WC27 : Customer Requested Barring Working Committee

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PARTICIPANTS

The Working Committee that developed the Guideline consisted of the following organisations and their representatives:

Organisation	Membership	Representative
AAPT	Voting	Rodney Caldow
Australian Communications Authority (ACA)	Non-Voting	Robert Urquhart
Optus	Voting	Tracey Mason
Telstra	Voting	Lawrie Clarke
Telstra	Non-Voting	Glyn Doherty
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Vodafone	Non-Voting	Brian McDonnell

This Working Committee was chaired by Brian McDonnell. Margaret Fleming of ACIF provided project management support.

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1 INTRODUCTION

1.1 Introduction

- 1.1.1 The development of the Guideline has been facilitated by the Australian Communication Industry Forum (ACIF) through a Working Committee comprised of representatives from the telecommunications industry and Government regulatory agencies.
- 1.1.2 The Guideline should be read in the context of other relevant Codes and Guidelines, including the ACIF C541:2003 *Credit Management* Industry Code.
- 1.1.3 Statements in boxed text are a guide to interpretation only.

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2 SCOPE AND OBJECTIVES

Barring is the technical blocking of outgoing access from a Customer's telephone service to particular categories of call types or to an individual Carrier's or a Carriage Service Provider's service. A Carrier or a Carriage Service Provider may also provide Barring for incoming services such as Reverse Charge calls but incoming call Barring is not addressed in this Guideline.

2.1 Scope

2.1.1 The Guideline is applicable to the following sections of the telecommunications industry under section 110 of the *Telecommunications Act 1997*.

- (a) Carriers; and
- (b) Carriage Service Providers.

2.1.2 The Guideline relates to the Barring of categories of voice services from a Customer's telephone service that is provided in response to a Customer's request.

*NOTE: Carrier or CSP Barring initiated for credit management purposes is addressed in the ACIF C541:2003 **Credit Management Industry Code**.*

2.1.3 The Guideline applies to Barring which is provided in Carriers' networks. For the sake of clarity, it does not apply to Barring set by a Customer in the Customer's terminal equipment or in the Customer's virtual private network provided to the Customer by a Carrier or CSP, or to any contractual agreement between a Customer and their Carrier or Carriage Service Provider.

NOTE: An example of such a contractual agreement is where prepaid customers agree that they only have access to certain call types.

2.2 Objectives

The objectives of the Guideline are:

- (a) to ensure that an Access Carrier is able to Bar access to particular call types from all Carriers and CSPs upon a Customer's request;
- (b) to ensure that the Access Carrier does not Bar access to any other Carrier's or CSP's services except at the Customer's request; and
- (c) to ensure that a Carrier or CSP is able to bar access to its own services upon a Customer's request.

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3 REVIEW

3.1 Guideline review

Review of the Guideline will be conducted after five years of commencement.

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4 ACRONYMS, DEFINITIONS AND INTERPRETATIONS

4.1 Acronyms

For the purposes of the Guideline, the following acronyms apply:

ACIF	Australian Communications Industry Forum
CSP	Carriage Service Provider

4.2 Definitions

For the purposes of the Guideline, the following definitions apply:

Access Carrier

means the Carrier which provides the network connection to the Australian telecommunications network through which the Customer originates calls.

Access Service

means the service which a CSP provides to a Customer that provides network connection, via the Access Carrier, through which the Customer originates calls.

Barring

means the technical blocking of outgoing access from a Customer's telephone service to particular categories of call types or to an individual Carrier's or a Carriage Service Provider's service.

Carriage Service Provider

has the meaning given by section 87 of the *Telecommunications Act 1997* (Commonwealth).

Carrier

has the meaning given by section 7 of the *Telecommunications Act 1997* (Commonwealth).

Customer

means the end-user with the contractual relationship with a CSP for the telephone service to which Barring may be applied.

4.3 Interpretations

In the Guideline, unless the contrary appears:

- (a) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them;
- (b) words in the singular includes the plural and vice versa;
- (c) words importing persons include a body whether corporate, politic or otherwise; and
- (d) a reference to a person includes a reference to the person's executors, administrators, successors, officer, employee, volunteer, agent and/or subcontractor (including but not limited to, persons taking by novation) and assigns.

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5 RULES

5.1 Customer Requested Barring to Particular Call Types

- 5.1.1 The CSP providing the Access Service must, upon request of a newly connecting Customer, advise of the general categories of call types available and those able to be Barred as specified in clause 5.4.1 below.
- 5.1.2 Where the Customer has requested Barring of a particular category of call type as set out in clause 5.4.1 from all sources, the CSP providing the Access Service must advise the Access Carrier of the Customer's Barring request within one working day.
- 5.1.3 The Access Carrier, upon receipt of a request for Barring from the CSP providing the Access Service, as referred to in clause 5.1.2, must ensure that the Customer's telephone service cannot be used for calls to that particular category of call type through any Carrier or CSP, including the Access Carrier.

NOTE: For example, the telephone service of a Customer who chooses to have national long distance barring must be barred to national long distance from all providers.

5.2 Customer Requested Barring to specific Carrier or CSP Services

- 5.2.1 When a Customer requests to be Barred only to a particular Carrier's or CSP's service, that Carrier or CSP must implement Barring to that service.
- 5.2.2 The Access Carrier must not bar a Customer's telephone service to any other individual Carrier's or CSP's services. Rather, the Access Carrier must refer the Customer to the Carrier or CSP to which the Customer wishes to be Barred. That Carrier or CSP will be solely responsible for the management of all aspects of the Customer's access to that particular service.

5.3 Referral Principles

- 5.3.1 If a Customer requests Carrier or CSP specific Barring, as per clause 5.2, from a Carrier or CSP that does not provide the service from which the Customer wishes to be Barred, then that Carrier or CSP must refer the Customer to the appropriate Carrier or CSP.
- 5.3.2 If a Customer makes a request for Barring of a particular category of call type from all Carriers and CSPs, as per clause 5.1.2, to a Carrier or CSP that is not required to provide that Barring, that Carrier or CSP must advise the Customer to contact the CSP that provides their Access Service.

5.4 Barring of Call Types

- 5.4.1 The categories of call types to which the Access Carrier will provide Barring, as per clause 5.1.2, will include any or all of the following call types, where applicable according to its delivery technology:
- (i) international calls (including operator connected calls that allow through connect to international calls);
 - (ii) national long distance calls (including operator connected calls that allow through connect to national long distance calls);
 - (iii) calls using override access codes (14XX);

- (iv) calls to premium rate voice services (190X); and
- (v) calls to mobile services.

NOTE: The categories of Barring available on a fixed service are different to those available on a mobile service. These categories are likely to evolve as new products and services are developed.

5.5 Modified Barring Categories

- 5.5.1 Where national long distance Barring does not apply to calls made to and from community service towns, extended zones, isolated standard zones and partial community service towns, the CSP must advise the affected customer when implementing long distance Barring that this Barring does not apply to these calls.

NOTE: National Long Distance Barring may not be strictly applied in circumstances where calls are made to and from community service towns, extended zones, isolated standard zones and partial community service towns. Arrangements exist which allow calls from a service that is nominally Barred to national long distance to initiate a call to a restricted set of long distance destinations. These calls are charged at a fixed rate or long duration timed rate. Without such an arrangement, in some locations a service Barred to national long distance would effectively be an incoming only service, ie unable to initiate most outgoing calls with the exception of 000 and 106 calls.

ACIF is an industry owned, resourced and operated company established by the telecommunications industry in 1997 to implement and manage communication self-regulation within Australia.

ACIF's role is to develop and administer technical and operating arrangements to foster a thriving, effective communications industry serving the Australian community through

- the timely delivery of Standards, Codes and other documents to support competition and protect consumers;
- driving widespread compliance; and
- the provision of facilitation, coordination and implementation services to enable the cooperative resolution of strategic and operational industry issues.

ACIF comprises a Board, an Advisory Assembly, standing Reference Panels, various task specific Working Committees, a number of Industry Facilitation/Coordination Groups and a small Executive.

The ACIF Standards and Codes development process involves the ACIF Board, Reference Panels, Working Committees and the ACIF Executive. The roles and responsibilities of all these parties and the required operating processes and procedures are specified in the ACIF Operating Manual.

Care should be taken to ensure that material used is from the current version of the Standard or Industry Code and that it is updated whenever the Standard or Code is amended or revised. The number and date of the Standard or Code should therefore be clearly identified. If in doubt please contact ACIF.



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