



Our reference: P08-100

Mr Visu Thangavelu  
Project Manager  
Communications Alliance Ltd  
PO Box 444  
MILSONS POINT NSW 1565

Dear Mr Thangavelu

***Mobile Premium Services Industry Code and Guideline***

I refer to your email to the Office of the Privacy Commissioner (the Office) on 5 July 2010, requesting comments in connection with the scheduled review of the above documents.

In December 2008, the Office provided comments on the draft Mobile Premium Services Industry Code G637:2008 and Guideline G638:2008 as part of the public consultation process incorporated in the development of those documents.

Those comments suggested that the Code and/or the Guideline (as appropriate) be amended to:

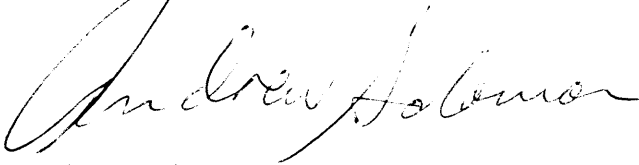
- refer to a complainant's right of recourse to the Privacy Commissioner in respect of privacy complaints under the Code,
- detail the obligation of organisations to provide notice of certain matters when collecting "personal information" in accordance with National Privacy Principle 1 in the *Privacy Act 1988* (Privacy Act), and
- direct organisations towards guidance on the application of the *Spam Act 2003* and the Privacy Act.

Those suggestions were incorporated in subsequent drafts of the Code and Guideline, including the versions of those documents now in force (C637:2009 and C638:2009), to the satisfaction of the Office.

Accordingly, the Office has no further comments on the Code and Guideline at this time.

If you have any questions, please do not hesitate to contact Tim de Sousa, Policy Adviser, on (02) 9284 9728 or by email on [tim.desousa@privacy.gov.au](mailto:tim.desousa@privacy.gov.au).

Yours sincerely,

A handwritten signature in cursive script that reads "Andrew Solomon". The signature is written in black ink and is positioned above the printed name.

Andrew Solomon

Director, Policy

27 July 2010