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INFORMATION ON ACCESSIBILITY FEATURES FOR TELEPHONE EQUIPMENT
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Draft C625:2019 Information on Accessibility Features for Telephone Equipment Industry Code

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INTRODUCTORY STATEMENT


The Information on Accessibility Features for Telephone Equipment Industry Code is designed to:

(a) specify obligations on Equipment Suppliers to provide product information on the functional characteristics of their customer equipment used with a Standard Telephone Service (STS) as defined in the Telecommunications (Consumer Protection and Service Standards) Act 1999 (which covers services that deliver voice telephony) that would be beneficial to people with a disability and older people; and

(b) ensure that the information provided by Equipment Suppliers is clear and comprehensible to assist both Carriage Service Providers (CSPs) and consumers in identifying equipment features that will meet an individual’s communications needs.

Equipment Suppliers will meet their obligations under the Code by detailing the Accessibility Features of their equipment in a report consistent with the Accessibility Features Matrix available from the Communications Alliance website (https://commsalliance.com.au). This approach will replace the need for the document Operational Matrices for Reporting on Accessibility Features for Telephone Equipment Industry Guideline (G627:2014) and allows the list of features to be reported on, to be updated more frequently and better reflect the range of accessibility features available in devices.

In revising the Code, recognition has been given to the work being carried out internationally by the Mobile & Wireless Forum’s (MWF) Global Accessibility Reporting Initiative (GARI). GARI is a global initiative promoting awareness of the various accessibility features of mobile phones and other wireless communications devices. GARI reports on a larger range of features than were required under G627:2014 and as part of this revision, the MWF has agreed to provide Communications Alliance with the latest list of features that it reports on, which will in turn make up the Accessibility Features Matrix available to Equipment Suppliers in Australia. This will ensure that there is global alignment with the features being reported on by Equipment Suppliers, which is something they support, while also providing a more comprehensive list of features for consumers to use in finding a device that best suits their needs.

Michael Milligan
Chair
WC74 : Accessibility Information Working Committee
EXPLANATORY STATEMENT

This is the Explanatory Statement for the Information on Accessibility Features for Telephone Equipment Industry Code (C625:2019) (the Code).

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


Background

Federal legislation makes some provision for telecommunications equipment to meet particular communications needs of Australians (see Current Regulatory Arrangements below). Under section 380 of the Telecommunications Act 1997 Cth (the Act), the Australian Communications and Media Authority (ACMA) may make a standard relating to features of customer equipment used in connection with a standard telephone service that are designed to cater for the needs of people with disabilities. A 'Standard Telephone Service' (STS) is defined in the Telecommunications (Consumer Protection and Service Standards) Act 1999 Cth as a service for voice telephony or its equivalent that passes the ‘any-to-any connectivity test’. (Any to any connectivity is when an end user of the service is ordinarily able to communicate, by means of that service, with each other end user who is supplied with the same service for the same purpose, whether or not the end users are connected to the same telecommunications network).

The Telecommunications Disability Standard (Requirements for Customer Equipment for use with the Standard Telephone Service—Features for special needs of persons with disabilities Standard (AS/ACIF S040:2015), was first developed in 2001 and subsequently made by ACMA under the Act.

The Standard requires the inclusion of two specified features, a hearing aid coupling (not mobile handsets or cordless handsets that do not allow coupling) and a raised ‘pip’ on the key associated with the digit ‘5’, on customer equipment that uses a telephone handset or keypad that is manufactured in, or imported into Australia, for use with the STS.

In October 2003, the ACA (now ACMA) formally requested that ACIF(now Communications Alliance) develop both an industry code and an industry guideline to improve telecommunications access for people with particular communications needs. Specifically, the Code should require customer equipment importers and manufacturers to provide product information to CSPs on the ‘functional characteristics of the equipment that would be beneficial’ to people with special communications needs. The Code should also require CSPs to make available to their customers with special needs information about their equipment and services available to address those needs. Once developed, the Code should be ‘submitted to the ACA’ for registration.

ACIF agreed to the ACA request, but suggested that the requirements on CSPs to provide information to their customers be included in the Customer Information on Prices, Terms and Conditions Industry Code (ACIF C521:2004). The requirements on customer equipment manufacturers and importers would be developed as a separate code.
ACIF convened a working committee to develop the following complementary documents to address the ACA’s request relating to equipment manufacturers and importers:

- an industry Code requiring importers and manufacturers of customer equipment that use a telephone handset or keypad that is manufactured in, or imported to Australia, for use with the standard telephone service, to provide information about whether or not their equipment has certain features that could enhance accessibility for people with a disability; and

- an industry guideline outlining the types of features that would enhance the accessibility for consumers with a disability, to be considered during the future importation and manufacture of telephone handsets or keypads that are manufactured in, or imported to Australia, for use with the standard telephone service.

This Code and the former Operational Matrices for Reporting on Accessibility Features for Telephone Equipment Industry Guideline (ACIF G627:2014) formed the two documents that resulted from this process.

The objective of the Code is for Equipment Suppliers to provide information on the features of their equipment which may assist in meeting people’s communications needs. This will be done in two ways:

- through the provision of such information to consumers, on request of that consumer, of the features of their customer equipment that might meet that individual’s communications needs; and

- through the provision of such information by Equipment Suppliers to Carriage Service Providers in order that Carriage Service Providers will be able to inform their own customers about equipment features.

The Code requires Equipment Suppliers to provide information to CSPs on the features of their equipment that could meet a person’s particular communications needs.

The former Guidelines listed equipment features against which Equipment Suppliers reported. However this approach does not reflect the latest developments in equipment technology in a timely manner. The 2019 version of the Code now replaces the Guidelines with the Accessibility Features Matrix, which will be derived and aligned with the feature lists used internationally by many Equipment Suppliers, while ensuring that Consumers have access to a wider range of information on the accessibility features of a device.

The Code does not apply to the provision by Equipment Suppliers of information on customer equipment to retail outlets not under the control of CSPs. Those retail outlets would be outside of the jurisdiction of the Act and codes made under the Act. If consumers require information on equipment features, and that information is not available from retail outlets, they will be able to seek that information directly from the Equipment Supplier.

**Current Regulatory Arrangements**

The Telecommunications (Consumer Protection and Service Standards) Act 1999 (TCPSS Act) requires universal service providers (currently Telstra) to ensure that all people in Australia have reasonable access, on an equitable basis to an STS. In supplying an STS, the universal service provider must, on request, supply equipment to people with a disability in order to enable access to the standard telephone service. The type of
equipment that must be provided is specified in the Telecommunications (Equipment for the Disabled) Regulations 1998 (the Regulations). Some other CSPs provide disability equipment to eligible customers via a resale arrangement with Telstra Wholesale.

The Requirements for Customer Equipment for use with the Standard Telephone Service—Features for special needs of persons with disabilities Standard (AS/ACIF S040) discussed above requires the majority of non-mobile telephone handsets to include hearing aid coupling and the majority of telephone handsets to have a tactile indicator on the button associated with the ‘5’ digit.

Why Current Regulatory Arrangements were inadequate

Prior to the development of the Code, there were no obligations on equipment manufacturers and importers to ensure that information on the ‘accessibility features’ of their equipment is generally available, or available to CSPs. There was no requirement on the universal service provider, or any other CSP, to make information on ‘accessibility features’ available to their customers. Further, the Standard only covers two features on customer equipment that could assist people with a disability. As the list of accessible features available in the Accessible Features Matrix suggests, there is a large range of equipment features that can assist people with particular communications needs.

How the Code Builds on and Enhances the Current Regulatory arrangements

The Code enhances the current regulatory arrangements by ensuring that customer equipment manufacturers and importers provide information about key features on handsets for use in connection with a STS to CSPs. The Code also requires that Equipment Suppliers respond to all reasonable requests directly from consumers about features on their equipment. As a registered Code the ACMA is able to enforce obligations on equipment manufacturers and importers with requirements for information provision. Under companion requirements in the registered Telecommunications Consumer Protection Code (C628:2019), the ACMA are also able to enforce requirements on CSPs to ensure information on the ‘accessibility features’ they provide is given, on request, to their customers.

What the Code will Accomplish

The Code continues to provide useful information to CSPs to assist them in guiding consumers to choose the most appropriate telecommunications equipment to meet their specific needs. The Code also ensures that consumers can approach Equipment Suppliers directly for information on equipment features that will meet that consumer’s communications needs.

How the Objectives will be Achieved

The objectives of the Code are achieved by ensuring all importers and manufacturers of relevant customer equipment are required to provide information about the features of products that may enhance accessibility for people with a disability and older people.

Customer equipment manufacturers and importers are required to provide information to CSPs, indicating which features their handsets have and to respond to direct requests from consumers about the features of their equipment that can meet an individual’s particular communications needs.
The Code also enables Equipment Suppliers to meet their obligations for the provision of information under the Code if they make information about accessible features available via the Mobile & Wireless Forum’s Global Accessibility Reporting Initiative (GARI). GARI is a comprehensive list of the accessibility features available on mobile phones and other wireless communications devices and its list of features will now be used to comprise the Accessibility Features Matrix.

**Anticipated Benefits to Consumers**

In 2015, according to the Australian Bureau of Statistics (ABS), some 4.3 million people in Australia or 18.3 percent of the population, living in households or cared accommodation had a disability (ABS, 2015, Survey of Disability, Ageing and Carers). While the survey found that the proportion of older people with disability decreased in 2015, the likelihood of having disability continues to increase with age. In 2017, there were 3.8 million Australians aged 65 and over (Australian Institute of Health and Welfare, 2017, Older Australia at a glance). The number of older Australians is expected to continue to grow, with projections showing that 22 percent of the population will be over the age of 65 by 2057. Given the current rates of disability, and the relationship between disability and older age, Consumers benefit from increased information about the features available on telecommunications equipment that may enhance their accessibility to telecommunications services.

**Anticipated Benefits to Industry**

The main benefit to industry from the implementation of the Code has been a more uniform and efficient approach to the provision of accessibility information. This assists in improving customer satisfaction and reducing costs.

**Anticipated Cost to Industry**

There are costs associated with the establishment and maintenance of the support systems required to implement the Code. However, these costs are generally outweighed by the benefits derived by the implementation of a standard industry approach.

**2009 Revision**

A substantial revision of the Code was undertaken in 2009 to address the following obligations:

- clarification of the applicability of the Code to consumer products and business products;
- clarification of the role of the CSP and Equipment Suppliers contact points for the exchange of information between the two;
- clarification that the type of information to be provided by Equipment Suppliers is specifically on the Accessibility Features of telephony products;
- specifying where information is to be located;
- review of new features for inclusion in the accompanying Operational Matrices for Reporting on Accessibility Features for Telephone Equipment Industry Guideline;
• the option of providing the information in alternate formats to assist users in comparing Accessibility Features of different models;
• to ensure that the accessibility features recorded in a matrix provided by the Equipment Supplier adequately reflects the handset currently on the market.

Changes to the obligations of Equipment Suppliers of System Integral Terminals (SITs)


Customer Equipment (CE) that is used with a Standard Telephone Service can be broadly divided into two groups based on how these devices are connected to the telecommunications networks. These are:

• CE that are directly connected to a telecommunications network such as landline phones and mobile phones; and
• CE that are connected via customer access equipment, such as a PABX, which are commonly found as a part of a business telephony system.

The CE in the latter case are generally dedicated pieces of equipment that are supported by the customer access equipment and are called System Integral Terminals, or SITs.

Recognising that SITs operate in conjunction with customer access equipment and that their features are often dependant on the customer access equipment, the following observations are made:

• information provided by a representative of the ES on how the customer access equipment and the SITs are configured to meet the needs of a user in a specific environment is recommended as the favoured approach.
• often the requirements for business systems are discussed by organisations directly with the suppliers of the equipment, due to their complexity and configurability. It would be helpful for the availability of accessibility features to be discussed at this point.
• documenting features in a matrix may not be able to provide an accurate or comprehensive description of the accessibility features of the customer access equipment and the SITs.

Equipment Suppliers of SITs are therefore required to provide a publicly available contact point within their organisation for inquiries on the accessibility features of SITs to overcome these factors. It is also highly recommended, but not an obligation, that the information is provided in a report consistent with the Accessibility Features Matrix in recognition that in some cases this may be appropriate.

As part of the 2019 revision, reference to System Integral Terminals was changed in favour of the term Industry Based Proprietary Terminal for consistency with AS/CA S004:2013 Voice performance requirements for Customer Equipment Standard.
2019 revision

The Code was due to be revised in 2015. Discussions at the time in relation to Government red tape reduction were occurring in parallel to the Code revision process. As part of this process and prior to the 2015 revision going out for public comment, a proposal was put forth that the Code may no longer be required.

Further discussions followed and it was agreed that the Code continues to play an important role for Consumers with particular needs.

In 2019, the Code revision process restarted with a view to simplify the compliance arrangements for Equipment Suppliers who supply mobile communications devices to the Australian market. The revised obligations provide a single means for an ES to meet their obligations by using the Mobile & Wireless Forum Global Accessibility Reporting Initiative (GARI) to provide information for their devices. As a result, the Operational Matrices for Reporting on Accessibility Features for Telephone Equipment Industry Guideline (G627:2009), which contained a sub-set of these features became redundant and has been replaced by the Accessibility Features Matrix which is derived from the current list of accessibility features reported on within GARI.

An Equipment Supplier who is not a member of the MWF are still able to meet their obligations by obtaining a copy of the current Accessibility Features Matrix from the Communications Alliance website.

The revision also addressed out-of-date references to industry documents and websites, including the Telecommunications Consumer Protections Code (C628:2015), and clarified the obligation for an Equipment Supplier to provide information about the accessibility features in an accessible format.
<table>
<thead>
<tr>
<th>TABLE OF CONTENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1 GENERAL</strong></td>
</tr>
<tr>
<td>1.1 Introduction</td>
</tr>
<tr>
<td>1.2 Registration by ACMA</td>
</tr>
<tr>
<td>1.3 Scope</td>
</tr>
<tr>
<td>1.4 Objectives</td>
</tr>
<tr>
<td>1.5 Code review</td>
</tr>
<tr>
<td><strong>2 ACRONYMS, DEFINITIONS AND INTERPRETATIONS</strong></td>
</tr>
<tr>
<td>2.1 Acronyms</td>
</tr>
<tr>
<td>2.2 Definitions</td>
</tr>
<tr>
<td>2.3 Interpretations</td>
</tr>
<tr>
<td><strong>3 GENERAL RULES</strong></td>
</tr>
<tr>
<td>3.1 Information Provision to Customers</td>
</tr>
<tr>
<td>3.2 Information Provision to Consumers</td>
</tr>
<tr>
<td><strong>4 REFERENCES</strong></td>
</tr>
<tr>
<td><strong>PARTICIPANTS</strong></td>
</tr>
</tbody>
</table>
1 GENERAL

1.1 Introduction

1.1.1 Section 112 of the Telecommunications Act 1997 (the Act) sets out the intention of the Commonwealth Parliament that bodies and associations representing sections of the telecommunications industry develop industry codes relating to the telecommunications activities of participants in those sections of the industry.

1.1.2 The development of the Code has been facilitated by Communications Alliance through a Working Committee comprised of representatives from the telecommunications industry and consumer groups.

1.1.3 The Code should be read in the context of other relevant Standards, Codes and Guidelines, including:

(a) the Telecommunications Consumer Protections Industry Code (C628:2019); and

(b) the Requirements for Customer Equipment for use with the Standard Telephone Service — Features for special needs of persons with disabilities Standard (AS/ACIF S040:2015).

1.1.4 The Code should be read in conjunction with related legislation, including:

(a) the Telecommunications Act 1997;

(b) the Telecommunications (Consumer Protection and Service Standards) Act 1999;

(c) the Competition and Consumer Act 2010; and

(d) the Disability Discrimination Act 1992.

1.1.5 If there is a conflict between the requirements of the Code and any requirements imposed on an Equipment Supplier by statute, the Equipment Supplier will not be in breach of this Code by complying with the requirements of the statute.

1.1.6 Statements in boxed text are a guide to interpretation only and are not binding as Code rules.

1.2 Registration by ACMA

The Code is to be submitted to the Australian Communications and Media Authority for registration pursuant to section 117 of the Telecommunications Act 1997 (Cth).

1.3 Scope

1.3.1 The Code is applicable to telecommunications Equipment Suppliers in Australia, both importers and manufacturers, a section
of the telecommunications industry under section 110 of the Telecommunications Act 1997. They are collectively referred to as ‘equipment suppliers.’

1.3.2 The Code only applies to Customer Equipment that uses a telephone handset that is manufactured in, or imported to Australia.

NOTE: See definition of Customer Equipment for the equipment covered by the Code.

1.4 Objectives

The objectives of the Code are to:

(a) specify obligations on Equipment Suppliers to provide product information on the functional characteristics of their Customer Equipment used with a Standard Telephone Service as defined in the Telecommunications (Consumer Protection and Service Standards) Act 1999 (which covers services that deliver voice telephony) that would be beneficial to people with a disability and older people; and

(b) ensure that the information provided by Equipment Suppliers is clear and comprehensible to assist both CSPs and consumers in identifying Accessibility Features that will meet an individual’s communications needs.

1.5 Code review

1.5.1 The Code will be reviewed every 4 years, or earlier in the event of significant developments that impact on the Code or a chapter within the Code.
2 ACRONYMS, DEFINITIONS AND INTERPRETATIONS

2.1 Acronyms

For the purposes of this Code, the following acronyms apply:

CA
means Communications Alliance.

ACMA
means Australian Communications and Media Authority.

CE
means Customer Equipment.

CAE
means Customer Access Equipment.

CSP
means Carriage Service Provider.

ES
means Equipment Supplier.

GARI
means Global Accessibility Reporting Initiative.

MWF
means Mobile & Wireless Forum.

STS
means Standard Telephone Service.

2.2 Definitions

For the purposes of this Code, the following definitions apply:

Act
means the Telecommunications Act 1997.

Accessibility Features
means the features listed in the relevant Accessibility Features Matrix.

Accessibility Features Matrix
refers to the relevant matrix in the document available from the CA website.


**Carriage Service Provider**

has the meaning given by section 87 of the Act.

**Consumer**

means a person or organisation that obtains Customer Equipment for their own use.

**Customer**

means a CSP who:

(a) has a contract with an ES for the supply of CE; or

(b) obtains CE direct from an ES for redistribution, or resale.

**NOTE:** The obligations of CSPs to provide information to their customers are in Clause 4.3.1 of the Telecommunications Consumer Protections Code (C628:2019).

**Customer Equipment**

means customer equipment, as defined in section 21 of the Act that uses a telephone handset, for use with the STS that is manufactured in, or imported to Australia.

**Equipment Supplier**

means a person who manufactures or imports CE, as specified under section 110 (2) (h) of the Act.

**Global Accessibility Reporting Initiative**

means the global initiative developed by the Mobile & Wireless Forum to provide a central information source for users to learn about the accessibility features available in wireless communications devices.

**Handset**

means the part of CE that is designed to be held in the hand in contact with the ear and that contains an acoustic transmitter and receiver transducer.

**Handset Receiver**

means the transducer within the handset that converts the electrical telephone signals into acoustic energy for coupling to the user’s ear.
Industry Based Proprietary Terminal

means an analogue or digital connected terminal, which is intended to operate in association with a CAE and functions as part of the CAE via a local port, for the purpose of voice telephony with the Telecommunications Network and may include both wired and cordless interfaces using proprietary or standards based signalling.

Standard Telephone Service

has the same meaning as in section 6 of the Telecommunications (Consumer Protection and Service Standards) Act 1999.

NOTE: A Standard Telephone Service (STS) is defined in the Telecommunications (Consumer Protection and Service Standards) Act 1999 (Cth) as a service for voice telephony or its equivalent that passes the ‘any-to-any connectivity test’. Any-to-any connectivity is when an end user of the service is ordinarily able to communicate, by means of that service, with each other end user who is supplied with the same service for the same purpose, whether or not the end users are connected to the same telecommunications network.


2.3 Interpretations

In the Code, unless the contrary appears:

(a) headings are for convenience only and do not affect interpretation;

(b) 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;

(c) words in the singular includes the plural and vice versa;

(d) words importing persons include a body whether corporate, politic or otherwise;

(e) where a word or phrase is defined, its other grammatical forms have a corresponding meaning;

(f) mentioning anything after include, includes or including does not limit what else might be included;

(g) words and expressions which are not defined have the meanings given to them in the Act; and

(h) a reference to a person includes a reference to the person’s executors, administrators, successors, agents, assignees and novatees.
3 GENERAL RULES

3.1 Information Provision to Customers

3.1.1 ES must provide information to their Customers about Accessibility Features of their CE.

NOTE: When considering whether the Code applies to their equipment, ES need to take into account that the Code applies to CE used with providing a STS. The STS defined in the Telecommunications (Consumer Protection and Service Standards) Act 1999 is essentially a service that has the characteristic of any-to-any connectivity. The application of the Code to CE used with specific technologies, whether with the Public Switched Telephone Network (PSTN) or with the Packet Switched / IP networks, should be considered in the context of whether the equipment is intended to be used with an STS. Further information on different types of Voice over IP (VoIP) services delivered on IP networks can be found at www.acma.gov.au/Industry/Telco/Carriers-and-service-providers/VOIP.

NOTE 2: See definition of Customer in Clause 2.2.

3.1.2 ES can alternatively meet their obligations for the provision of information under the Code if they make information about Accessibility Features available via the MWF GARI.

3.1.3 ES must provide the information described in Clause 3.1.1 for all CE other than Industry Based Proprietary Terminals in a report consistent with the Accessibility Features Matrix, as amended from time to time, against each of the four headings below:

(a) handset/hardware information;
(b) mobility/dexterity features;
(c) vision features; and
(d) hearing features.

NOTE: The latest version of the Accessibility Features Matrix is available from the Communications Alliance website at: https://www.commsalliance.com.au/

3.1.4 ES must provide the information described in Clause 3.1.1 for each model of CE within their product range at the time the equipment is supplied and updated when there are any changes to the CE that affect the Accessibility Features of that model.

NOTE: Model in this instance refers to an item with a specific feature difference. If two or more models have the same features as defined in the Accessibility Features Matrix, one report can be used to cover those multiple models. However, where models
differ in terms of one or more features on the Accessibility Features Matrix, a separate report should be completed for each model.

The relevant information must be provided if models are similar but have different features.

3.1.5 If an Accessibility Feature in the Accessibility Features Matrix is not available on a CE model, it does not have to be listed in the information the ES provides to the Customer.

Note: ES may include additional accessibility features of their CE that are not currently listed in the Accessibility Features Matrix.

3.1.6 ES must have a contact point within their organisation for CSPs in relation to the information provided by ES under this Code.

NOTE: The contact point can be an email address and/or a telephone number for the ES.

CSPs are required to have a contact point within their organisation for receipt of information provided by ES under this Code. The contact point can be an email address and/or a telephone number for the CSP.

3.2 Information Provision to Consumers

3.2.1 ES must respond to all reasonable requests from Consumers seeking information about the Accessibility Features on the ES’s CE in an accessible format such as HTML, MS Word or RTF.


3.2.2 ES must have a publicly available contact point for Consumers seeking information about the Accessibility Features on the ES’s CE under Clause 3.2.1. The contact point must make information available at no or low cost to Consumers.

NOTE: The contact point should include a free or local call rate telephone number and a postal and/or website address.

If an ES provides product information on their website on CE as specified in this Code, then the information about Accessibility Features should be made available for that CE on that website or via a link to the GARI as applicable.

3.2.3 ES that supply Industry Based Proprietary Terminals must have a publicly available contact point within their organisation for inquiries on the Accessibility Features of Industry Based Proprietary Terminals.
NOTE: It is highly recommended that ES that supply Industry Based Proprietary Terminals provide information described in Clause 3.1.1 into a report consistent with the Accessibility Features Matrix.
## 4 REFERENCES

<table>
<thead>
<tr>
<th>Publication</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Industry Codes</strong></td>
<td></td>
</tr>
<tr>
<td>C628:2019</td>
<td>Telecommunications Consumer Protections</td>
</tr>
<tr>
<td><strong>Standards</strong></td>
<td></td>
</tr>
<tr>
<td>AS/CA S004:2013</td>
<td>Voice Performance Requirements for Customer Equipment</td>
</tr>
<tr>
<td><strong>Legislation</strong></td>
<td></td>
</tr>
<tr>
<td>Telecommunications Act 1997 (Cth)</td>
<td></td>
</tr>
<tr>
<td>Telecommunications (Consumer Protection and Service Standards) Act 1999 (Cth)</td>
<td></td>
</tr>
<tr>
<td>Competition and Consumer Act 2010 (Cth)</td>
<td></td>
</tr>
<tr>
<td>Disability Discrimination Act 1992</td>
<td></td>
</tr>
</tbody>
</table>
PARTICIPANTS

The Working Committee responsible for the revisions made to this Code consisted of the following organisations and their representatives:

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Membership</th>
<th>Representative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telstra</td>
<td>Voting</td>
<td>Jason Triolo</td>
</tr>
<tr>
<td>Telstra</td>
<td>Non – voting</td>
<td>Robert Morsillo</td>
</tr>
<tr>
<td>Optus</td>
<td>Voting</td>
<td>Amar Singh</td>
</tr>
<tr>
<td>Cisco Systems</td>
<td>Voting</td>
<td>Kim Yan</td>
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<tr>
<td>Trillium Technology</td>
<td>Voting</td>
<td>Malcolm Garnham</td>
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<td>ACCAN</td>
<td>Voting</td>
<td>Wayne Hawkins</td>
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<tr>
<td>ACCAN</td>
<td>Non – voting</td>
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<tr>
<td>Mobile &amp; Wireless Forum</td>
<td>Non - voting</td>
<td>Michael Milligan</td>
</tr>
</tbody>
</table>

This Working Committee was chaired by Michael Milligan. Craig Purdon of Communications Alliance provided project management support.
Communications Alliance was formed in 2006 to provide a unified voice for the Australian communications industry and to lead it into the next generation of converging networks, technologies and services.

In pursuing its goals, Communications Alliance offers a forum for the industry to make coherent and constructive contributions to policy development and debate.

Communications Alliance seeks to facilitate open, effective and ethical competition between service providers while ensuring efficient, safe operation of networks, the provision of innovative services and the enhancement of consumer outcomes.

It is committed to the achievement of the policy objective of the Telecommunications Act 1997 - the greatest practicable use of industry self-regulation without imposing undue financial and administrative burdens on industry.
Care should be taken to ensure the 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 Communications Alliance.