

# WC81: Mobile Premium Services Code

## Terms of Reference

The **WC81: Mobile Premium Services** Working Committee has been established to perform an area of work identified by the Operations Reference Panel (ORP). Working Committee 81, in carrying out the specific terms below, are to observe the following guidelines, as appropriate:



- ensure that if the Code is to be registered with the ACMA that it complies with Part 6 of the *Telecommunications Act 1997* and the ACMA "*Guide to developing and varying telecommunications codes for registration*" 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 C637:2011 **Mobile Premium Services Code Incorporating Variation No.1 2018** in order to;

1. consider the overall scope of the Code and expand the obligations to include all forms of third-party services (excluding services which require Consumers to create an account directly with the service provider, e.g. Google Play, Apple Store, Netflix, Spotify);
2. include new definitions to cover Third Party Services, Registration-only Digital Distribution Services, Premium Direct Billing Services;
3. consider revisions to the Code that provide stronger consumer safeguards against unwanted charges, such as opt-in measures;
4. review references to the **Privacy Act 1988**, and update as necessary any reference to the Australian Privacy Principles;
5. improve the information communicated to consumers by removing the term 'Free Msg' or replacing it with an alternate preface in the following clauses;
  - (i) 3.1.17 (a)
  - (ii) 4.3.2 (a)
  - (iii) 4.3.5 (a)
  - (iv) 4.4.1 (a)
  - (v) 4.4.12 (a)
  - (vi) 4.4.14 (a)
  - (vii) 5.1.9 (a)
  - (viii) 7.2.6 (a)
  - (ix) 7.2.7 (a) and
6. In conjunction with the variation of C637:2011 the working committee will revise the G639:2012 **Mobile Premium Services Mandatory Information** Guideline.

***Primary deliverables***

- A revised C637:2019 **Mobile Premium Services Code**

***Supporting deliverables***

- Revised version of G639:2019 **Mobile Premium Services Mandatory Information** Guideline.
- Documented responses to comments received during the public consultation process.