

**COMMUNICATIONS
ALLIANCE LTD**



INDUSTRY GUIDELINE

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CUSTOMER AUTHORISATION

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INTRODUCTORY STATEMENT

The **Customer Authorisation** Industry Guideline (G651:2023) identifies the information required to be:

- provided to a telecommunications Customers by the Gaining Carriage Service Provider (CSP) before the Customer agrees to a Transfer; and
- obtained from the customer or their Authorised Representative for the Gaining CSP to obtain a valid Customer Authorisation (CA),

before performing a Transfer.

NOTE: In the case of a Transfer the Customer is considered a new Customer to the Gaining CSP for that particular Service subject to the Transfer. Notwithstanding that the Customer may have other Services provided to them by the Gaining CSP.

This Guideline is part of a suite of obligations that apply to capturing authorisation relating to a particular activity relating to a Listed Carriage Service.

The *Telecommunications (Mobile Number Pre-Porting Additional Identity Verification) Industry Standard 2020* sets out the additional protections required before initiating a Port via protocols to authenticate that an end user is possession of the device and confirms the action of Porting a mobile number.

The *Telecommunications (Service Provider the Telecommunications Service Provider (Customer Identity Authentication) Determination 2022* deals with authenticating a request from an existing Customer to perform an activity relating to the Listed Carriage Service.

NOTE: In the case of a Transfer the Telecommunications (Service Provider the Telecommunications Service Provider (Customer Identity Authentication) Determination 2022 does not apply to the Service subject to the Transfer because it is not an existing Service with the Gaining CSP.

The intended result is for targeted information provision at the relevant time to Customers, to enable them to make informed decisions.

This Guideline streamlines and simplifies information provided to and gathered from Customers when Transferring a Service or Service Identifier.

It should be noted that the scope of this Guideline covers all Customers with services eligible for a Transfer. This includes large and corporate businesses, as well as those small businesses and consumers that fall within the scope of the *Telecommunications Consumer Protections Code (C628)*.

TABLE OF CONTENTS

1	GENERAL	2
1.1	Introduction	2
1.2	Scope	3
1.3	Customer Authorisation Obligations	3
1.4	Objectives	3
1.5	Guideline review	3
2	ACRONYMS, DEFINITIONS AND INTERPRETATIONS	4
2.1	Acronyms	4
2.2	Definitions	4
2.3	Interpretations	8
3	CUSTOMER INFORMATION	9
3.1	Information to be provided to the Customer by the GSP	9
4	AUTHORISATION CAPTURE	11
4.1	CA capture principles	11
5	AUTHORISATION CONTENT	12
5.1	Content of a CA	12
6	REFERENCES	13
	PARTICIPANTS	14

1 GENERAL

1.1 Introduction

- 1.1.1 The development of the Guideline has been facilitated by Communications Alliance through a Committee comprised of representatives from the telecommunications industry.
- 1.1.2 The Guideline should be read in conjunction with related legislation, including:
- (a) the *Telecommunications Act 1997* (Cth) (the Act);
 - (b) the *Competition and Consumer Act 2010* (Cth);
 - (c) the *Privacy Act 1988* (Cth);
 - (d) the *Telecommunications Numbering Plan 2015*
 - (e) the *Telecommunications (Mobile Number Pre-Porting Additional Identity Verification) Industry Standard 2020*; and
 - (f) the *Telecommunications Service Provider (Customer Identity Authentication) Determination 2022*.
- 1.1.3 The Guideline should be read in the context of other relevant Codes and Guidelines including the:
- (a) *Telecommunications Consumer Protections (TCP) Code (C628)*;
 - (b) *Local Number Portability Code (C540)*;
 - (c) *Mobile Number Portability Code (C570)*;
 - (d) *NBN Access Transfer Code (C647)*;
 - (e) *Priority Assistance for Life Threatening Conditions Code (C609)*
 - (f) *Pre-selection Code (C515)*;
 - (g) *Information on Accessibility Features for Telephone Equipment Code (C625)*;
 - (h) *Mobile Number Portability Operations Manual (G579)*;
 - (i) *Local Number Portability IT Specifications and Operations Manual Part 1 (General) (G602.1)*;
 - (j) *Switchless Multi-Basket Billing Redirection Guideline (G567)*; and
 - (k) *Pre-selection Operations Manual (G597)*.

- 1.1.4 The Guideline should be read in the context of the following Standard:
- (a) *Telecommunications Disability Standard (Requirements for Customer Equipment for use with the Standard Telephone Service—Features for special needs of persons with disabilities (AS/ACIF S040) 2015.*

1.2 Scope

- 1.2.1 The Guideline applies to the CSPs section of the telecommunications industry under section 110 of the Act.
- 1.2.2 It deals with the following telecommunications activities as defined in section 109 of the Act:
- (a) carrying on business as a Carrier; or
 - (b) carrying on business activities as a CSP; or
 - (c) supplying Goods or Service(s) for use in connection with the supply of a Listed Carriage Service.
- 1.2.3 The Guideline sets out the information that is to be provided by a CSP to a Customer, and collected from a Customer, to commence a Transfer of a Service or Service Identifier.

1.3 Customer Authorisation Obligations

The Guideline provides assistance to CSPs when providing and collecting information required to facilitate a Transfer. Obligations in the relevant industry codes that CSPs must obtain a Customer Authorisation when facilitating a Transfer remain unchanged. Customer Authorisation obligations are captured in industry codes stated in clauses 1.1.3 (a) – (g).

1.4 Objectives

- 1.4.1 The objectives of the Guideline are to set out procedures for CSPs to facilitate the Transfer of a Service by:
- (a) providing information to Customers when gaining authorisation; and
 - (b) identifying and capturing the required information, including Service Identifiers, from the Customer.

1.5 Guideline review

- 1.5.1 The Guideline will be reviewed after every 5 years, or earlier in the event of significant developments that affect the Guideline or a chapter within the Guideline.

2 ACRONYMS, DEFINITIONS AND INTERPRETATIONS

2.1 Acronyms

For the purposes of the Guideline:

AVC

means Access Virtual Circuit

CA

means Customer Authorisation

CSP

means Carriage Service Provider

DSL

means Digital Subscriber Line

GSP

means Gaining Service Provider

LSP

means Losing Service Provider

NBN

means National Broadband Network

RSP

means Retail Service Provider

SP

means Service Provider

STS

means Standard Telephone Service

2.2 Definitions

For the purposes of the Guideline:

Access Provider

means a provider supplying infrastructure services, such as NBN, to an Access Seeker.

Access Seeker

means a provider sourcing infrastructure services, such as NBN, from an Access Provider.

Act

means the *Telecommunications Act 1997* (Cth).

Authorised Representative

means the person who has authority from a Customer to deal with a Supplier, including to discuss or make changes to a Customer's account without that Customer being present, on behalf of that Customer.

Churn

means the switching of a Number associated with a Listed Carriage Service between CSPs on the same Network, which is at the request of the Customer.

Customer

means a person to whom a CSP Issues a Number in conjunction with supply of a Listed Carriage Service.

A reference to a Customer includes a reference to the Customer's Authorised Representative.

Customer Authorisation

means a written or electronic authorisation which is executed by or on behalf of a Customer for the purposes of authorising a Transfer.

Gaining Service Provider

means the SP identified on a CA that will provide the Customer with Service(s) immediately after the Transfer is completed.

Listed Carriage Services

has the meaning given by section 16 of the Act.

Losing Service Provider

means the current SP that provides the Customer with Service(s) and will cease supplying such Service(s) immediately after the Transfer is completed.

NBN Transfer

means the transfer of an AVC between Access Seekers on the NBN.

Number

means those public numbers as defined in section 16 of the Numbering Plan and taken be used to supply a Listed Carriage Service to a CSP or a Customer as in section 44 of the Act.

Numbering Plan

means the *Telecommunications Numbering Plan 2015*.

Port

means the movement of a Number, which is identified as Portable under the Numbering Plan, between CSPs on different Carrier Networks, where the Number is associated with a Listed Carriage Service. Portable, Ported and Porting have corresponding meaning.

NOTE: On completion of a Port back or Give Back to the Donor Carrier the Number is no longer considered Ported.

Pre-selection

means the current or requested setting of a Carrier choice for long distance calls.

Priority Assistance

has the meaning given by section 3.2 of the *Priority Assistance for Life Threatening Conditions Code (C609)*.

Related Service

means any service or virtual service that is functionally bound to the Service related to Transfer, where changes to the main Service may result in changes to the Related Service.

Retail Service Provider

is the party supplying services direct to the Customer. In some cases, the RSP will also be the Access Seeker.

Rights Of Use

means the Customer's right, subject to certain provisions of the Code, the Plan and the Act, to enjoy the use of an Issued Number, and includes the ability to authorise a Port of the Number (where Portability exists) and the Customer's ongoing use of that Number while a Listed Carriage Service is provided on that Number.

NOTE: To avoid any doubt, a Customer only has a right to use a Number while the Listed Carriage Service provided by the CSP that Holds that Number is an Active Service.

Disconnection of the Listed Carriage Services initiated by either the Customer, or the CSP, extinguishes all Rights Of Use of a Number previously Issued to a Customer. Rights Of Use are also extinguished if there is a need to Recall a Number.

Rights of Use Holder

means the person to whom a Number is Issued and has ROU of that Number.

NOTES:

1. A ROU Holder is analogous to the defined term Customer, used in C540 Local Number Portability Industry Code and C570 Mobile Number Portability Industry Code.
2. For avoidance of doubt, the ROU Holder is the person with a contractual relationship with the CSP and to whom the CSP has Issued the Number. The ROU Holder is not necessarily the End User of that Listed Carriage Service.
3. Where the ROU Holder changes CSP, either as a result of Porting, entering into a reseller arrangement, Assignment or Transfer of the Number range to another CSP, the new CSP recognises the ROU Holder's ROU. The ROU Holder maintains ROU with the new CSP.

Service

means any of:

- (i) Standard Telephone Service (STS) or Digital Subscriber Line (DSL) services or fixed telephone numbers;
- (ii) Inbound services or Inbound Service Identifiers;
- (iii) Long distance Preselection;
- (iv) NBN based services; and
- (v) Mobile services or mobile Service Identifiers

Service Identifier

means the unique number or other identifier issued to the Customer for use in association with the Service.

NOTE: For fixed, inbound or mobile Services this is identifiable by a full national number, but excludes virtual extensions, indial non-access lines and any subsidiary extensions, channels or lines which are not charged for separately, but which may have a full national number. For the avoidance of doubt, Service Identifiers may be associated with voice and data services. For NBN Transfer a Service Identifier may be the AVC ID.

Service Provider

means the Customer's current or potential retail provider of a Service.

Standard Telephone Service

has the meaning given by section 6 of the *Telecommunications (Consumer Protection and Services Standards) Act 1999*.

Transfer

means a Churn, Port or NBN Transfer of a Service or Service Identifier between two different Service Providers or Carriers. Transferred has a corresponding meaning.

2.3 Interpretations

In the Guideline, 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 CUSTOMER INFORMATION

3.1 Information to be provided to the Customer by the GSP

Prior to a CA being completed by the Customer, the Gaining Service Provider (GSP) should advise the Customer:

- (a) of the full extent of any Customer authorised rights delegated by the Customer to the GSP;
- (b) that the Service will remain active with the Losing Service Provider (LSP) until the Transfer is completed, and that the Customer should continue to contact the LSP in relation to the provision of services and fault restoration until the Transfer is completed;
- (c) that in respect of the Service(s) or Service Identifier(s) being Transferred, whether the LSP's obligation to supply products and services, including any facilities, incentives and benefits, ceases on completion of the Transfer;

NOTE: Where the Service being transferred is a fixed line service, the GSP should determine whether the customer's Service is a Priority Assistance Service, and if so, inform them of their options.

- (d) where only the long-distance Pre-selection is changing, the Customer may have an agreement with another SP, and that there may be consequences under the Customer's existing agreement if they change their Pre-selection choice;
- (e) that the Customer may have to pay a penalty or cancellation fee to their existing Supplier, and that there may be other consequences if they are ending their existing Customer contract with another SP early;

NOTE: In the case of mobile or fixed number portability, fees may include a Port out fee.

Other consequences may depend on the Customer's type of service with the LSP. For example, some services which are associated with that Service or Service Identifier in the Losing Carrier or SP's network may be altered or terminated. Associated services may include, but are not limited to, any broadband service on the same line and line sharing services.

- (f) that only those Service(s) or Service Identifier(s) specifically requested by the Customer as part of the Transfer request will be transferred. Any other Service(s) or Service Identifier(s) not advised will remain with the LSP;

NOTE: An example of services that may continue to be billed are an over-the-top service such as streaming video services or any other Listed Carriage Service(s) that are not requested in the Transfer.

- (g) that where a Service Identifier is to be Transferred using the mobile number portability processes, certain information may be required

to be disclosed to other SPs, Network Providers and Financial Institutions not otherwise involved in the Porting process, for the purpose of routing of calls, complaint handling, Fraud Prevention and to assist in fraud investigations, customer network fault management;

- (h) whether there will be an interruption or change to the Service during or as a result of the Transfer process;
- (i) where necessary, that GSP staff or representatives may need to access the Customer's premises for the purposes of installation or maintenance work; and
- (j) what type of equipment would be compatible with the Gaining Supplier's Telecommunications Service.

NOTE: depending on the type of transfer being authorised this may include the following:

- *for mobile services, if the Customer intends to continue to use existing devices, the Customer may need to request they be replaced, reprogrammed or unlocked by the LSP prior to the Transfer; or*
- *for mobile services, that the device is compatible with the GSP's type of network; or*
- *for fixed line services, whether existing devices and configurations are compatible with the GSP's type of network.*

4 AUTHORISATION CAPTURE

4.1 CA capture principles

The following principles apply to CA capture:

1. To initiate a Transfer the GSP should obtain a CA completed by the Customer or their Authorised Representative.

NOTE: CSPs are required to obtain a CA as an obligation in the respective Industry Code for that type of Service.

2. A Customer may (but is not obliged to) appoint an Authorised Representative to arrange a Transfer on their behalf. Such appointment must exist prior to a GSP initiating any Transfer request, in accordance with clause 3.1 (a) above.
3. For the avoidance of doubt, there may be more than one Authorised Representative in relation to a Customer at any time. Should a SP receive conflicting instructions from any such Authorised Representative or the Customer, the most recent authorisation applies and supersedes all previous authorisations in the circumstances where a Transfer has not yet been initiated.
4. Consent via a CA from the Customer should cover each Service or Service Identifier to be Transferred.
5. A CA may include, but is not limited to, paper based, electronic, internet pages or voice authorisations recorded on audio media.

NOTE: CSPs should consider the needs of people with particular communication disabilities. Accessible formats for information can include:

- Auslan;
- Braille;
- Easy English;
- Plain Language;
- HTML;
- Audio and vision description;
- Closed captions;
- Different community languages;
- PDF;
- RTF or
- Easily accessible document format.

5 AUTHORISATION CONTENT

5.1 Content of a CA

The CA should contain:

- (a) the Customer's details including name or business name and the service address to which the Service is provided, where relevant;
- (b) if the authorisation is provided by an Authorised Representative, the details of that Authorised Representative and the form of that authorisation (e.g., Statutory declaration, guardianship, etc.);
- (c) acknowledgment by the Customer, or their Authorised Representative, that they are the owner of the Service or Rights of Use Holder of the Service Identifier(s) set out in the CA;
- (d) the Services(s) or Service Identifier(s) to be Transferred;
- (e) the account number (in the case of fixed line or inbound number Porting) for each of the Service Identifiers to be Transferred;
- (f) the account number, reference number or date of birth (in the case of mobile Porting) for each of the Service Identifiers to be Transferred;
- (g) the contact details of the Customer and their Authorised Representative (where applicable), for contact that may be required during the Transfer or in association with an on-site installation, which should be different to any number associated with a Service or Service Identifier being Transferred;
- (h) the name of the GSP, where authorisation is received from a GSP's agent;
- (i) the Customer's authorisation to the Transfer and to activate the new Service with the GSP; and
- (j) the date of authorisation, which should not be future dated.

6 REFERENCES

Publication	Title
Industry Codes	
C628	Telecommunications Consumer Protections Code
C540	Local Number Portability Code
C570	Mobile Number Portability Code
C609	Priority Assistance for Life Threatening Conditions Code
C515	Pre-selection Code
Industry Guidelines	
G579	Mobile Number Portability Operations Manual
G602.1	Local Number Portability IT Specifications and Operations Manual Part 1 (General)
G567	Switchless Multi-Basket Billing Redirection Guideline
G597	Pre-selection Operations Manual
Legislation	
<i>Competition and Consumer Act 2010 (Cth)</i> http://www.comlaw.gov.au/Series/C2004A00109	
<i>Privacy Act 1988 (Cth)</i> http://www.comlaw.gov.au/Series/C2004A03712	
<i>Telecommunications Act 1997(Cth)</i> http://www.comlaw.gov.au/Series/C2004A05145	
<i>Telecommunications Numbering Plan 2015</i> https://www.comlaw.gov.au/Series/F2015L00319	

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

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Communications Alliance was formed in 1997 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.



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