

Australia Communications and Media Authority

International Mobile Roaming

Industry Standard

Draft Report

Submission by:

**Australian Mobile Telecommunications Association
and Communications Alliance**

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Introduction

Communications Alliance is the primary telecommunications industry body in Australia. Its membership is drawn from a wide cross-section of the communications industry, including carriers, carriage and internet service providers, content providers, equipment vendors, IT companies, consultants and business groups. Its vision is to provide a unified voice for the telecommunications industry and to lead it into the next generation of converging networks, technologies and services. The prime mission of Communications Alliance is to promote the growth of the Australian communications industry and the protection of consumer interests by fostering the highest standards of business ethics and behaviour through industry self-governance. For more details about Communications Alliance, see <http://www.commsalliance.com.au>.

The Australian Mobile Telecommunications Association (AMTA) is the peak industry body representing Australia's mobile telecommunications industry. Its mission is to promote an environmentally, socially and economically responsible, successful and sustainable mobile telecommunications industry in Australia, with members including the mobile Carriage Service Providers (CSPs), handset manufacturers, network equipment suppliers, retail outlets and other suppliers to the industry. For more details about AMTA, see www.amta.org.au.

AMTA and Communications Alliance (the Associations) welcome the opportunity to provide comment on the proposed Australian Communications and Media Authority (ACMA) International Mobile Roaming Industry Standard.

Background – Consumer Awareness Initiatives

The Associations recognise that there are opportunities to improve the level of consumer awareness around international mobile roaming (IMR) arrangements, most notably pricing.

The issue of consumer awareness of IMR has been and continues to be addressed by industry through improvements in information provided to consumers, including as required under the newly revised Telecommunications Consumer Protections (TCP) Code.

The Associations believe that the TCP Code goes a long way towards achieving the outcomes that both the Minister and industry members would like to see. (See appendix A for an outline of relevant TCP Code measures.)

The Associations understand that the industry standard is intended to address consumer awareness issues while a consumer is actually overseas, whereas the TCP Code provisions will apply to consumers within Australia.

The Associations support the ACMA in its task to develop an industry standard and have provided comments below on how such a standard may work.

Matters to be covered by the Standard

The Associations support the Minister for Broadband, Communications and the Digital Economy in his Direction to the ACMA that requires a standard to be developed that will require all carriage service providers (CSPs) to improve consumers' ability to monitor and control usage while overseas.

In particular we note and agree that:

6 (1) The industry standard must set minimum requirements for all Providers to:

- (a) give consumers information, on arrival at an overseas destination, about the charges applicable for the Providers' international roaming services at that destination; and*
- (b) permit consumers to decline continued provision of those international roaming services, at any time, while at that overseas destination;*

Further, the Associations believe that the standard should:

- be workable and consumer friendly;
- avoid being overly prescriptive;
- be outcomes based and allow for flexibility in implementation;
- align with the Telecommunications Consumer Protections (TCP) Code;
- take into consideration the arrangements that exist between Australian mobile network providers and their overseas partners in order to provide international roaming services; as well as
- take into consideration arrangements between mobile network operators and resellers in Australia.

SMS – preferred method of notification

The Associations and our customers strongly prefer SMS as the primary means of sending information or alerts. SMS is an effective and low cost method of delivering key information to customers where and when they need it. The Associations, however, do not believe that the Standard will need to stipulate the exclusive use of SMS as providers may have other innovative ways to alert consumers.

The Associations also note that it is free for roaming customers to receive SMS alerts, whereas other methods of communication may involve some costs to the customer.

The factors that influence the information that is relevant to a particular customer include:

- Whether roaming services are included in their pricing plan.
- The number of different services that a customer may use e.g. voice, SMS and data.
- Whether a roaming pack has been purchased by the customer.

The Associations suggest that the following information, or the means to obtain the information, be included in notifications to customers upon arrival in a destination country:

- Whether roaming is included in the customer's plan or not
- Pricing for a voice call, for sending SMS and for a measure of data (e.g. per MB)
- A contact number for the home service provider (and any associated charges for the contact number if it is not a free call)

The Associations recommend that the Standard does not stipulate that all of the above information needs to be included within a single communication or message. A service provider should retain flexibility to decide on the means of contacting their customer, for example, by one or more SMS or other means of notification. For example many consumers are not interested in data roaming and would only seek information if they started to use data services.

The Associations note that the above suggestions are in line with current European regulations that provide for flexibility in the delivery of notifications to customers.

“(85)... This information should be delivered to their mobile device in the manner best suited to its easy receipt and comprehension, and in such a manner as to enable easy access to it at a later date.”¹

The Associations note that the actual content and form of customer notifications will always be driven by competitive pressures and therefore CSPs should retain flexibility around how they communicate with their customers.

Some CSPs currently already provide SMS welcome messages and/or alerts to roaming customers in various formats and will therefore likely provide information about the current content of customer messaging around IMR to the ACMA separately.

The Associations recognise that SMS (although it is preferred by industry as a means of customer notification) may not be a suitable means of consumer communication in the case of either tablets or mobile broadband services (dongles) due to the way such services are generally used by consumers.

The Associations are committed to working with the ACMA to determine the most appropriate way the Standard could cover customers who use tablets or dongles.

The Associations suggest that while tablets and mobile broadband services may not be able to receive an SMS notification upon arrival in a destination country, one advantage of these devices and services is that they are better suited to accessing information from a website. This means that customers using such devices whilst roaming will have access to more comprehensive information that can be provided in a more consumer-friendly format.

¹ [The European Regulation No.513/2012 of the European Parliament and the Council of 13 June 2012 on roaming on public mobile communications networks within the union](#) - explanatory paragraphs – 85.

The Associations suggest that the ACMA consider that the provision of information on a readily accessible website for these devices and services may be more appropriate than sending a notification such as an SMS. This would clearly rely on supporting customer awareness and education processes, such as informing customers about the website when they activate roaming services. (NB prepaid customers generally have roaming pre-activated but exposure to bill shock is to some extent alleviated by the built-in credit limit of these services.)

App environment

The Associations recognise that mobile applications (apps) may provide a useful tool for both provision of consumer information and for consumers to independently monitor their usage levels.

The Associations note that the app market is highly competitive and marked by rapid development of products. In such a market environment it is highly unlikely that regulation would be required to mandate the development of apps aimed at assisting roaming customers, as the market will provide solutions that are likely to be more innovative and competitive than any mandated product would be.

While many handsets and devices now available have in-built capabilities to monitor data usage information, there are also several 3rd party Apps that can be downloaded by consumers that perform this function. For example, a simple search of Google Play of “usage” comes back with over 1000 apps. While such 3rd party Apps may vary in their reliability depending on how well they can be adapted or tailored to a particular device, network or CSP’s billing system, they should provide consumers with some guidance on their volume of data used.

CSPs may also provide specific Apps to their customers,² however there are some practical issues to consider regarding this option:

- While an app may provide usage information to a customer, it will not generally provide actual spend information.
- There are many different operating systems beyond iOS and Android which would also need to be catered for and even within an operating system, various versions may not be compatible with an app developed for an earlier version
- There would be significant costs involved in the development of such apps, particularly if every service provider were to be required to develop its own proprietary app.

The Associations suggest that before mandating the development or provision of apps in the Standard, that a careful and comprehensive review of the app market is undertaken as it

² For example: A dedicated app to notify customers about international roaming rates is available for Vodafone customers on the iOS platform <http://itunes.apple.com/au/app/international-roaming-rates/id483979559?mt=8> ; and

An app (iOS and Android) is available for pre-paid Optus subscribers to check and recharge their available credit (<https://optus.smsrecharge.com.au/optus-recharge-now-app>)

likely that the app market will provide a solution for customers without any market intervention on the part of the regulator. Further, as the app market is highly innovative and rapidly evolving it would be imprudent to standardise any requirements in relation to apps at this point in time.

Resellers

The Associations advise that due to the commercial complexities in the carrier-reseller relationships, the ACMA will hear from carriers individually on this issue associated with what information is available to a reseller. The variance in network design of both carriers and resellers and also the nature of the reseller, that is whether the reseller owns some network elements or is a pure reseller, do not allow a simple industry response.

Appendix A:

In summary, the TCP Code includes the following measures

General warning about IMR costs:

Clause 4.1.2 (a) (iii) B. mandates that Carriage Service Providers (CSP) must include a warning about IMR costs in their Critical Information Summaries (CIS). This information must be under a specific sub-heading within the CIS.

Re the CIS the following points are relevant to highlight the ease of locating the information, the push-nature of the CIS and the timing of information provision:

- The CIS itself is a fairly standardised document (limited in length) so that consumers can expect to find the same kind of information under the same headings independent of CSP and offer.
- Importantly, the CIS must be given prior to sale for postpaid offers (with some opt-out provisions for solicited over-the-phone sales), must be available in CSP stores (e.g. can be printed by sales staff) and must be available on a CSP's website. It must also be linked to in a CSP's online ads for an offer.
- The CIS must be available for all offers (prepaid and postpaid) free of charge.

More detailed IMR information:

Clause 4.1.3 (i) specifies that CSPs must give the following information on their website in a prominent and/or easily navigable and/or searchable position and free of charge upon request:

- Is IMR an opt-in or opt-out feature?
- The basic charges to send SMS, make and receive standard calls and for data usage for different countries.
- Importantly, the information must highlight that voice, SMS and data mobile roaming may be more expensive
- The information must include that both making and receiving calls may attract a charge.

Delay of billing information for IMR: 6.51 (a), (b) and 6.5.2 (i)

- The ability to opt-out of roaming is considered a Spend Management Tool (SMT) under the TCP Code.
- SMT must be described comprehensively in a readily accessible position on a CSP's website.
- In this description the approximate delay of unbilled usage information must be given and it must be stated what kind of usage this delay applies to (e.g. IMR).
- The usage notifications which are now being phased in for national usage must include a warning (with the 100% notification) that IMR usage is not included. This warning must also be included in the above SMT descriptions.

In addition, industry is in the process of developing a consumer brochure (to be made available by CSPs) outlining the most important CSP obligations which include the provision of information on IMR.