

New scheme to protect premium mobile content service users

Adults and children who access premium mobile phone services will be better protected with the introduction of the Mobile Premium Services Self-Regulatory Scheme.

The new scheme applies to all mobile premium services. These services include sports scores, music clips and sports highlights, mobile ring tones, mobile wallpaper, games and other downloads, age-restricted content and chat rooms, and are provided on telephone numbers starting with 191, 193, 194, 195, 196, 197 and 199 or accessed via a mobile phone company portal.

The scheme, which was developed by providers of mobile phone services and mobile content, has now been approved by ACMA, following a consultation process that helped identify significant issues for users of mobile premium services.

Difficulty in stopping subscription services is one of the main sources of complaint from premium service users. The scheme will help prevent unwanted content by requiring premium content service providers to action a 'STOP' command sent by text to the provider to discontinue unwanted services.

Protections for children include providing for the assessment of content for mobile premium services and removal of prohibited content and restricted content that is provided outside of the restricted access arrangements.

New rules to ensure that customers are informed about the nature of services, costs, and terms and conditions of

services before first use, as well as the ability to stop subscription services, will benefit people on limited incomes.

The scheme also provides a formal complaints resolution process, through the Telecommunications Industry Ombudsman (TIO). The TIO will deal with complaints that consumers have been unable to resolve with their service provider in the first instance.

The scheme will be periodically updated to take account of developments in the market for these services and is expected to be reviewed within 12 months. ACMA expects that there will be significant public interest in the effectiveness of the scheme and that there will be full and open public consultation when the scheme is reviewed.

To help parents protect their children from problems that may arise when using premium and other mobile services, ACMA has developed a list of

questions for parents to ask when purchasing a mobile phone for their children. The list is on the ACMA website at www.acma.gov.au/mobilesforkids.

PREMIUM SERVICES

ACMA made the *Telecommunications Service Provider (Mobile Premium Services) Determination 2005 (No.1)* on 29 June 2005. The determination includes rules relating to the content of mobile premium services and safety of children using mobile chat services. It also provides for industry to develop a self-regulatory scheme that contains rules to protect users of these services and to provide for the handling of complaints. The determination also provides for the development of a default scheme from the provisions of the approved self-regulatory scheme, which will apply to all service providers who are not members of an approved self-regulatory scheme.

The Australian Government recently announced its intention to amend broadcasting and telecommunications legislation to improve the regulation of content provided over convergent devices. The proposed amendments will introduce enhanced protections for consumers accessing content on convergent devices, relating to child safety and restricted or prohibited content. These proposed changes would complement the new financial protections instituted as part of the Mobile Premium Services Self-Regulatory Scheme.

More information about premium services is on the ACMA website at www.acma.gov.au (go to Phones > Premium Services > Premium Phone Services).

More information about the Mobile Premium Services Self-Regulatory Scheme is on the Communications Alliance website at www.commsalliance.com.au.

