

ACMA Scam Technology Project

Terms of Reference

Context

The Australian Communications and Media Authority (ACMA) will, in consultation with key stakeholders, undertake a Scam Technology Project (the Project) to explore practical technological solutions to address the proliferation of scams over Australian telecommunications networks.

The Project addresses:

- > a request for assistance from the Minister for Communications and the Arts (the minister) to identify realistic options for addressing consumer harms caused by international scam callers¹
- > Finding 10 of the ACMA's [report to the minister](#) on the potential for industry self-regulation of commercial electronic messages, the Do Not Call Register and the Integrated Public Number Database; and
- > Recommendation 3 of the [Communications Sector Market Study final report](#) by the Australian Competition and Consumer Commission (the ACCC).

The ACMA's report found that 'scam unsolicited communications are a significant issue for consumers and ongoing work across government and industry is required to reduce the impact'.

The ACMA's 2018 [consumer experience research](#) found that there was greater concern about scam calls than all other types of unsolicited calls, with more than half of Australian adults having received scam calls daily or weekly. The research also found that more than three quarters of Australian adults feel not enough is being done to protect individuals from scam calls.

Consumer complaints about scams are the number one complaint type to the ACMA in relation to the *Do Not Call Register Act 2006* and the *Spam Act 2003*. In 2017–18, more than 26 per cent of complaints about telemarketing and spam concerned scams.

The ACCC's market study recommended that 'Telecommunications industry members must, as a priority, collaborate with regulators and government agencies to develop and implement technical solutions at the network level to protect consumers from the significant harm that flows from spoofing and related scams'.

The Project will investigate what can be done to disrupt scam activity, including possible consumer or network-based solutions like call/message/email blocking, sharing of information, network traffic analysis and authentication protocols.

¹ Correspondence to the ACMA dated 11 December 2017 (ACMA response dated 8 February 2018)

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The ACMA will examine available and potential technological solutions that could disrupt and reduce the level and severity of scams being perpetrated over telecommunications networks. As part of its examination, the ACMA will consider:

- > existing and emerging technologies that enable scams to be perpetrated against Australians
- > existing technologies that can reduce scam perpetration
- > new or emerging technologies that could further reduce scams
- > the costs and benefits of existing and potential solutions, implementation issues and timing
- > international developments and approaches
- > other relevant matters.

The Project recognises that many scams may involve a combination of contact methods. The Project will consider phone calls, SMS/OTT messages and email scams.

The findings will be made available to key stakeholders, including the Minister for Communications and the Arts. Public release of the findings, or extracts of the findings, will depend upon the commercial and security sensitivities of the matters canvassed.

Reference group

The ACMA will establish a reference group comprising representatives of the ACCC and the Australian Cyber Security Centre to support its undertaking of the Project. The Department of Communications and the Arts will participate in the reference group as an observer. Reference group members will provide strategic advice to the Project and insights from their associated work on scams.

The ACMA will also consult with other government agencies, the telecommunications industry, large technology companies operating in Australia, organisations representing the interests of consumers, and international stakeholders with a role in addressing scams in the areas of telecommunications, consumer protection, law enforcement, cybersafety, cybersecurity and fraud.

Matters to which the ACMA will have regard

In undertaking the Project, the ACMA will have regard to:

- > the importance of communications networks for the economic and social development of all Australians
- > current policy and regulatory settings about scams
- > international developments to reduce scams that are being supported by governments, industry and/or consumers
- > any research on the concerns of consumers in relation to spam or scams delivered over telecommunications networks
- > advice from the reference group and other stakeholders
- > the costs to consumers and industry of any potential solutions.

Out of scope

The following matters are out of scope for the Project:

- > Scams perpetrated over the internet that are not initiated by an unsolicited electronic communication to a consumer (for example, online dating or shopping scams) and scams that are not perpetrated over communications networks (postal or in person scams).

Reporting and timing

The ACMA will complete its preliminary examination by July 2019. A final report will be completed by December 2019.