



## Direction under subsection 121(1) of the *Telecommunications Act 1997*

TO: Teleforce Pty Ltd trading as Urban Telecom (ACN 129 658 895)  
OF: 635 Henry Lawson Drive  
East Hills NSW 2213

### DIRECTION

I, Jeremy Fenton, delegate of the Australian Communications and Media Authority (the **ACMA**), being satisfied that Teleforce Pty Ltd trading as Urban Telecom (**Urban Telecom**), has contravened the *Telecommunications Consumer Protections Code (C628:2019)* (the **TCP Code**) as described below;

DIRECT Urban Telecom under subsection 121(1) of the *Telecommunications Act 1997* (the **Act**), to comply with Chapters 4 and 9 of the TCP Code.

### Details of the contraventions

1. The ACMA has investigated Urban Telecom's compliance with the TCP Code, which is an industry code registered with the ACMA under Part 6 of the Act. As a carriage service provider within the meaning of section 87 of the Act, Urban Telecom is a participant in a section of the telecommunications industry to which this code applies.
2. The ACMA is satisfied that Urban Telecom has contravened the following clauses of the TCP Code:

Provision	Reason
Clause 4.5.1(c)	Failing to ensure that its sales representatives are appropriately trained to promote and sell in a fair, transparent, responsible and accurate manner between 11 November 2019 and 17 August 2022
Clause 9.7.1(b)	Failing on 3 occasions to create and retain auditable records establishing that transfers to Urban Telecom were undertaken in accordance with Chapter 9 of the TCP Code between 21 November 2019 and 15 September 2022.

3. Further details about the contraventions are set out in the investigation report dated 15 January 2024.

### Requirement to comply with this Direction

Under subsection 121(2) of the Act, Urban Telcom must comply with a direction under subsection 121(1) of that Act.

If Urban Telecom does not comply with this direction, the ACMA may issue an infringement notice relating to the contravention (subsection 572E(1) of the Act) or apply to the Federal Court for an order that Urban Telecom pay the Commonwealth a pecuniary penalty in respect of its contravention of a civil penalty provision (see subsection 121(4) and subsection 571(1) of the Act).

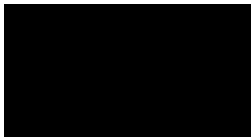
### **Reconsideration of a decision**

If Urban Telecom is dissatisfied with the decision to give this direction, it may seek reconsideration of the decision by the ACMA under subsection 558(1) of the Act by making an application in writing to the ACMA, which sets out the reasons for the application. Any such application must be made within 28 days after Urban Telecom is informed of the decision, unless the ACMA extends the period for making the application (subsection 558(3) of the Act).

If, upon reconsideration, the decision is affirmed or varied and Urban Telecom is dissatisfied with that decision, it may:

- (a) subject to the *Administrative Appeals Tribunal Act 1975* (the **AAT Act**), apply to the Administrative Appeals Tribunal for review of the reconsideration decision; and
- (b) request a statement under section 28 of the AAT Act in relation to that decision (section 562 of the Act).

This 19 day of February 2024



Jeremy Fenton  
A/g General Manager  
Consumer Division  
Delegate of the Australian Communications and Media Authority