



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

TO: V4 Telecom Pty Ltd (ACN 169 465 730)

OF: 13 Concepts Accounting & Tax, Unit 602, 566 St Kilda Road, Melbourne VIC 3004

The Australian Communications and Media Authority (**the ACMA**), being satisfied that V4 Telecom Pty Ltd (ACN 169 465 730) (**V4**), has contravened the *Telecommunications Consumer Protections Code C628:2015 (TCP Code)* as described below;

DIRECTS V4 under subsection 121(1) of the *Telecommunications Act 1997* to comply with Chapter 7 of the TCP Code.

Details of the contraventions

1. The ACMA investigated V4's compliance with clause 7.10.1 of the TCP Code. Clause 7.10.1 specifies rules that apply if a supplier proposes to move its customers to an alternate wholesale network provider.
2. As a carriage service provider, V4 is a participant in the section of the telecommunications industry to which the TCP Code applies.
3. Between 29 June 2018 and 2 July 2018, V4 chose to move the services of 34 of its customers to an alternate wholesale network provider. V4 did not notify its customers prior to the move being initiated about the proposed move and of the other matters specified in paragraph 7.10.1(a) of the TCP Code.
4. Accordingly, the ACMA is satisfied that V4 contravened clause 7.10.1 of the TCP Code on 34 occasions between 29 June 2018 and 2 July 2018, by failing to notify its customers that their telecommunications services would be moved to an alternate wholesale network provider and of the other matters specified in paragraph 7.10.1(a) of the TCP Code.

Requirement to comply with this Direction

5. Under subsection 121(2) of the Act, V4 must comply with a direction under subsection 121(1) of the Act.
6. If V4 does not comply with this direction, the ACMA may apply to the Federal Court for an order that V4 pay the Commonwealth a pecuniary penalty in respect of its contravention of a civil penalty provision (subsection 121(4) and section 570 of the Act).

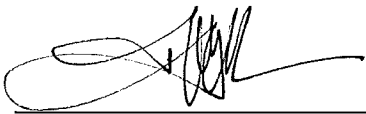
Review rights

7. If V4 is dissatisfied with this decision, it may seek a 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, within 28 days after the date on which this notice of decision is given to V4.

8. If V4 is dissatisfied with the ACMA's decision upon reconsideration, then subject to the *Administrative Appeals Tribunal Act 1975 (the AAT Act)*, it may apply to the Administrative Appeals Tribunal for review of the decision, within 28 days of the date on which notice of the ACMA's decision on reconsideration is given to V4. V4 may also request a statement of reasons in relation to the decision on that reconsideration, under section 28 of the AAT Act.

Dated this 24th day of May 2019



Signature of Chair

Nerida O'Loughlin

Name



Signature of General Manager

Linda Caruso

Name