

# Formal Warning under subsection 122(2) of the *Telecommunications Act 1997*

TO: OPTUS MOBILE PTY LTD (ACN 054 365 696)

OF: 'Building C' Level 4, 1-7 Lyonpark Road

Macquarie Park NSW 2113 Australia

I, ALLAN MAJOR, delegate of the Australian Communications and Media Authority (the **ACMA**) being satisfied that OPTUS MOBILE PTY LTD, ACN 054 365 696 (**OPTUS**) has contravened the Industry Code *C564:2020 Mobile Phone Base Station Deployment Code* (the **Deployment Code**),

**HEREBY** issue a formal warning to OPTUS under subsection 122(2) of the *Telecommunications Act 1997* (the **Act**) in respect to the Deployment Code.

## Details of the contraventions

1. On 7 August 2024, the ACMA commenced an investigation into Optus's alleged contraventions of the Deployment Code.
2. The investigation was in respect to Optus's compliance with the Deployment Code in relation to an installation at the existing base station site at 91 Tourmaline Court, Bonogin Queensland 4213.
3. As a licensed telecommunications carrier that installs and operates mobile phone radiocommunications infrastructure, which is used, intended to be used, or capable of being used to supply public mobile telecommunications services, Optus is a participant in a section of the telecommunications industry to which the Deployment Code applies.
4. Upon completion of the investigation, the ACMA is satisfied that Optus contravened subclause 10.2.1 of the Deployment Code by failing to acknowledge a complaint, in writing, within 10 business days of the receipt of the complaint and failing to provide an expected timeframe for resolution of the complaint commensurate with the complexity of the matters raised in the complaint.

Dated this 12th day of November 2024



Signature Executive Manager

Allan Major