

Direction to comply with the Industry Code (C661:2022) Reducing Scam Calls and Scam SMS, given under subsection 121(1) of the *Telecommunications Act 1997*

To: **NETSIP PTY LTD (ACN 131 968 744)**

Of: **Level 24, 100 Creek Street Brisbane QLD 4000**

I, Jeremy Fenton, delegate of the Australian Communications and Media Authority (**the ACMA**), being satisfied that NETSIP PTY LTD (ACN 131 968 744) (**NetSIP**), has contravened the *Industry Code (C661:2022) Reducing Scam Calls and Scam SMS (the Scams Code)* as described below;

DIRECTS NetSIP, under subsection 121(1) of the *Telecommunications Act 1997 (the Act)*, to comply with the Scams Code.

Details of the contraventions

1. The ACMA has investigated NetSIP's compliance with the Scams Code registered by the ACMA under Part 6 of the Act. As a carriage service provider (**CSP**), NetSIP is a participant in a section of the telecommunications industry to which this industry code applies.
2. The ACMA is satisfied that NetSIP has contravened the following clauses of the Scams Code:

Provision	Reason
Clause 1.1.3	Failing to adhere to the timeframes set out by the Industry Guideline G664:2022 Reducing Scam Calls and Scam SMS Supplementary Information.
Clause 4.2.10	Failing to forward the details of alleged CLI spoofing to the C/CSPs from which it received those calls, with a copy to the ACMA, as soon as practicable.
Clause 4.3.1	Failing to monitor their networks for Scam Calls based upon the CLIs notified by other C/CSPs.
Clause 4.6.2	Failing to share information about the origin of the confirmed Scam Calls with the ACMA and/or provide details about the transit path of the confirmed Scam Calls to the ACMA via agreed electronic means, as per the template in Appendix B of the Scams Code.
Clause 6.1.1(a)	Failing to report to the ACMA the number of Scam Calls blocked for the quarter July to September 2022 within the requisite timeframe.

3. Further details about the contraventions are set out in the investigation report provided to NetSIP on 6 November 2024.

Requirement to comply with this Direction

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

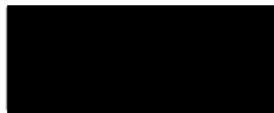
If NetSIP does not comply with this direction, the ACMA may apply to the Federal Court of Australia for an order that NetSIP pay the Commonwealth a pecuniary penalty in respect of its contravention of a civil penalty provision (subsection 121(4) and section 570 of the Act).

Reconsideration of a decision

If NetSIP 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 NetSIP 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 NetSIP 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).



Jeremy Fenton

Executive Manager

Unsolicited Communications and Scams

Consumer Division

Delegate of the Australian Communications and Media Authority

19 November 2024