



27 July 2007

Committee Secretary
Parliamentary Joint Committee on the Australian Crime Commission
Department of the Senate
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Dear Secretary

Re: Inquiry into the “Future impact of serious and organised crime in Australian Society”.

The Australian Mobile Telecommunications Association (AMTA) is the Australian mobile industry’s peak body. AMTA’s members include mobile phone carriers, handset manufacturers, retail outlets, network equipment suppliers and other suppliers to the industry. AMTA’s mission is to promote a socially, environmentally and financially responsible and successful mobile telecommunications industry in Australia. For more details about AMTA, see <http://www.amta.org.au>.

AMTA welcomes the opportunity to provide comment to the Parliamentary Joint Committee. AMTA recognises that the assistance that the telecommunications industry provides to law enforcement and security agencies contributes to the effectiveness and efficiency of those agencies and benefits the Australian community. AMTA also recognises that mobile telecommunications has provided law enforcement agencies with a powerful tool in combating serious crime in Australia.

AMTA is seeking balanced policy outcomes for consumers, the industry and law enforcement agencies in the national security context. It should be noted that, in addition to cooperating on law enforcement related activities, the industry also must consider other national and commercial objectives, including:

- maintaining the competitiveness of the Australian telecommunications industry, relative to our major trading partners
- providing access to mobile communications to some of most marginalised members of our society (Aboriginal and Torres Strait Islanders communities, urban homeless, members of the transient workforces) in a manner least restrictive
- commercial interests in meeting legitimate shareholder expectations of return on investment, and

- maintaining individual competitiveness through the ongoing exploitation of new technologies, innovation and the launch of new services to consumers

AMTA notes from the submissions and Hansard transcripts from the inquiry so far that the issue of pre-paid mobile services and SIM card purchases are a source of concern for law enforcement agencies and in particular the submission calling for a 100 point check to be applied to the purchase of pre-paid mobile services.

The Telecommunications (Service Provider – Identity Checks for Pre-Paid Mobile Telecommunications Services) Determination 2000 from the Australian Communications and Media Authority (ACMA) applies in relation to pre-paid mobile phones. The Determination sets out the processes which the industry must apply for customer identity collection and verification:

Option A: with the purchase of pre-paid mobile phones services or

Option B: at the activation of a pre-paid mobile phone service.

Schedule 1 of the Determination provides a list of identity documents that must be produced and sighted with the purchase of a pre-paid mobile phone service. Industry's preference would be to use option B above, but transition to this process has been consistently thwarted by the lack of access to original sources for verification of customer provided information. As a result, option A is used, with suboptimal outcomes, including:

1. incomplete or no collection and verification of customer data at some retail outlets
2. differences between the information collected from the purchaser and the user (e.g. if the mobile is a gift)
3. incomplete and unverified data in the IPND, as this data is collected from the user at service activation.

AMTA recognises that there are some retailer issues in relation to filling out the forms for a pre-paid mobile phone services and acknowledge that the process requires improvement. AMTA submits that the industry has worked cooperatively with law enforcement agencies and ACMA, to re-define processes. To this end AMTA members are developing a standard form for pre-paid mobile phone services in order to seek more accurate and consistent data capture at point of sale. To complement the development of the new pre-paid mobile phone service form, AMTA is developing an overall continuous improvement process that consists of comprehensive guidelines for retailers and an education program upon roll out of the new form. Following activation of the mobile service, all carriers lodge the customer information in the Integrated Public Number Database (IPND). Both the absence of anonymous mobile services, as well as the presence of the IPND is where the Australian mobile industry is more advanced with law enforcement enhancements than other OECD jurisdictions.


AMTA submits that identity check processes for pre-paid mobile phone services could be enhanced through transition to a system based on identity collection and verification at the point of service activation, that is, option B above. Such a process critically depends upon a process that confirms information provided by customers, for example,

confirmation that name, address and driver's licence number is valid or not. AMTA expects that this could be addressed via the Government's proposed National Document Verification Service (DVS)¹. This system is being considered as part of the National Identity Security Strategy and includes a range of initiatives to strengthen national arrangements at each point along the identity security continuum. The telecommunications industry is particularly interested in tapping into the document authorisation or verification process. In some ways this process could overtake the need for outdated methods of identification such as the 100 point check approach. By allowing a simple check to verify that the name on a document corresponds to the identity number e.g. driver's licence, will allow Carrier Service Providers to electronically verify, in real time, customer identification information provided over the phone or via the internet. AMTA believes that this can be achieved without compromising the privacy of the customer, as the process involves confirmation of personal details that are required by law to be collected and verified.

AMTA would welcome any assistance the Committee can provide in moving towards a DVS based system. AMTA believes this will be a more efficient and effective process for industry and for law enforcement agencies.

AMTA is committed, as always, to working cooperatively with relevant government and law enforcement agencies and stakeholders to develop close and workable relationships in achieving outcomes that balance consumer, commercial and industry operational needs with national security and law enforcement objectives. AMTA welcomes the opportunity to provide comments to the Parliamentary Joint Committee.

Yours sincerely



Chris Althaus
Chief Executive

¹ Privacy Impact Assessment – National Document Verification Service, Attorney-General's Department June 2007.