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Dear Communications Alliance,

### Consultation for the scheduled review of the Calling Number Display Industry Guideline

Thank you for the opportunity to comment as part of the scheduled review of the *Calling Number Display Industry Guideline (G522:2016)*. We support the provisions of the Guideline, as they provide important safeguards for consumers in their dealings with Calling Number Display (CND) features.

CND is a valuable service feature for many consumers. However, CND can cause frustration or represent a privacy risk when it does not function as intended, or when a consumer does not understand how it works. Where CND does not operate effectively, it can present heightened risks for consumers experiencing vulnerability, such as victim-survivors of domestic or family violence.

Therefore, it is important consumers have the benefit of accurate information about the availability and functionality of CND, and that telcos ensure CND and CND Blocking work effectively. The importance of a well-functioning CND system is especially clear in the current environment of increased concern about scams, privacy, and ID security.

We make the following observations on the Guideline, based on our experience dealing with telecommunications complaints.

#### 1. The Guideline's protections may be more effective if they were binding

We receive complaints from consumers who say their CND is not working properly to display their telephone number to those they call. Others tell us CND displays on their calls even though they have a silent number, or they have asked their telco to block CND for all their outbound calls.

Some of the Guideline's key provisions create protections that could in principle address these issues. For example, the Guideline says CND should generally be enabled by default,<sup>1</sup> and (subject to some exceptions) that telcos should ensure that a Permanent Line Block prevents the display of CND on all outbound communications on a service.<sup>2</sup> It also says telcos should give consumers clear and timely notice when CND Blocking or CND Enabling are not available.<sup>3</sup>

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<sup>1</sup> Clause 3.1.1.

<sup>2</sup> Clause 3.1.5.

<sup>3</sup> Clauses 3.4, 4.1.2(b), and 4.1.4.

However, because the Guideline's provisions are non-binding, there may be limited incentive for some telcos to comply with them. Binding obligations would encourage consistency in approach between telcos and promote confidence in the capacity of the provisions to protect consumers.

Our office did not support the deregistration of the former *Calling Number Display Industry Code (C628:2012)* following its 2015 review. We suggest the Guideline's protections may be more effective if they were moved into a binding piece of regulation, such as a registered industry code.

2. The Guideline should include updated cross-references to reflect other modern regulation affecting the use of CND and CLI

We would support revisions to the Guideline so it includes updated cross-references to other pieces of modern regulation affecting the use of CND and Calling Line Identification (CLI). Since the Guideline was created in 2016, there have been significant developments in some areas relating to telcos' use of CLI. For example, the *Reducing Scam Calls and Scam SMS Industry Code (C661:2022)* (**Reducing Scams Code**) was registered in 2022. It requires Carriage Service Providers and Carriers to trace and block scam calls and scam SMS on their networks, which requires the monitoring and use of CLI.

The inclusion of cross-references to newer instruments such as the Reducing Scams Code may help some telcos to better understand their obligations relating to CLI. It may also assist interested consumers to locate the relevant obligations. Such cross-references could be structured similarly to clause 4.3 of the current Guideline,<sup>4</sup> which refers to telcos' obligations under the *Handling of Life Threatening and Unwelcome Communications Industry Code (C525:2023)*.

We look forward to learning the outcome of this consultation.

Yours sincerely,



Cynthia Gebert  
Telecommunications Industry Ombudsman

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<sup>4</sup> Clause 4.3 of the Guideline is titled 'What if I receive an unwelcome communication and need to know the caller's number?'