

Private citizen submission. Mr A Marsh.

Good morning.

Although the deadline for the TCP Code Stage 1 review closed on 6th June 2023, as of now on 28th June 2023, I still read:

Stage 1: Information-gathering (open now)

at: <https://commsalliance.com.au/Documents/TCP-Code-Review-2024/Stage-1-Information-gathering>

I trust that you will still read my account and arrange a one-on-one meeting with me as mentioned on the same web page above:

QUOTE

one-on-one stakeholder meetings that will provide a relatively informal opportunity to properly understand the issues raised in submissions, with few enough participants in each meeting to allow the kind of non-confrontational, two-way, constructive dialogue that is often simply not possible in bigger group settings. (If you are interested in meeting and have not yet advised us, please do so ASAP.)

END QUOTE

My experience was:

To summarise, recently (June 2023) [PROVIDER] finally corrected their website's claims about VoLTE and international roaming.

Previously they claimed at [https://www.\[PROVIDER\]/international-roaming](https://www.[PROVIDER]/international-roaming) under FAQs:

Which mobile technologies can I use while overseas?

You can make calls and send messages while overseas using VoiceLTE, Wi-Fi Calling, [PROVIDER] Video Calling and [PROVIDER] Messaging, depending on your mobile plan and device compatibility. Check with your device manufacturer to ensure compatibility for your specific device.

Now they claim:

You can make calls and send messages while overseas using 2G/3G, VoLTE with 4G, Wi-Fi Calling, [PROVIDER] Video Calling and [PROVIDER] Messaging, depending on your mobile plan, device compatibility and network coverage in the area where you are attempting to make a call. Check with your device manufacturer to ensure compatibility for your specific device. VoLTE calls are also only possible in countries where we have an agreement with our roaming partner to use VoLTE.

[PROVIDER] claim that their roaming agreements are technology agnostic and that confidentiality requirements of the agreements mean that they can't disclose which countries they have agreements with a roaming partner to use VoLTE.

[PROVIDER] also formerly claimed at [https:// \[PROVIDER\] /support/mobiles-devices/enable-volte-mobile-phone](https://[PROVIDER]/support/mobiles-devices/enable-volte-mobile-phone)

Voice over LTE (VoLTE) lets you make clearer phone calls over any 4G (LTE) network. Your mobile phone will use VoLTE to make and receive these calls in countries where 4G is available. Mobile network operators around the world are beginning to shut down their 3G networks, meaning

VoLTE will be required to make or receive phone calls (including emergency calls) when using their network abroad.

Note the use of "any" and "where 4G is available". Not all telcos around the world who have 4G offer VoLTE and a large percentage of telcos that offer VoLTE have very limited if any VoLTE roaming agreements. See:

<https://www.gsma.com/aboutus/workinggroups/key-topics/VoLTE-roaming> (noting that [PROVIDER] *is* a GSMA member).

Now [PROVIDER] claim:

Voice over LTE (VoLTE) lets you make clearer phone calls over 4G (LTE) networks. Mobile network operators around the world are beginning to shut down their 3G networks, meaning VoLTE will be increasingly required to make or receive phone calls (including emergency calls) when using their networks abroad.

The ACMA claim that [PROVIDER] did not breach the TCP code, even though it took [PROVIDER] from July 2022 when I first notified a senior employee of [PROVIDER] of claims on the [PROVIDER] website that did not appear to be correct until June 2023 for the corrected claims quoted above to appear.

The Telecommunications Consumer Protection Code

<https://www.commsalliance.com.au/Documents/all/codes/c628> states:

3.2.1

A Supplier must ensure that any information provided or made available to Consumers is clear, accurate, free of material omissions, relevant, current, readily available, and, in cases where information is provided, timely.

[PROVIDER] 's former claims lead me to believe that VoLTE roaming was available generally when (apparently) it is only available to the USA. Without VoLTE roaming, voice calls use 3G or even 2G in other countries and voice call quality and coverage can suffer, along with the ability to send and receive data at the same time as a voice call.

Contrast this with Singtel:

<https://www.singtel.com/personal/products-services/mobile/roaming>

VoLTE calls are currently available in USA (AT&T, Verizon networks) and Japan (NTT DoCoMo, KDDI networks). To make VoLTE calls, simply turn on your roaming data network and enable VoLTE on your phone setting.

In the event that you're unable to access VoLTE, you may continue to make your (non-VoLTE) calls by manually selecting T-Mobile (USA) or Softbank (Japan). On your phone setting: Enable "Roaming Data" under 'mobile data' setting. On My Singtel app: Enable Roaming Data network under 'settings'.

Most but not all of my [PROVIDER] international roaming charges from April-May 2023 have been waived; however, I still had to pay for roaming in Singapore even though it was one of the first countries to implement VoLTE.

I am still waiting for the "industry" to live up to the expectations of the TCP code.

I was raising the issue about the mention of "VoiceLTE" on the [PROVIDER] web site with [NAME REDACTED] and [NAME REDACTED] of [PROVIDER] since July 2022, realising that it probably meant Voice over Long Term Evolution or VoLTE.

[PROVIDER] only finally took action on correcting the [PROVIDER] web site's statements about Voice over LTE and international roaming after I raised a complaint through the ACMA and the ACMA initially referred me to the TIO)who I had previously not had success dealing with over the Integrated Public Number Database (IPND) and a telephone number which I had requested to be unlisted but was a Listed Entry in the IPND).

I have since had all my [PROVIDER] international roaming charges from my April / May 2023 credited back to me, but still feel that [PROVIDER] as an organisation delays and deflects from their own responsibilities, e.g. one complaints handling employee telling me that it wasn't his job to have read the TCP Code.

Please arrange a meeting with me to ensure that Comms Alliance and Michael Cosgrave are aware of my experiences with even a top level telco failing to meet its obligations under the TCP Code.

additional comments provide a few days later:

I would also like to include the ACMA's attitude to dealing with TCP Code complaints.

After my recent experience with an extremely delayed correction to [PROVIDER]'s web site where ConsumerInterests@acma.gov.au were cc:'d in with senior [PROVIDER] management (NAMES REDACTED), the ACMA saw fit to provide no acknowledgement that I had raised a legitimate complaint, and instead defended their decision to keep the matter closed, even though their original decision to close the matter was based on a misunderstanding of the facts.

To me, this does not equate with being treated with courtesy and respect as the ACMA claim to be practising.