

Division 12 Report

Record-Keeping and Reporting Rules

Issued under section 151BU of the
Trade Practices Act 1974

August 2010

1. TITLE

- (1) These Rules, made by the Australian Competition and Consumer Commission under section 151BU of the *Trade Practices Act 1974*, may be referred to as
- (a) the Division 12 Report Record-Keeping and Reporting Rules; or
 - (b) Rules.

2. COMMENCEMENT

- (1) These Rules will take effect on the date the Rules are issued by the Commission.

Note: The Commission will issue the Rules by making a public announcement and placing the Rules on its website.

3. INTERPRETATION

3G means third generation mobile telecommunications, and has the same meaning as IMT-2000.

AAPT means AAPT Limited (ABN 22052082416).

access charge means the charge paid by a mobile consumer for ongoing access to a GSM, CDMA or 3G/WCDMA mobile network.

Act means the *Trade Practices Act 1974*.

ADSL means asymmetric digital subscriber line, and is a broadband Internet transmission technique.

area code has the same meaning as in the *Telecommunications Numbering Plan 1997*.

Australian subsidiary means a subsidiary that is registered with ASIC under section 118 of the Corporations Act.

basic access means:

- (a) establishing the supply of a standard telephone service at a location required by the person requesting the supply of the service, but does not include:
 - (i) in respect of a business requesting the service – the supply of materials or services to support the supply of a standard telephone

service from a main distribution frame to the location requested by the business; or

- (ii) the supply and connection of a telephone handset or other customer equipment; and
- (b) the ongoing supply of a standard telephone service at a location required by the person requesting the supply of the service, but does not include:
 - (i) in respect of a business requesting the service – the supply of materials or services to support the supply of a standard telephone service from a main distribution frame to the location requested by the business; or
 - (ii) the supply and connection of a telephone handset or other customer equipment.

| | |
|----------------------------------|--|
| broadband | means an Internet connection that enables high speed usage with high capacity limits and download speeds of greater than or equal to 200 Kbits/sec. |
| business consumer | means a consumer that has a contract with a carrier or carriage service provider for the supply of a telecommunications service for the purposes of carrying on a commercial, government, community, religious, non-profit organisation, an association or club, or a like organisation. |
| cable Internet | means a broadband Internet service provided by means of a fixed customer access network that does not primarily utilise copper, and includes services delivered over optic fibre or coaxial cable. |
| call charge | means a charge for calls made using a GSM, CDMA or 3G/WCDMA mobile service. |
| carriage service provider | has the same meaning as in the <i>Telecommunications Act 1997</i> . |
| carrier | has the same meaning as in the <i>Telecommunications Act 1997</i> . |
| Commission | means the Australian Competition and Consumer Commission. |
| connection charge | means either a charge paid by a mobile consumer for connection to a GSM, CDMA or 3G/WCDMA mobile |

network or a charge paid by an Internet customer for connection to an integrated switched digital network, DSL, cable or wireless broadband network. Connection charges include 'activation' charges for a service.

| | |
|------------------------------------|---|
| consumer | means a person who has a contract with a carrier or carriage service provider for the supply of a telecommunications service. It does not include a carriage service provider or carrier acquiring a telecommunications service in its capacity as a carriage service provider or carrier for the purposes of resale. |
| CDMA | means Code Division Multiple Access, and is an access technique for digital wireless communications, including mobile phone and satellite services. |
| dial-up | means an Internet connection that involves using a dial-up modem to dial an ISP via a phone line. |
| directly connected customer | means any person, business or other entity to whom an ISP provides an Internet service under a direct contractual relationship. |
| Division 12 report | means the report published annually by the Commission pursuant to its obligations under s. 151CM(1)(a) of the Act. |
| DSL broadband | means digital subscriber line, and is a broadband Internet transmission technique. |
| financial year | has the same meaning as in the Corporations Act. |
| fixed-to-mobile call | means a call involving the use by the calling party of a fixed carriage service and the use by the called party of a mobile carriage service. |
| FY | means financial year. |
| GSM | means Global System for Mobile communications, and is a digital cellular network for mobile telecommunications. |
| GST | means Goods and Services Tax. |
| international call | means a call that is: (i) an operator-connected call between a place in Australia and a place outside of Australia, or |

- (ii) a direct-dialled call between a place in Australia and a place outside Australia.

| | |
|------------------------------------|--|
| Internet service | means a retail service supplied to directly connected customers and provided by means of an IP network. |
| iiNet | means iiNet Limited (ABN 48068628937). |
| IMT-2000 | means International Mobile Telecommunications – 2000, and is a term adopted by the ITU to refer to third generation mobile telecommunications services, and which aims to provide global mobile communications as well as broadband applications such as multimedia. |
| IP network | means a facility consisting of equipment utilising: the Internet protocol stack; routers, whether domestic or international; and transmission links used primarily for transmission of Internet traffic, and includes Internet exchange points. |
| ISP | means an Internet service provider. |
| ITU | means the International Telecommunications Union, and is a specialised agency of the United Nations within which governments and the private sector coordinate global telecommunications networks and services, including radiocommunications. |
| Kbits/sec | means kilobits per second, and is a data communications transmission rate of 1,000 bits per second. |
| local call | means a voice call between two consumers, both of whom are geographically located in Australia, and whose telephone numbers have the same area code. |
| Mbit/sec | means megabits per second, and is a data communications transmission rate of one million bits per second. |
| national long-distance call | means a voice call between two consumers, both of whom are geographically located in Australia, and whose telephone numbers have different area codes. |
| post-paid dial-up Internet | means dial-up Internet services for which a customer pays a monthly upfront access charge (or a charge based on some other discrete time period) for the service, and a monthly (or some other time-based) fee in arrears for |

additional services used. Customers generally commit to purchasing a minimum number of hours per month (or other discrete time period).

| | |
|---|---|
| prepaid revenue | means revenue derived from providing prepaid services. |
| post-paid services | means mobile telephony services for which a consumer contracts to pay a specified monthly charge (or a charge based on some other discrete time period) that includes a payment for a handset, access, subscription and some call usage. The consumer generally agrees to pay this amount for a minimum number of months (or other discrete time period). If the consumer consumes services during a particular month whose value exceeds the agreed minimum, the customer is generally billed an additional amount for the consumption of such services. |
| prepaid dial-up Internet | means dial-up Internet services that require the purchase of a 'kit' that includes a specified number of access hours. When these are used up, the customer can then purchase additional hours on an upfront basis. The customer does not commit to purchasing a minimum number of hours each month (or other time period). |
| prepaid services | means mobile telephony services for which a consumer is not billed regularly, but rather pays upfront for handset, access, call charges etc. |
| Primus | means Primus Telecommunications Pty Limited (ABN 690711911396). |
| PSTN | means Public Switched Telephone Network, and has the same meaning as specified in Deeming of Telecommunications Services under section 39 of the <i>Telecommunications (Transitional Provisions and Consequential Amendments) Act 1997</i> . |
| reporting carrier or carriage service provider | means a carrier or carriage service provider to which these Rules apply, to the extent it is required to report. |
| other business consumer | means a business consumer that is not a small business consumer. |
| radiocommunication | has the same meaning as in the <i>Radiocommunications Act 1992</i> . |

| | |
|-----------------------------------|---|
| residential consumer | means a consumer that is not a business consumer. |
| Rules | means the Division 12 Report Record-Keeping and Reporting Rules. |
| Singtel Optus | means Singtel Optus Pty Limited (ABN 90052833208). |
| small business consumer | means a business consumer that is designated by a carrier or carriage service provider, for its internal reporting purposes, as a small business consumer. In defining a ‘small business consumer’, a carrier or carriage service provider must use a definition that is consistent with the definition adopted by that carrier or carriage service provider for the purposes of previous Division 12 reports. |
| standard telephone service | has the meaning given by the <i>Telecommunications (Consumer Protection and Service Standards) Act 1999</i> . |
| subsidiary | has the same meaning as in the Corporations Law. |
| SMS | means short message service, and is a mobile telecommunications data transmission service that allows users to send short text messages to each other using the keypad. |
| SP Telemedia | means SP Telemedia Limited (ABN 46093058069). |
| Telstra | means Telstra Corporation Limited (ABN 33051775556). |
| Unwired | means Unwired Australia Pty Limited (ABN 78094107589) |
| Virgin Mobile | means Virgin Mobile (Australia) Pty Limited (ABN 67092726442). |
| VHA | means Vodafone Hutchison Australia Pty Limited (ABN 76096304620) |
| WCDMA | means Wideband Code Division Multiple Access, and is a third generation mobile telecommunications technique that uses direct spreading of data. A direct sequence CDMA system where user data is multiplied with quasi-random bits derived from WCDMA spreading codes in two basic modes of operation – frequency division duplex and time division duplex. Supports |

images, mobile or portable voice, data and video communication at up to 2Mbit/s (local area access) or 384 kbits/s (wide area access).

wireless broadband means a broadband Internet service provided by means of radiocommunication, but does not include services delivered by means of an orbital satellite.

4. APPLICATION

(1) These Rules apply to:

Telstra Corporation Limited (ABN 33051775556)
Singtel Optus Pty Ltd (ABN 90052833208)
AAPT Limited (ABN 22052082416)
Primus Telecommunications Pty Ltd (ABN 69071191396)
Virgin Mobile (Australia) Pty Limited (ABN 67092726442)
Vodafone Hutchison Australia Pty Limited (ABN 76096304620)
iiNet Limited (ABN 48068628937)
SP Telemedia Limited (ABN 46093058069)
Unwired Australia Pty Limited (ABN 78094107589), and
their Australian subsidiaries.

(2) Subject to Paragraph 5(3), these Rules also apply to a carrier or carriage service provider that supplies or uses a listed carriage service and has been notified in writing by the Commission that the Rules apply to that carrier or carriage service provider.

5. RECORD KEEPING

(1) Carriers and carriage service providers listed in Paragraph 4(1), or to which Paragraph 4(2) applies, must keep and retain the records prescribed in **Schedule A**.

(2) The information that must be contained in the records kept in accordance with **Schedule A**, and the manner and form in which it is to be kept, is specified in **Schedules B, C, D and E**.

(3) A carrier or carriage service provider may, in writing to the Commission, request that the Commission vary the requirements of the Rules as they relate to that carrier or carriage service provider.

6. REPORTING REQUIREMENTS

(1) Each carrier or carriage service provider listed in Paragraph 4(1) must provide to the Commission each year a report containing the information required to be kept in accordance with these Rules.

Note: A reporting carrier or carriage service provider only needs to report on services actually provided by it or its Australian subsidiaries.

- (2) A report required to be prepared in respect of a financial year must be lodged with the Commission by 30 September following the last day of that financial year.
- (3) If a carrier or carrier service provider, in compiling this report, varies their method of defining, recording and reporting information from the previous Division 12 reports then this must be explained. That carrier or carriage service provider must also provide the new method of defining, recording and reporting information, and must provide information using the new method of defining, recording or reporting information for both the current and previous financial years.

7. MANNER AND FORM OF REPORTS

- (1) A reporting carrier or carriage service provider must provide to the Commission a hard copy and an electronic copy of all reports prepared under these Rules.
- (2) Information provided by carriers and carriage service providers pursuant to **Schedule A** of these Rules must be prepared in the format outlined, as relevant, in **Schedules B, C, D or E**.
- (3) The templates specified in **Schedule G** may be amended by the Group General Manager of the Communications Group from time to time.

8. RECORD-KEEPING DECLARATIONS

- (1) At the time that a carrier or carriage service provider submits information to the Commission under Paragraph 6, the carrier or carriage service provider must submit a Record-Keeping Declaration signed by its Chief Executive Officer (CEO) or Chief Financial Officer (CFO) in accordance with **Schedule F**.

Schedule A

Categories of information to be recorded by carriers and carriage service providers under these Rules

| <i>Category No.</i> | <i>Category name</i> | <i>Reporting carriers and carriage service providers</i> | <i>Reporting requirements outlined in:</i> |
|---------------------|---------------------------------|--|--|
| (1) | PSTN services information | Telstra, Singtel Optus, AAPT, Primus | Schedule B |
| (2) | GSM mobile services information | Telstra, Singtel Optus, Virgin Mobile | Schedule C |
| (3) | 3G/WCDMA services information | Telstra, Singtel Optus, VHA | Schedule D |
| (4) | Internet services information | Telstra, Singtel Optus, Primus, iiNet, VHA, SP Telemedia, Unwired | Schedule E |

Schedule B

PSTN services information to be reported by carriers and carriage service providers to the Commission

- (1) The carriers and carriage service providers listed in Category (1) of **Schedule A** must provide the information detailed at (4) and (5).
- (2) The information must be provided subject to the guidelines provided at (3) under ‘Preliminary comments’, and must be provided using the template provided at (4).
- (3) Preliminary comments:
 - (a) Carriers and carriage service providers must provide a description of the consumer type. In particular, with regard to business consumers, the distinction between small business consumers and other business consumers must be specified.
 - (b) Carriers and carriage service providers must only report retail revenues. Wholesale revenues (i.e. services sold to another carrier or carriage service provider) must not be reported. These will be reported as the retail services of that carrier or carriage service provider. However, information relating to services bought from another carrier or carriage service provider and resold must be reported.
 - (c) Revenue information from business consumers must be GST exclusive, while revenue information for residential consumers must be GST inclusive.
 - (d) Revenue information must be provided net of any discounts, i.e. the effect of discounts must be included. If this is not possible, the amounts of all discounts must be provided on an itemised basis.
 - (e) The previous year’s information must also be provided to cross check information series consistency.
- (4) Information to be provided to the Commission:

1. Community calls – revenue and traffic information for PSTN network

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

2. Pastoral calls – revenue and traffic information for PSTN network

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

3. Revenue and traffic information for the PSTN network

a. Basic access

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Revenue | | | | | | |
| Services in operation | | | | | | |

b. Local calls

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

c. National long distance calls

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

d. International calls

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

e. Fixed-to-mobile calls

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

- (5) Reporting carriers and carriage service providers must provide details of material changes to the prices and terms and conditions of supply of relevant services during the financial year for which information is submitted. This includes details of discounts and specials that were offered in that financial year.

Note: A material change to prices and terms and conditions of supply includes the introduction or withdrawal of a plan or a significant price change.

Schedule C

GSM mobile services information to be reported by carriers and carriage service providers to the Commission

- (1) The carriers and carriage service providers listed in Category (2) of **Schedule A** must provide the information outlined at (4) and (5).
- (2) The information must be provided subject to the guidelines provided at (3) under 'Preliminary comments', and must be provided using the template provided at (4).
- (3) Preliminary comments
 - (a) Carriers and carriage service providers must specify how prepaid revenue is apportioned between connection charges, access charges, call charges and other services.
 - (b) Information must include retail services only.
- (4) Information to be provided to the Commission:

| | <i>Last FY</i> | <i>This FY</i> |
|--|----------------|----------------|
| Total services in operation ¹ | | |
| Total post-paid services | | |
| Total prepaid services | | |
| Total revenue from connection charges ² | | |
| Total revenue from access charges ² | | |
| Total revenue from call charges ² | | |
| Total revenue from other services ³ | | |
| Total call minutes ⁴ | | |
| Total revenue from post-paid services | | |
| Total revenue from prepaid services | | |
| Total calls ⁴ | | |

Notes:

- ¹ Services in operation as at end of relevant financial year.
- ² Revenue calculations must include all services in operation, whether post-paid or prepaid, and must be GST-inclusive.
- ³ For the purposes of this item, 'other services' refer only to services which are itemised on a customer's bill. It includes services such as voicemail services, but does not include handset charges.
- ⁴ 'Free' minutes and calls must be included.

- (5) Reporting carriers and carriage service providers must provide details of material changes to the prices and terms and conditions of supply of relevant

services during the financial year for which information is submitted. This includes details of discounts and specials that were offered in that financial year.

Note: A material change to prices and terms and conditions of supply includes the introduction or withdrawal of a plan or a significant price change.

(6) For the 2009/10 financial year, and for every third financial year thereafter, a reporting carrier or carriage service provider must include with its information submission a random sample of 385 bills issued to its customers for GSM mobile services. These will be used to construct the user-group 'bundles' of GSM mobile usage, which will then be priced. For each bill in the sample, the following information is required:

- (i) bill identification number
- (ii) billing period
- (iii) name of the mobile plan
- (iv) number of domestic voice call minutes
- (v) amount spent on domestic voice calls (including GST)
- (vi) number of international voice call minutes
- (vii) amount spent on international voice calls (including GST)
- (viii) number of message retrieval call minutes
- (ix) amount spent on message retrieval (including GST)
- (x) number of SMSs
- (xi) amount spent on SMSs (including GST)
- (xii) volume (in megabytes) of mobile Internet (data usage) services
- (xiii) amount spent on mobile Internet data usage (including GST)
- (xiv) amount spent on data subscription content services (including GST)
- (xv) amount spent on handset charges (including GST), and
- (xvi) amount spent on other services appearing on the bill (including GST).

The sample bills must be provided in Microsoft Excel format in accordance with the templates in Schedule G.

Note: An electronic version of the templates specified in Schedule G in Microsoft Excel format is available on the ACCC website and should be used for providing reports under these rules.

Schedule D

3G/WCDMA mobile services information to be reported by carriers and carriage service providers to the Commission

- (1) The carriers and carriage service providers listed in Category (3) of **Schedule A** must provide the information outlined at (4) and (5).
- (2) The information must be provided subject to the guidelines provided at (3) under 'Preliminary comments', and at (4) under 'Notes', and must be provided using the template provided at (4).
- (3) Preliminary comments
 - (a) Carriers and carriage service providers must specify how prepaid revenue is apportioned between connection charges, access charges, call charges and other services.
 - (b) Information must include retail services only.
 - (4) Information to be provided to the Commission:

| | <i>Last FY</i> | <i>This FY</i> |
|--|----------------|----------------|
| Total services in operation ¹ | | |
| Total post-paid services | | |
| Total prepaid services | | |
| Total revenue from connection charges ² | | |
| Total revenue from access charges ² | | |
| Total revenue from call charges ² | | |
| Total revenue from other services ³ | | |
| Total revenue from post-paid services | | |
| Total revenue from prepaid services | | |
| Total call minutes ⁴ | | |
| Total calls ⁴ | | |

Notes:

- ¹ Services in operation as at end of relevant financial year.
- ² Revenue calculations must include all services in operation, whether post-paid or prepaid, and must be GST-inclusive.
- ³ For the purposes of this item, 'other services' refer only to services which are itemised on a customer's bill. It includes services such as voicemail services, but does not include handset charges.
- ⁴ 'Free' minutes and calls must be included.

- (5) Reporting carriers and carriage service providers must provide details of material changes to the prices and terms and conditions of supply of relevant services during the financial year for which information is submitted. This

includes details of discounts and specials that were offered in that financial year.

Note: A material change to prices and terms and conditions of supply includes the introduction or withdrawal of a plan or a significant price change.

(6) For the 2008/09 financial year, and for every third financial year thereafter, a reporting carrier or carriage service provider must include with its information submission a random sample of 385 bills issued to its customers for 3G/WCDMA services. These will be used to construct the user-group 'bundles' of 3G/WCDMA usage which will then be priced. For each bill in the sample, the following information is required:

- (i) bill identification number
- (ii) billing period
- (iii) name of the mobile plan
- (iv) number of domestic voice call minutes
- (v) amount spent on domestic voice calls (including GST)
- (vi) number of international voice call minutes
- (vii) amount spent on international voice calls (including GST)
- (viii) number of message retrieval call minutes
- (ix) amount spent on message retrieval (including GST)
- (x) number of SMS
- (xi) amount spent on SMS (including GST)
- (xii) volume (in megabytes) of mobile Internet (data usage) services
- (xiii) amount spent on mobile Internet data usage (including GST)
- (xiv) amount spent on data subscription content services (including GST)
- (xv) amount spent on handset charges (including GST), and
- (xvi) amount spent on other services appearing on the bill (including GST).

The sample bills must be provided in Microsoft Excel format in accordance with the templates in Schedule G.

Note: An electronic version of the templates specified in Schedule G in Microsoft Excel format is available on the ACCC website and should be used for providing reports under these rules.

Schedule E

Internet services information to be reported by carriers and carriage service providers to the Commission

- (1) The carriers and carriage service providers listed in Category (4) of **Schedule A** must provide the following information.

a. Post-paid dial-up Internet services

| | Last FY | This FY |
|--------------------------------------|---------|---------|
| Total dial-up Internet consumers | | |
| Total revenue from Internet services | | |

- a) For each plan/price point offered by the carrier or carriage service provider at end of this reported financial year, details for each plan specifying:
- (i) price (including GST)
 - (ii) data allowance, and
 - (iii) whether the plan is available on a stand-alone basis.
- b) For each plan/price point offered by the carrier or carriage service provider at end of last reported financial year, details for each plan specifying:
- (i) price (including GST)
 - (ii) data allowance, and
 - (iii) whether the plan is available on a stand-alone basis.

b. Prepaid dial-up Internet services

| | Last FY | This FY |
|--------------------------------------|---------|---------|
| Total dial-up Internet consumers | | |
| Total revenue from Internet services | | |

- a) For each plan/price point offered by the carrier or carriage service provider at end of this reported financial year, details for each plan specifying:
- (i) price (including GST)
 - (ii) data allowance and
 - (iii) whether the plan is available on a stand-alone basis.
- b) For each plan/price point offered by the carrier or carriage service provider at end of last reported financial year, details for each plan specifying:
- (i) price (including GST)
 - (ii) data allowance, and

- (iii) whether the plan is available on a stand-alone basis.

c. DSL broadband Internet services

| | Last FY | This FY |
|--|---------|---------|
| Total DSL broadband Internet consumers | | |
| Total revenue from DSL Internet services | | |
| Total revenue from DSL broadband connections | | |

- a) For each plan/price point offered by the carrier or carriage service provider at end of this reported financial year, details for each plan specifying:

- (i) price (including GST)
- (ii) data transmission rates (download and upload speed)
- (iii) data allowance
- (iv) whether the plan is available on a stand-alone basis (or only available to customers that bundle additional services)
- (v) connection charge (including GST), and
- (vi) excess data usage charge (including GST).

- b) For each plan/price point offered by the carrier or carriage service provider at end of last reported financial year, details for each plan specifying:

- (i) price (including GST)
- (ii) data transmission rates (download and upload speed)
- (iii) data allowance
- (iv) whether the plan is available on a stand-alone basis (or only available to customers that bundle additional services)
- (v) connection charge (including GST), and
- (vi) excess data usage charge (including GST).

d. Wireless broadband Internet services

| | Last FY | This FY |
|---|---------|---------|
| Total wireless broadband Internet consumers | | |
| Total revenue from wireless Internet services | | |
| Total revenue from wireless broadband connections | | |

- a) For each plan/price point offered by the carrier or carriage service provider at end of this reported financial year, details for each plan specifying the price:

- (i) price (including GST)
- (ii) data transmission rates (download and upload speed)
- (iii) data allowance
- (iv) whether the plan is available on a stand-alone basis (or only available to customers that bundle additional services)
- (v) connection charge (including GST), and
- (vi) excess data usage charge (including GST).

- b) For each plan/price point offered by the carrier or carriage service provider at end of last reported financial year, details for each plan specifying:
- (i) price (including GST)
 - (ii) data transmission rates (download and upload speed)
 - (iii) data allowance
 - (iv) whether the plan is available on a stand-alone basis (or only available to customers that bundle additional services)
 - (v) connection charge (including GST), and
 - (vi) excess data usage charge (including GST).
- c) The definitions of wireless broadband used by the carrier or carriage service provider to differentiate the wireless broadband service from mobile voice services with bundled data allowance as at:
- (i) The end of this reported financial year, and
 - (ii) The end of last reported financial year.

e. Cable broadband Internet services

| | Last FY | This FY |
|---|---------|---------|
| Total cable Internet consumers | | |
| Total revenue from cable Internet services | | |
| Total revenue from cable Internet connections | | |

- a) For each plan/price point offered by the carrier or carriage service provider at end of this reported financial year, details for each plan specifying:
- (i) price (including GST)
 - (ii) data transmission rates (download and upload speed)
 - (iii) data allowance included in the plan
 - (iv) whether the plan is available on a stand-alone basis (or only available to customers that bundle additional services)
 - (v) connection charge (including GST), and
 - (vi) charge for excess data usage (including GST).
- b) For each plan/price point offered by the carrier or carriage service provider at end of last reported financial year, details for each plan specifying:
- (i) price (including GST)
 - (ii) data transmission rates (download and upload speed)
 - (iii) data allowance included in the plan
 - (iv) whether the plan is available on a stand-alone basis (or only available to customers that bundle additional services)
 - (v) connection charge (including GST), and
 - (vi) charge for excess data usage (including GST).
- (2) Reporting carriers and carriage service providers must provide details of material changes to the prices and terms and conditions of supply of relevant

services during the financial year for which information is submitted. This includes details of discounts and specials that were offered in that financial year.

Note: A material change to prices and terms and conditions of supply includes the introduction or withdrawal of a plan or a significant price change.

(3) For their 2010/11 information submission, and for every third financial year thereafter, reporting carriers and carriage service providers must also provide a random sample of 385 bills for post-paid dial-up, DSL broadband, wireless broadband and cable broadband Internet services issued to their customers for Internet services. These will be used to construct the user-group 'bundles' of Internet usage which will then be priced. For each bill in the sample, the following information is required:

- (i) service type (e.g., post-paid dial-up, DSL broadband, wireless broadband or cable Internet service)
- (ii) bill identification number
- (iii) billing period
- (iv) name of the plan
- (v) upload and download speeds and monthly usage included in the plan
- (vi) amount spent on Internet services (including GST)
- (vii) volume of usage (MB)
- (viii) excess usage charge (including GST), and
- (ix) amount spent on other services shown on the bill.

The sample bills should be provided in MS Excel format in accordance with the templates in Schedule G.

Note: An electronic version of the templates specified in Schedule G in Microsoft Excel format is available on the ACCC website and should be used for providing reports under these rules.

Schedule F

Record-Keeping Declaration – Statement by CEO or CFO

(Date)
General Manager
Telecommunications
Australian Competition and Consumer Commission

Statement by CARRIER'S or CARRIAGE SERVICE PROVIDER'S Chief Executive Officer or Chief Financial Officer

I declare that:

- (a) the reports are prepared in accordance with the requirements of the Rules;
- (b) the reports are accurate in all material respects; and
- (c) the reports are consistent with the internal reporting procedures of (Company name)

Dated at this day of 20

Chief Executive Officer/ Chief Financial Officer
(or delegated authority)

Schedule G

Templates for submission of reports

Division 12 Record-Keeping and Reporting Rule

Spreadsheet for submission to the ACCC

Issued under s 151BU of the Trade Practices Act 1974

Reporting Carrier: (please complete)

Reporting Year: 20XX-20YY

Spreadsheet Table of Contents:

Service Information

- 1 PSTN
- 2 GSM
- 3 3G
- 4 Internet

Bill samples

- 5 GSM bill samples
- 6 3G bill samples
- 7 Post-paid dial-up bill samples
- 8 Prepaid dial-up bill samples
- 9 xDSL bill samples
- 10 Wireless broadband bill samples
- 11 Cable bill samples

Note: Where required to provide bill samples, reporting carriers are to provide a random sample of 385 bills issued to its customers.

Instructions

This spreadsheet is to be read in conjunction with the Division 12 Record-Keeping and Reporting Rule.

It is designed to provide a template for submission of information and is not a complete statement of obligations under the rule.

For those carriers who report on multiple service types, please complete each relevant section and submit as one file.

The following table illustrates those parts of the spreadsheet that each type of reporting carrier is required to complete:

| Reporting Type | Required to complete |
|--|-----------------------------|
| <i>PSTN services information</i> | 1 |
| <i>GSM mobile services information</i> | 2, 5 |
| <i>3G/WCDMA services information</i> | 3, 6 |
| <i>Internet services information</i> | 4, 7, 8, 9, 10, 11 |

Other information to be submitted

The Division 12 Record-Keeping and Reporting Rule requires more information than is contained in this spreadsheet.

Please ensure that you submit all the required information, including plan types on offer and definitions for wireless broadband if relevant.

PSTN services

1. Community calls – revenue and traffic information for PSTN network

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

2. Pastoral calls – revenue and traffic information for PSTN network

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

3. Revenue and traffic information for the PSTN network

a. Basic access

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Revenue | | | | | | |
| Services in operation | | | | | | |

b. Local calls

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

c. National long distance calls

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

d. International calls

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

e. Fixed-to-mobile calls

| | <i>Residential</i> | | <i>Small business</i> | | <i>Other business</i> | |
|-----------------|--------------------|---------|-----------------------|---------|-----------------------|---------|
| | Last FY | This FY | Last FY | This FY | Last FY | This FY |
| Call revenue | | | | | | |
| Number of calls | | | | | | |
| Call minutes | | | | | | |

GSM services

| | <i>Last FY</i> | <i>This FY</i> |
|--|----------------|----------------|
| Total services in operation ¹ | | |
| Total post-paid services | | |
| Total prepaid services | | |
| Total revenue from connection charges ² | | |
| Total revenue from access charges ² | | |
| Total revenue from call charges ² | | |
| Total revenue from other services ³ | | |
| Total call minutes ⁴ | | |
| Total revenue from post-paid services | | |
| Total revenue from prepaid services | | |
| Total calls ⁴ | | |

Notes:

¹ Services in operation as at 30 June.

² Revenue calculations must include all services in operation, whether post-paid or prepaid, and must be GST-inclusive.

³ For the purposes of this item, 'other services' refer only to services which are itemised on a customer's bill.

It includes services such as voicemail services, but does not include handset charges.

⁴ 'Free' minutes and calls must be included.

3G services

| | <i>Last FY</i> | <i>This FY</i> |
|--|----------------|----------------|
| Total services in operation ¹ | | |
| Total post-paid services | | |
| Total prepaid services | | |
| Total revenue from connection charges ² | | |
| Total revenue from access charges ² | | |
| Total revenue from call charges ² | | |
| Total revenue from other services ³ | | |
| Total call minutes ⁴ | | |
| Total revenue from post-paid services | | |
| Total revenue from prepaid services | | |
| Total calls ⁴ | | |

Notes:

¹ Services in operation as at 30 June.

² Revenue calculations must include all services in operation, whether post-paid or prepaid, and must be GST-inclusive.

³ For the purposes of this item, 'other services' refer only to services which are itemised on a customer's bill.

It includes services such as voicemail services, but does not include handset charges.

⁴ 'Free' minutes and calls must be included.

Internet services

a. Post-paid dial-up Internet services

| | Last FY | This FY |
|--------------------------------------|---------|---------|
| Total dial-up Internet customers | | |
| Total revenue from Internet services | | |

b. Prepaid dial-up Internet services

| | Last FY | This FY |
|--------------------------------------|---------|---------|
| Total dial-up Internet customers | | |
| Total revenue from Internet services | | |

c. xDSL broadband Internet services

| | Last FY | This FY |
|--|---------|---------|
| Total broadband Internet customers | | |
| Total revenue from Internet services | | |
| Total revenue from broadband connections | | |

d. Wireless broadband Internet services

| | Last FY | This FY |
|--|---------|---------|
| Total broadband Internet customers | | |
| Total revenue from Internet services | | |
| Total revenue from broadband connections | | |

e. Cable broadband Internet services

| | Last FY | This FY |
|--|---------|---------|
| Total broadband Internet customers | | |
| Total revenue from Internet services | | |
| Total revenue from broadband connections | | |

GSM Bill Sample

| | Customer Account Number | Bill Period | Plan Name | Type of Service Provided | Bill Spend \$ (Incl GST) | Number of Calls | Number of Minutes | Volume (Megabytes) |
|----------|-------------------------|-------------|-----------|--------------------------|--------------------------|-----------------|-------------------|--------------------|
| Sample 1 | | | | Domestic voice | | | | |
| | | | | International voice | | | | |
| | | | | Video | | | | |
| | | | | Message retrieval | | | | |
| | | | | SMS | | | | |
| | | | | Data usage | | | | |
| | | | | Content service | | | | |
| | | | | Handset charge | | | | |
| | | | | Other charges* | | | | |
| Sample 2 | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| Sample 3 | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

* Other charges means the remainder of items on the bill that has not been previously categorised.

3G Bill Sample

| | Customer Account Number | Bill Period | Plan Name | Type of Service Provided | Bill Spend \$ (Incl GST) | Number of Calls | Number of Minutes | Volume (Megabytes) |
|----------|-------------------------|-------------|-----------|--------------------------|--------------------------|-----------------|-------------------|--------------------|
| Sample 1 | | | | Domestic voice | | | | |
| | | | | International voice | | | | |
| | | | | Video | | | | |
| | | | | Message retrieval | | | | |
| | | | | SMS | | | | |
| | | | | Data usage | | | | |
| | | | | Content service | | | | |
| | | | | Handset charge | | | | |
| | | | | Other charges* | | | | |
| Sample 2 | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| Sample 3 | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

* Other charges means the remainder of items on the bill that has not been previously categorised.

Post-paid dial-up bill sample

| | Customer Account Number | Bill Period | Plan Name | Speed / Monthly Usage | Type of Service Provided | Bill Spend \$ (Incl GST) | Volume (Megabytes) |
|----------|-------------------------|-------------|-----------|-----------------------|--------------------------|--------------------------|--------------------|
| Sample 1 | | | | | Dial-up | | |
| | | | | | Excess usage | | |
| | | | | | Other services* | | |
| Sample 2 | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Sample 3 | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Sample 4 | | | | | | | |
| | | | | | | | |
| | | | | | | | |

* Other services using the same billing platform (e.g., online storage, email etc).

xDSL Bill Sample

| | Customer Account Number | Bill Period | Plan Name | Speed / Monthly Usage | Type of Service Provided | Bill Spend \$ (Incl GST) | Volume (Megabytes) |
|----------|--------------------------------|--------------------|------------------|------------------------------|---------------------------------|---------------------------------|---------------------------|
| Sample 1 | | | | | xDSL | | |
| | | | | | Excess usage | | |
| | | | | | Other services* | | |
| Sample 2 | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Sample 3 | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Sample 4 | | | | | | | |
| | | | | | | | |
| | | | | | | | |

* Other services using the same billing platform (e.g., online storage, email etc).

Wireless Broadband Bill Sample

| | Customer Account Number | Bill Period | Plan Name | Speed / Monthly Usage | Type of Service Provided | Bill Spend \$ (Incl GST) | Volume (Megabytes) |
|----------|-------------------------|-------------|-----------|-----------------------|--------------------------|--------------------------|--------------------|
| Sample 1 | | | | | Wireless broadband | | |
| | | | | | Excess usage | | |
| | | | | | Other services* | | |
| Sample 2 | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Sample 3 | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Sample 4 | | | | | | | |
| | | | | | | | |
| | | | | | | | |

* Other services using the same billing platform (e.g., online storage, email etc).

Cable Bill Sample

| | Customer Account Number | Bill Period | Plan Name | Speed / Monthly Usage | Type of Service Provided | Bill Spend \$ (Incl GST) | Volume (Megabytes) |
|----------|-------------------------|-------------|-----------|-----------------------|--------------------------|--------------------------|--------------------|
| | | | | | | | |
| Sample 1 | | | | | Cable service | | |
| | | | | | Excess usage | | |
| | | | | | Other services* | | |
| | | | | | | | |
| Sample 2 | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Sample 3 | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| Sample 4 | | | | | | | |
| | | | | | | | |
| | | | | | | | |

* Other services using the same billing platform (e.g., online storage, email etc).