

I.N.M.S Ltd

BUSINESS RULES FOR THE MANAGEMENT

OF

SHORT-DIGIT PREMIUM RATE

NUMBERS

Issue: V2 INMS PRN Business Rules

Effective From: 1 Dec 2005

Amended:

Print Date: 18 Oct 2005

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1 INTRODUCTION

Industry Number Management Services Ltd (INMS) is a not-for-profit company which was established by a number of Carriage Service Providers (CSPs) to facilitate number portability of Freephone (1800) and Local Rate/13 number (13/1300) telephone services.

To enable INMS to administer Freephone and Local Rate number portability, and at INMS request, the ACMA delegated some of its powers to allocate numbers under the [Telecommunications Numbering Plan 1997](#), (the Numbering Plan) to INMS.

In 2003, the ACMA also delegated to INMS responsibility for managing and allocating short-digit Premium Rate numbers.

To fulfill its functions, INMS has implemented and operates a computer system (the “**System**”) which facilitates the allocation and management of short-digit Premium Rate numbers.

The current Members of INMS are AAPT, Optus, Primus and Telstra. Subscription to the services of INMS is open to all CSPs. Any CSP who subscribes to INMS for short-digit Premium Rate number allocation or number management services must abide by these Premium Rate Business Rules.

A separate set of Business Rules apply to the allocation of Freephone and Local Rate numbers.

These Premium Rate Business Rules should be read in conjunction with the Numbering Plan. The ACMA may require amendment of the Premium Rate Business Rules from time to time. The Numbering Plan takes precedence over the Premium Rate Business Rules to the extent of any inconsistency.

The ACMA has placed certain short-digit Premium Rate numbers in the INMS pool to be allocated to INMS Subscribers as single numbers. INMS subscribers may obtain these numbers via a computerised interface with INMS in accordance with the SD contract and these Business Rules.

The number pool may be supplemented with additional number ranges by the ACMA at its discretion.

2 SUBSCRIPTION TO INMS

2.1 DELEGATED SERVICES

In order to receive Delegated Services from INMS, a CSP must register with INMS. There are a number of steps which must be undertaken to register with INMS:

1. Accurately complete the Application Form (including the provision of a valid Digital Certificate);
2. Provide a Bank Guarantee in the approved form as required by the ACMA;
3. Validly execute the appropriate INMS SD contract; and
4. Establish connectivity with the INMS System. INMS has developed a number of documents which detail the steps required to achieve this connectivity including:
 - Interface Requirements;
 - Interworking Requirements;
 - Service Level Requirements.

2.2 NON-DELEGATED SERVICES

An SD wishing to become a subscriber for non-delegated services must undertake the following steps:

1. Accurately complete the Application Form (including the provision of a valid Digital Certificate);
2. Validly execute the appropriate INMS SD contract; and
3. Establish connectivity with the INMS System. INMS has developed a number of documents which detail the steps required to achieve this connectivity including:
 - Interface Requirements;
 - Interworking Requirements;
 - Service Level Requirements.

2.3 DELEGATED AND NON-DELEGATED SERVICES

A CSP wishing to become a subscriber for both delegated and non-delegated services must undertake the following steps:

1. Accurately complete the Application Form (including the provision of a valid Digital Certificate);
2. Provide a Bank Guarantee in the approved form as required by the ACMA;
3. Validly execute the appropriate INMS SD contract; and
4. Establish connectivity with the INMS System. INMS has developed a number of documents which detail the steps required to achieve this connectivity including:
 - Interface Requirements;
 - Interworking Requirements;
 - Service Level Requirements.

All relevant documents (as may be varied by INMS from time to time) are available on the INMS web site (www.inms.com.au).

This activity is separate from the arrangements that a CSP must establish with Carriers and Content Service Providers prior to the introduction of their Premium Rate service.

3 NUMBER CATEGORIES AND TRANSITIONS

3.1 NUMBER CATEGORIES

The state of a number will determine what transactions can be undertaken for that number. The INMS system will reject a transaction if the number is in a state that does not allow that particular transaction to occur.

There are various categories of states and these are outlined below. Each category and state is defined and explained in *Section 4 State definitions*.

3.1.1 Available

The Available category has the following states:

- Available
- Withheld Restricted
- Reserved Restricted

3.1.2 Conditionally Allocated

The Conditionally Allocated category has the following four states:

- Withheld
- Withheld- Extended
- Reserved
- Reserved - Extended

3.1.3 Allocated

The Allocated category has the following states:

- Issued
⇒ Active
- Suspended

3.1.4 Quarantined

A Quarantined number is unavailable for allocation

3.1.5 Other

- Invalid Number – the number range is not assigned to the number pool.

4 STATE DEFINITIONS

4.1 STATE DEFINITIONS AND STATE TRANSITION DIAGRAM FOR NUMBER ALLOCATION.

INMS process and support systems will support the following changes of number state as valid transactions. Other changes will not be permitted.

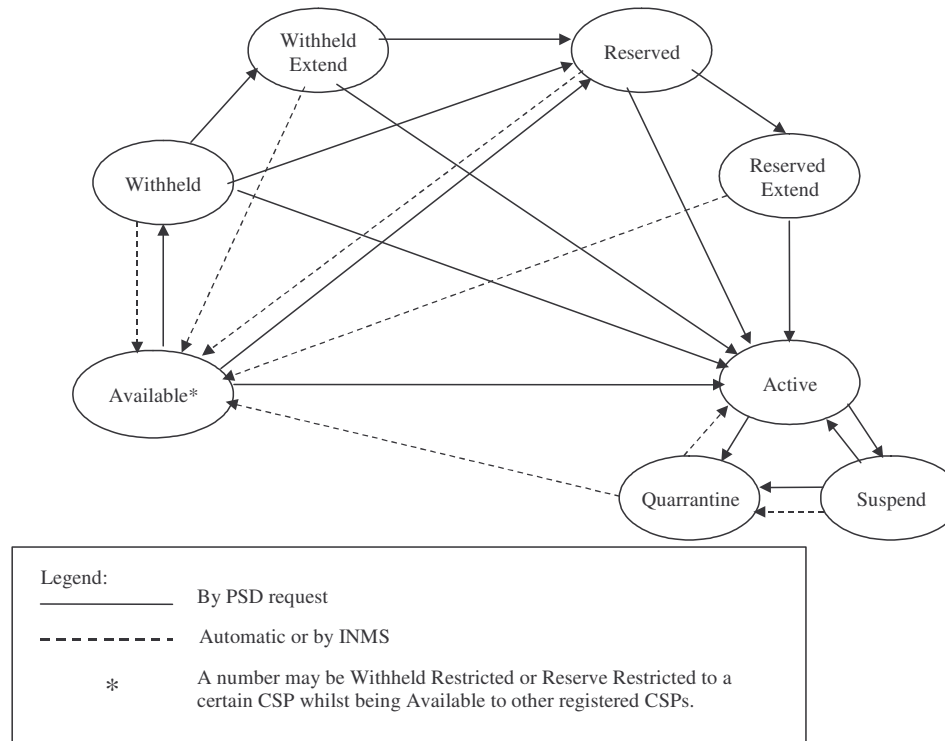


Figure 1 Possible Transitions to/from Available and Active

4.2 TABLE OF CONDITIONS AND STATES**4.2.1 Category: AVAILABLE**

Current State	Definition/Description	Duration till expiry of this state	Valid State Transition	Condition
Available	The number is available for allocation from the Number Pool to an INMS Subscriber to issue to a customer or potential customer or to itself for its own use.	N/A	Withheld Reserved Active	If a number has been previously quarantined, the most recent date on which a quarantine period ended will be shown against the state of the number.
Withheld Restricted	The Withheld Restricted state only applies to the INMS Subscriber who had the number in a Withheld or Withheld Extended state immediately prior to the number becoming Withheld Restricted. The Withheld Restricted period follows the expiry or surrender of the number by the restricted INMS Subscriber from Withheld or Withheld Extended states.	2 days	Reserved Active Available	During the period in which the state of a number is Withheld Restricted, the restricted INMS Subscriber could request the state change to Reserved or Active. The Withheld Restricted CSP will see the number as not being available ie Withheld Restricted, where other INMS Subscribers will see the number in its transition state eg 'Available'.

Current State	Definition/Description	Duration till expiry of this state	Valid State Transition	Condition
Reserved Restricted	The Reserved Restricted state only applies to the INMS Subscriber who had the number in a Reserved or Reserved Extended state immediately prior to the number becoming Reserved Restricted. The Reserved Restricted period follows the expiry or surrender of the number by the restricted INMS Subscriber from Reserved or Reserved Extended states.	2 days	Active Available	During the period in which the state of a number is Reserved Restricted, the restricted INMS Subscriber could only request a state change to Active. The Reserved Restricted INMS Subscriber will see the number as not being available ie Withheld Restricted, where other INMS Subscribers will see the number in its transition state eg 'Available'.

4.2.2 Category: CONDITIONALLY ALLOCATED - RESERVED

Current State	Definition/Description	Duration till expiry of this state	Valid State Transition	Condition
Withheld	Withheld is a temporary reservation of a number for a short period. The purpose of this state is to allow a potential customer to consider the use of a small quantity of number/s.	14 days	Withheld Extended Withheld Restricted Reserve Active Available	Following expiry of the withhold state, or the return of the number to the pool of available numbers, the INMS Subscriber surrendering the number is restricted from further withhold of the number for two (2) days. The INMS Subscriber holding the number may extend the reservation for a further 14 days prior to the expiry of the initial Withheld period ie the number moves to the Withheld Extended state. Numerical limits apply -see Attachment C.
Withheld Extended	During the initial withheld period the INMS Subscriber may extend the period for a further 14 days.	14 days	Withheld Restricted Reserve Active Available	Following expiry of the withhold extended state, or the return of the number to the pool of available numbers, the INMS Subscriber surrendering the number is restricted from further withhold of the number for two (2) days. Numerical limits apply -see Attachment C.

Current State	Definition/Description	Duration till expiry of this state	Valid State Transition	Condition
Reserve	Reserve is a longer term reservation of a number on behalf of a contracted customer who intends to activate the service.	90 days	Reserve Restricted Reserve Extended Active Available	Following the expiry of the Reserved period, or the return of the number to the pool of available numbers, the INMS Subscriber surrendering the number is restricted from withholding or reserving the number for two (2) days. i.e. move to reserve extended. The INMS Subscriber holding the number may extend the reservation for a further 30 days prior to the expiry of the initial Reserved period.
Reserve Extended	Reserve Extended is the allowed extension period to the Reserve State.	30 days	Reserve Restricted Active Available	Following the expiry of the Reserved Extended period, or the return of the number to the pool of available numbers, the INMS Subscriber surrendering the number is restricted from withholding or reserving the number for two (2) days.

4.2.3 Category - ALLOCATED

Current State	Definition/Description	Duration till expiry of this state	Valid State Transition	Condition
Active	The number has been allocated by INMS to an INMS Subscriber and has been issued to a customer.	N/A	Quarantined Suspended	When a number is moved into the Active sub state, the service must be activated in a PSD's or CPSD's network within 24 hours.
Suspended	Indicates that a service has been temporarily disconnected by the PSD, e.g. where a customer requests the disconnection for event or seasonal services such as a snow information line.	14 Months	Active Quarantine	The number will go into quarantine upon request from PSD to cancel or automatically on expiry of 14 month period.

4.2.4 Category - QUARANTINED

Current State	Definition/Description	Duration till expiry of this state	Valid State Transition	Condition
Quarantine	In this state, a number is unavailable for allocation.	6 months default and 12 months where the service is cancelled for nuisance calls.	Available (when quarantine expires) Active (when quarantine Release granted)	Following the cancellation of a service by the customer, the PSD will advise INMS using the cancellation process and the state of the number will be changed from Active to Quarantined. In the case of cancellation due to nuisance calls, the PSD must advise INMS when the service is cancelled.

4.2.5 Category OTHER

Current State	Definition/Description	Duration till expiry of this state	Valid State Transition	Condition
Invalid Number	Number ranges / blocks that have not been released by ACMA to the pool of portable numbers will not be held as records in the INMS's database. These ranges are defined as "Invalid Numbers".	N/A	Available	

5 BUSINESS RULES

5.1 PRINCIPLES AND OBLIGATIONS

These Business Rules have been developed applying the following principles and obligations:

1. Each INMS Subscriber will provide INMS with a single point of contact for operational issues including fault management and queries.
2. The rules associated with the allocation of numbers have been developed to be consistent with the Numbering Plan. In the case of any inconsistencies between the Numbering Plan and these Business Rules the Numbering Plan takes precedence.
3. Premium Rate numbers can only be allocated and transferred to INMS Subscribers.
4. An equitable approach to all processes associated with numbers from the number pool is the prime objective of the regime. No SD holds special rights to numbers once assigned to the number pool.
5. It is in the best interests of all industry participants to minimise the propensity to hoard or warehouse numbers or use them inefficiently.
6. Numbers are Withheld by a INMS Subscriber for a potential customer or Reserved by a INMS Subscriber for a contracted customer.
7. For efficient cost and performance operations there should be minimum interaction between INMS and Subscribers.
8. INMS will take a non-discriminatory approach to allocating numbers.
9. One service equates to one number.
10. The records maintained by INMS are the definitive source of information of numbers in the number pool, for determining:
 - the current state of a number; and
 - the event transaction history.The records may, in future, also serve as industry's collective arrangement fulfilling the obligations under sections 11.22 and 11.23 of the Numbering Plan for each PSD to keep an updated register of portable short-digit premium rate numbers.
11. Other than for maintenance, the INMS system will operate on a 7 days per week, 24 hours per day basis. For scheduled maintenance windows, a minimum notice period of 7 days will be provided by INMS to its Subscribers.
12. If advised by the ACMA that a CSP has an outstanding Numbering Charges liability, INMS will refuse requests to allocate numbers to that CSP until the ACMA advises that the liability has been discharged.
13. If a request to INMS is rejected by INMS, the number retains its original status.
14. The relationship between a PSD and a CPSD is bilateral and does not involve INMS ie: the PSD is responsible for ensuring that agreement has been reached with a CPSD and that INMS has been informed of the CPSD contracted for particular number/s or a change in the CPSD.
15. It is the responsibility of SDs to arrange network routing and/or inter-connection (where relevant) separately to the initiation of services from INMS.
16. The ACMA is responsible for establishing and maintaining a Register of Allocated (Issued) Numbers as per s465 of the Act. INMS will be required to provide information to, or allow access to information by, the ACMA to facilitate the provision of this requirement.

17. There is a requirement for INMS to maintain an audit trail of changes notified to INMS to each pooled number including the retention of the PSD who is initially allocated the number.
18. While a number may progress through all the steps from 'available', 'withheld', 'reserved' to 'active' this is not a requirement, ie: numbers may be advanced directly from 'available' to 'active'.
19. A change of customer (also known as a "Change of Lessee") or CSI does not involve INMS.
20. INMS will provide a help desk service to SDs. Contact details for the INMS Help Desk can be found on the INMS web site (www.inms.com.au).

5.2 GENERAL

1. The operation of INMS and the management of the short-digit Premium Rate number pool are governed by these Premium Rate Business Rules and the ACMA's delegation of Numbering Plan powers under section 467 of the Act.
2. All INMS Subscribers will be required to abide by these Premium Rate Business Rules including provisions associated with each state eg Withheld, Reserved, as well as Dispute Resolution Procedures and action arising following breaches of the rules.
3. INMS Subscribers will initiate the changes to their network as specified in *Section 5.4 Response Times*.
4. The ACMA may issue written directions in relation to these arrangements. These Business Rules may require amendment as a consequence of a written direction from the ACMA to INMS. These Business Rules may also be amended by the Main Industry Committee of INMS notifying changes to INMS Subscribers, subject to the following procedures:
 - (a) amendments to rules relating to technical matters will require a three quarters majority vote of the Main Industry Committee or, if the MIC is not operative, the directors of INMS;
 - (b) amendments to rules relating to fees payable for the provision of services will require a unanimous vote of the directors of INMS;
 - (c) other amendments to rules may be made by majority decision of the MIC, or if the MIC is not operative, the directors of INMS.
5. Unless otherwise indicated:
 - Days are calendar days;
 - Months are calendar months;
 - Time of day will mean the time of day in Sydney, NSW;
 - 24 hour time will be used;
 - When calculating a period of time the first day is counted as that day on which INMS updates the database;
 - All periods defined in day(s) are deemed to end at midnight on the date of expiry.
6. The INMS database can only be altered by INMS Subscribers if they submit a transaction via the computerised INMS interface or where the ACMA notifies INMS of a required alteration.
7. INMS Subscribers should direct their customers to contact them not INMS regarding any service assurance queries.
8. The Numbering Plan requires that if more than one INMS Subscriber requests the allocation of the same number, the number must be allocated to the CSP that made the first request. INMS through the implementation of its technical solution will allocate the number to the CSP which made the first valid request.

For the purposes of this clause, a request for an allocation is valid if:

- the request contains valid data;
- the CSP is not the subject of a direction given to INMS as noted in clause 5.1(12).

If INMS is unable to determine which request for allocation was received first, or in the event that two requests from INMS Subscribers are received at exactly the same time, INMS will conduct a ballot to determine which CSP will receive the allocation.

9. Any transaction rejected by INMS or a SD must include an appropriate reject reason code in the response.

5.3 WITHHOLD STATE QUOTA

To provide an adequate choice for customers during a "pre-sale" period, and to maintain a reasonable size number pool, the quantity of numbers that may be withheld by each INMS Subscriber will be restricted.

INMS may adjust the size of the Withheld state quotas to balance the needs of INMS Subscribers against the quantity of numbers in the number pool. INMS will inform INMS Subscribers of any changes to the withheld state quota 90 days prior to the introduction of the new quota.

The maximum quantity of numbers which may be withheld by any INMS Subscriber will be governed by the quantity of numbers reserved and issued by that INMS Subscriber as outlined in *Table 1: Withhold Quotas*.

Number Type	Number Length	Quantity Reserved and Issued (N)	Quota
191-195	6	≤ 250	50
		> 250	20% N, rounded up
196-199	8	≤ 250	50
		> 250	20% N, rounded up

Table 1: Withhold Quotas

If a PSD surrenders or cancels a number or a reservation expires and, consequently, the INMS Subscriber exceeds the withhold quota, the Subscriber will not be required to surrender any withheld numbers. However, the Subscriber will not be allowed to withhold any more numbers until the quantity of numbers that it has withheld is less than the quota.

5.4 RESPONSE TIMES

The required response times for the various Subscriber - INMS interactions are summarised in *Table 2 Response Times*.

LASD time to implement INMS advice (see note 3)	95% in 1 Hour & 99.9% in 8 Hours.
INMS Response to a transaction submitted by a SD via the computerised INMS interface.	95% in 2 seconds and 99.9% in 5 seconds.
<p>Note:</p> <ol style="list-style-type: none"> 1 For the purposes of measuring response times, advice received after 5:00pm on a business day, or on a non-business day, are considered to have been received at 8:00am on the next business day. 2 Calls received before 8:00am on a business day are considered to have been received at 8:00am on that business day. 3 Where a SD receives an LASD advice to change the routing information for a number and the SD is also the CPSD for that number, the SD is not required to act on the LASD advice and may advise INMS that network conditioning is completed, provided that the SD has in place arrangements with the Donor PSD for the number which will enable the SD to respond to the Donor complete port message within the response time. 	

Table 2 Response Times

INMS will send a "reminder" message to each LASD which has not responded to INMS advice within 1 hour or who has not advised INMS that a problem has been rectified within the agreed time.

5.5 QUARANTINE RELEASE PROCESS

5.5.1 Purpose

The purpose of the Quarantine Release Process is to have a short-digit Premium Rate number released for use by the original customer at a date which is earlier than the standard quarantine period.

5.5.2 Categories of Quarantine

There are two categories of quarantine:

5.5.2.1 Nuisance Call Quarantine

Nuisance call quarantine occurs when a number is surrendered due to nuisance calls. The standard quarantine period under this category is 12 months or such period of time as decided by INMS under its delegation from the ACMA.

5.5.2.2 Non-Nuisance Call Quarantine

Non-Nuisance call quarantine occurs where a number is quarantined for reasons other than nuisance calls. The standard quarantine under this category is 6 months or such period of time as decided by INMS under its delegation from the ACMA.

5.5.3 Conditions for Release of Quarantine

Release will only be provided to the original customer and the original PSD (immediately prior to cancellation). The request for release can only be generated by the customer or the customer's agent authorised in writing, even in the case where a number has been cancelled in error by the PSD.

5.5.4 Rules for Release Requests

1. A Quarantine Release Form (QRF) must be completed by the original customer in writing authorising the PSD to initiate the Quarantine Release Process. A specimen QRF, which sets out the minimum information requirements, is attached as Attachment A. The QRF must be faxed to INMS for validation and completion of the Quarantine Release Process.
2. The PSD must have a contract in place with the original customer or CSI.
3. INMS moves the number into the Active state (for the PSD). On receipt of the faxed form, INMS will respond to the originating PSD within 2 business hours from receipt of the request. INMS will change the status of the number within the specified period and advise the PSD, or will advise of a refusal.
4. PSDs are advised to retain the QRF for a minimum of 2 years. This will assist in case of dispute or audit.

5.6 TRANSFERS AND MOVES

The INMS System can be used to record the transfer or move of a short-digit Premium Rate number between INMS Subscribers.

Only Active numbers may be moved or transferred.

5.6.1 Transfer

A transfer is where a short-digit Premium Rate number is transferred between INMS Subscribers pursuant to Chapter 7 of the Numbering Plan.

Short-digit Premium Rate numbers can only be transferred between INMS Subscribers.

To be recorded in the INMS system, a transfer must:

- be permanent;
- be recorded in writing, dated and signed by both parties; and
- not affect a customer's right to use the number.

Both INMS Subscribers involved in a transfer must confirm that transfer on the INMS System via the computerised interface. The INMS Subscriber gaining the number must enter the transfer details into the INMS system and INMS will then seek confirmation of the transfer from the INMS Subscriber losing the number.

The INMS Subscriber losing the number must confirm or reject the transfer within 2 Business Days of being notified by INMS. If the INMS system does not receive a response from the INMS Subscriber losing the number within 10 working days, INMS will deem the transfer to have been rejected.

5.6.2 Move

A move is where the Rights of Use (ROU) holder of a short-digit Premium Rate number changes their premium rate Service Deliverer. Moves are governed by the *ACIF Rights of Use of Premium Rate Service Numbers Industry Code (ACIF C554:2004)*.

Where a ROU Holder has moved from one INMS Subscriber to another INMS Subscriber, this move may be recorded in the INMS System only if the following has occurred:

- the ROU Holder has completed a Movement Advice Form (MAF); and
- the MAF has been provided to the relevant parties as required by the *ACIF Rights of Use of Premium Rate Service Numbers Industry Code (ACIF C554:2004)*.

To record a move in the INMS System, both INMS Subscribers involved in a move must confirm that move on the INMS System via the computerised interface. The INMS Subscriber gaining the ROU Holder and number must enter the move details into the INMS system and INMS will then seek the confirmation of the move from the INMS Subscriber losing the ROU Holder and number.

The INMS Subscriber losing the ROU Holder and number must confirm or reject the move within 2 Business Days of being notified by INMS. If the INMS system does not receive a response from the INMS Subscriber losing the number within 10 working days, INMS will deem the move to have been rejected.

6 INMS FEES

1. INMS will set a charge for its services.
2. The fee structure will be defined in a schedule of fees which, subject to these Business Rules, may be varied from time to time. INMS will inform INMS subscribers of any changes to the schedule of fees 30 days prior to introduction of the new fees.
3. The schedule of fees will be available upon request from INMS.
4. A Bank Guarantee must be provided by each INMS Subscriber to guarantee payment for Delegated services. The value of the Bank Guarantee will then act as a limit on the number of Delegated Services that Subscriber can request. INMS will reject requests for Delegated Services where the INMS Subscriber has reached the limit of its Bank Guarantee.
5. Charges for Delegated Services will be billed monthly in arrears as specified in the Schedule of Fees. The Bank Guarantee can be used to secure payment for Delegated Services where the Subscriber has failed to pay an INMS invoice within 30 days of the date of the invoice.
6. Each INMS Subscriber will be responsible to ensure that the Bank Guarantee is adequate to cover all anticipated fees for Delegated Functions.
7. Non-Delegated Functions will be billed monthly in arrears as specified in the Schedule of Fees.

7 HOARDING AND WAREHOUSING

Short-digit Premium Rate numbers are a national resource managed by INMS as the ACMA's delegate through the Number Pool. An equitable approach to all processes associated with numbers from the number pool is the prime objective of the regime. No SD or customer holds special rights to numbers once assigned to the number pool.

Hoarding is the practice by which Customers are issued one or more short-digit Premium Rate numbers by PSDs which the customer does not intend to use for the provision of a premium rate service. If a customer does not request the recovery of a number by their PSD for return to the Number Pool the pool of available numbers decreases. The consequence of this is that the short-digit Premium Rate number pool would be depleted, requiring that new number ranges be added to the pool earlier than would otherwise be necessary.

Warehousing is the practice by which SDs obtain short-digit Premium Rate numbers without having a contracted customer for those numbers. Excluding the "Withhold" statuses,

warehousing in particular refers to the accumulation of premium rate numbers in either the "Reserved", "Reserved-Extended" or "Active" states. While these Business Rules restrict the period of reservation of a premium rate number, there is no restriction on the quantity as this could be construed as unduly restrictive on commercial business practices. It has also been noted that a number may have the state of "Active" without being in commercial use by a customer or SD (ie. terminated to an RVA). Both instances leave opportunity for warehousing of numbers by a SD. As with hoarding, warehousing will exacerbate premium rate service number depletion.

A significant level of hoarding and warehousing would also deny carriage service providers, and their customers, access to particular numbers they may wish to use, but which are held unused by customers and PSDs.

The spirit of these Business Rules is to strongly discourage and, where possible, disallow these practices. Measures and checks may be undertaken by INMS to detect and stop these practices.

8 DISPUTES, COMPLAINTS, AUDITING AND CHECKING

These procedures cover handling of complaints and disputes by INMS.

These procedures deal with:

- (a) complaints by INMS Subscribers about other INMS Subscribers relating to alleged non-compliance with the Business Rules,
- (b) disputes between INMS Subscribers and INMS, and
- (c) the imposition of sanctions for breaches of the Business Rules by INMS Subscribers.

8.1 COMPLAINT NOTIFICATION

All complaints initiated by an INMS Subscriber must be notified in writing to the INMS Complaints Manager within 14 days of the incident/event occurring or being first discovered, but in no event may complaints be made after 12 months from the date on which the incident/event occurred. In relation to complaints relating to warehousing and hoarding, no maximum time period will apply.

Upon receipt of a complaint, the Complaints Manager will determine if it is appropriate for INMS to act on the complaint.

If the Complaints Manager believes that the complaint relates to a regulatory function of the ACMA the SD making the complaint will be advised to refer the complaint to the ACMA.

Otherwise, the Complaints Manager will register the receipt of the complaint and assign a reference number to the complaint. The Complaints Manager, within one business day, will advise:

- the originator of receipt of the complaint and the associated reference number; and
- other INMS Subscribers who are directly involved of the complaint details and the associated reference number.

8.2 COMPLAINT RESOLUTION PROCEDURES AND SANCTIONS

The INMS System records will be the first point of reference for all records, dates, times, and events associated with complaints. INMS may require other documentation from INMS Subscribers, and may obtain documentation from other involved parties, in order to resolve the complaint. The specific steps to be complied with by the parties are as follows:

1. In the first instance the Complaints Manager will decide if the complaint can be resolved using only INMS information. If so, the Complaints Manager will review the

complaint and issue a ruling on the complaint and advise the parties involved within 7 days (or 28 days if the Complaints Manager considers it appropriate to audit the complaint more fully).

If the Complaints Manager decides that the INMS records are insufficient to resolve the complaint adequately, the involved parties may be required to provide supporting documentation/evidence within the INMS requested timeframe.

If the ruling is not accepted, the complaint can be escalated by either INMS Subscriber to the INMS Board within 30 days of the Ruling being issued by notifying INMS in writing that escalation is required. Where the Complaints Manager has not made a ruling within 28 days of the complaint being notified by the INMS Subscriber, the complaint can be escalated by the relevant INMS Subscriber to the INMS Board within 30 days after the expiry of the initial 28 day period by notifying INMS in writing that escalation is required.

2. Where neither INMS Subscriber escalates a complaint to the INMS Board then the complaint will be considered resolved and the INMS Subscribers must abide by any Ruling issued by the Complaints Manager in relation to that complaint.
3. Where a complaint is escalated to the INMS Board then the parties will abide by the Complaints Handling Procedure outlined on the INMS website (www.inms.com.au) (as may be varied by INMS from time to time).
4. Sanctions may be imposed on an INMS Subscriber for breaches of the Business Rules in accordance with the Complaints Handling Procedure outlined on the INMS website (www.inms.com.au) (as may be varied by INMS from time to time).

Note: The INMS system is *prima facie* the database of record. Consequently, any complaint or dispute concerning the validity of the contents of the INMS database cannot be resolved otherwise than in accordance with the current information in the database. However, if it can be proven that INMS has erred in making an entry in the database, that entry may be changed.

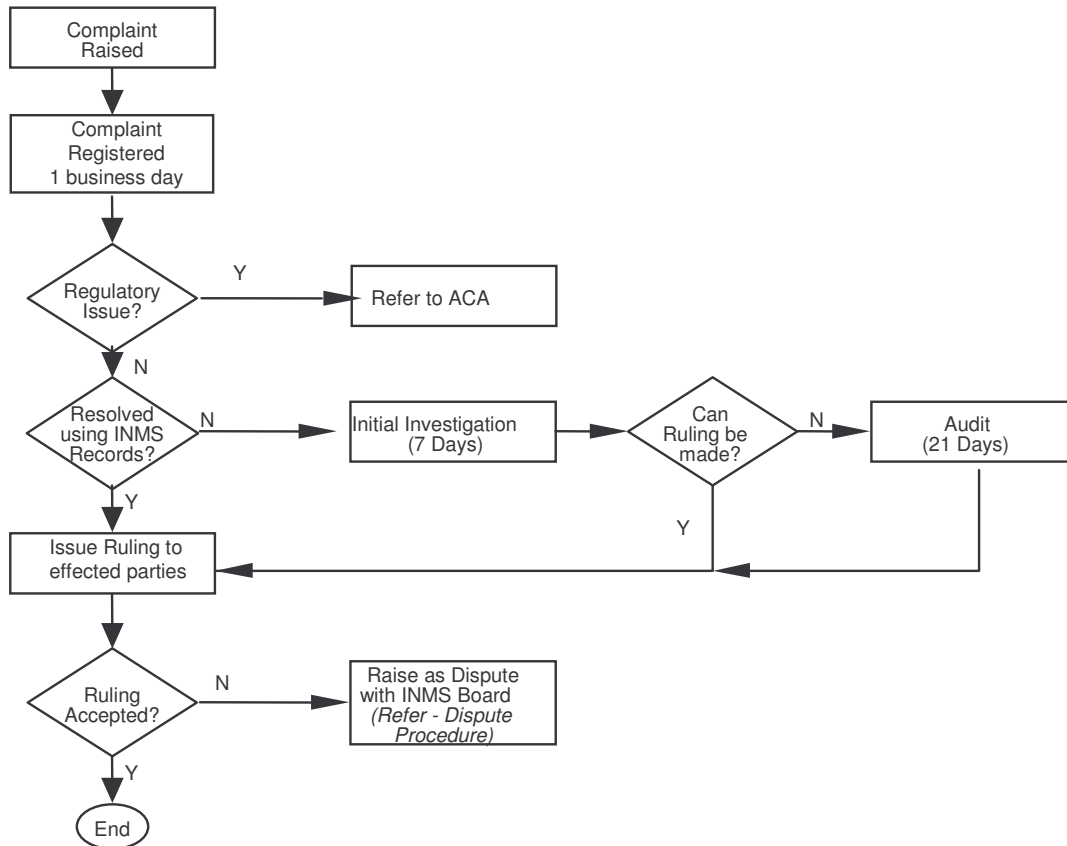


Figure 2 Overview of Complaint Resolution Procedures

8.3 DISPUTE PROCEDURES

1. Disputes between INMS and INMS Subscribers may be initiated by either party notifying the other in writing of the existence of a dispute and will be dealt with by the parties in accordance with the Dispute Resolution Procedure outlined on the INMS website (www.inms.com.au) (as may be varied by INMS from time to time).
2. For disputes associated with number allocation, INMS may refer the dispute to the ACMA via the Review of Decisions Procedures contained in Chapter 12 of the Numbering Plan.

8.4 AUDITING AND CHECKING

INMS may initiate a check of INMS Subscriber records to ensure that INMS Subscribers are complying with the Business Rules. These checks may be initiated in three situations:

- *Ad hoc* checks on the INMS's initiative;
- In response to a complaint;
- If INMS becomes concerned that a systemic problem of non-compliance with the Business Rules exists.

Such a check may result in INMS auditing the records of Subscribers.

If INMS forms the opinion as a result of these checks that there is a breach of the Business Rules which relates to the regulatory functions of the ACMA, the matter will be referred to the ACMA.

The Subscribers concerned may be required to contribute to the cost of the audit.

9 DEFINITIONS

The definitions used in these Premium Rate Business Rules are set out below.

9.1 SERVICE DELIVERERS

For the purposes of these rules, the following definitions shall apply.

9.1.1 CSP - Carriage Service Provider

A carriage service provider has the meaning as defined in the Act.

9.1.2 Carrier

A carrier has the meaning as defined in the Act and includes a nominated carrier as defined in the Act.

9.1.3 SD - Service Deliverer

A Service Deliverer may be either or both of:

- A carriage service provider; or
- A carrier.

Note, however, that under section 455 of the Act, a number may only be allocated to a carriage service provider.

9.1.4 CPSD - Contracted Prime Service Deliverer

The CPSD in respect of a number is the entity contracted by a Prime Service Deliverer (PSD) to provide the necessary network and service functionality for that number (and possibly other ancillary services such as billing, service assurance and interconnect reconciliation and payment). For the purposes of these Premium Rate Business Rules, the CPSD recorded in the INMS system in respect of a particular short-digit Premium Rate number will be taken to be the CPSD for that number unless and until the CPSD is changed on the INMS System.

9.1.5 LASD- Listed Access Service Deliverer

LASDs are service deliverers that require information from INMS in order to appropriately route calls to short-digit Premium Rate numbers.

9.1.6 PSD - Prime Service Deliverer

The PSD is a carriage service provider which contracts to provide a short-digit Premium Rate service. For the purposes of these Premium Rate Business Rules, the PSD recorded in the INMS System in respect of a particular premium rate number will be taken to be the PSD for that number unless and until the PSD is changed on the INMS System.

9.2 OTHER DEFINITIONS

9.2.1 Active Number

A number is deemed as active if it has been configured in the PSD/CPSD's network to allow routing of calls as specified by a customer.

9.2.2 Business Day

Business Day means any day from Monday to Friday (inclusive) other than a day which is gazetted or otherwise declared or made a public holiday in NSW.

9.2.3 Business Hour

Business Hours means 8:00am to 5:00pm in NSW on a Business Day.

9.2.4 Cancellation/Surrender

A number is cancelled when a customer or carriage service intermediary (CSI) advises its PSD that the service is no longer required and the call routing configuration for the service is removed from the PSD/CPSD's network. The number is then returned as cancelled to INMS and the state of the number is changed to Quarantined.

9.2.5 Change of lessee

A *change of lessee* occurs when a number is moved between customers of a PSD or CSI. It does not involve INMS.

9.2.6 Change CPSD

A *Change CPSD* occurs when a PSD uses the System in accordance with the INMS documentation contained in Schedule 4 of the SD Contract to change the CPSD noted in the System for a number. Only the PSD of a number as noted in the INMS system may change the CPSD for that number. In the terms used by s11.3 of the Numbering Plan, a *Change CPSD* occurs in relation to a number if the carrier network involved in providing the relevant service is changed while the customer continues to receive a service of that kind using the number.

9.2.7 Customer

A *customer* is the end acquirer of the short-digit Premium Rate service in respect of a number.

9.2.8 Delegated Functions

The following functions in respect of short-digit Premium Rate numbers will be carried out by INMS under the delegation from the ACMA:

- Allocation,
- Withhold and withhold extend,
- Reserve and reserve extend,
- Return,
- Cancel, and
- Early release from quarantine.

9.2.9 INMS Subscriber

An *INMS Subscriber* is a SD who subscribes to the services of INMS by following the subscription process outlined in these Premium Rate Business Rules. INMS Subscribers will be bound by these Premium Rate Business Rules and the Numbering Plan and the terms and conditions of their contract with INMS. Reference should also be had to any provisions of the ACMA delegation of numbering functions that impact on INMS subscribers.

9.2.10 Non-Delegated Functions

The following functions in respect of short-digit Premium Rate numbers are not dependent on the powers delegated from the ACMA:

- Change CPSD;
- Status Enquiry;
- LASD Advice;
- Providing an extract or mirroring of INMS database;
- Suspend or cancel suspend; and
- Reporting.

9.2.11 Number Pool

The short-digit Premium Rate numbers declared by the ACMA under s.3.39 of the Numbering Plan.

9.2.12 Pooled number

A short-digit Premium Rate number that forms part of the number pool.

9.2.13 Quarantine

Following the surrender of a number, the number is quarantined and is unavailable until the quarantine period expires, with the exception that the original customer can initiate the Quarantine Release process to release the number prior to the quarantine period expiring.

9.2.14 Quarantine Release Form

The Quarantine Release Form (QRF) is completed by the original customer in writing and authorises the PSD to initiate the Quarantine Release process.

9.2.15 Registered CSP

A CSP that has validly subscribed to INMS in accordance with the INMS subscription procedure outlined in these Premium Rate Business Rules and may receive number allocation services from INMS. A Registered CSP is also an INMS subscriber.

9.2.16 Telecommunications Act

A number of expressions used in this document are defined in the Act (see section 7), including:

- Australia
- carriage service
- carriage service intermediary (CSI)
- carriage service provider
- carrier
- public mobile telecommunications service
- service provider.

9.2.17 Numbering Plan

A number of expressions used in this document are defined in the Numbering Plan, including:

- freephone number / service
- implementation date
- local rate number / service or 13 number / service
- number portability
- portable number
- premium rate number / service.

ATTACHMENT A - QUARANTINE RELEASE REQUEST FORM

Short-Digit Premium Rate Number Quarantine Form (Sample)

Pursuant to the agreement dated(insert date) between "ABC Pty Ltd" (ACN/ARBN) and PSD (insert PSD Name, (ACN/ARBN)), Quarantine Release is requested for service number ...(insert service number).

Quarantine Category (Select One)

Nuisance Call Quarantine

OR

Non-Nuisance Call Quarantine (including cancelled in error by PSD)

PSD Certification

As an authorised representative of the requesting PSD, I certify that "PSD Name" was the last PSD for the above service number immediately prior to the service number entering quarantine.

I also certify that the customer (lessee) specified above was the last customer for the above service number immediately prior to the service numbering entering quarantine.

"PSD Name" Authorised Representative

Name: Title:

Signature: _____ Date _____

Customer Certification

As the authorised representative of the customer (lessee) specified above, I request and authorise "PSD name" to facilitate this Quarantine Release on my behalf.

Name: Title:

Signature: _____ Date: _____

Office Use Only

PSD Reference No.: _____

Reject reason code:

- Invalid number Invalid condition
 Form incomplete or illegible Invalid PSD

What is shown above is mandatory information to be signed by the customer seeking release from quarantine.

This is to be developed into a form that can be customised in its appearance but the content must remain as presented above.