

## AMTA submission

Parliamentary Joint Committee on  
Intelligence & Security

Review of Identity-Matching Services Bill 2019 and the  
Australian Passports Amendment (Identity-matching  
Services) Bill 2019

6 September 2019



**Australian Mobile  
Telecommunications  
Association**

The Australian Mobile Telecommunications Association (AMTA) is the peak industry body representing Australia's mobile telecommunications industry. Its mission is to promote an environmentally, socially and economically responsible, successful and sustainable mobile telecommunications industry in Australia, with members including the mobile network operators and service providers, handset manufacturers, network equipment suppliers, retail outlets and other suppliers to the industry. For more details about AMTA, see [www.amta.org.au](http://www.amta.org.au).

Mobile service providers are currently regulated by the Australian Communications and Media Authority. Under the *Telecommunications Act 1997* and associated regulations, Carriage Service Providers<sup>1</sup> (CSPs) have regulatory obligations related to capturing identity information and in some cases, verification of evidence of identity information:

- 1) CSPs must capture the name, address and associated details including type of service, directory listing preferences, service category for the purposes of providing this information to the Integrated Public Number Database (IPND) in accordance with the associated ACMA IPND Scheme and registered Industry Code (C555); and
- 2) CSPs must comply with the requirements of the and required under the *Telecommunications (Service Provider — Identity Checks for Prepaid Mobile Carriage Services) Determination 2017* (the Prepaid Determination) which has been in place in various forms since 2001, to capture and verify a customer's evidence of identity information before providing them with a prepaid mobile service.

In practice, most CSPs make use of the Government's Document Verification Service (DVS) as the primary method of verifying evidence of identity information provided by customers activating a

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<sup>1</sup> The term 'carriage service provider' is defined in section 87 of the Act to include a person who supplies, or proposes to supply, a listed carriage service to the public using a network unit owned by one or more carriers or a network unit in relation to which a nominated carrier declaration is in force. (Explanatory Memorandum)

prepaid mobile service, however, the regulation also allows for several other methods of identity check to be used and many CSPs do rely on other methods to varying extents.

Clearly, both of the above regulatory obligations do not actually require that the customer's identity is validated, rather, the customer's evidence of identity information is validated as it is presented by the customer. We note that the current regulations do not prevent an individual presenting stolen evidence of identity information for validation, and that a DVS check will simply verify that a driver's licence (or other evidence of identity) is valid without verifying that the licence belongs to the individual presenting it, usually online or over the phone.

These regulatory obligations impose significant costs on telecommunications service providers without delivering the requisite benefit of a robust system in terms of collection or verification of identity information.<sup>2</sup>

Further, AMTA notes that mobile services providers do not generally have a business reason for verifying the identity of prepaid customers. For example, a customer with a prepaid mobile service will not need to be billed and contact may be by email, app or text and so the service provider will have no reason for collecting or verifying the customer's name or residential address. This regulation therefore imposes a disproportionate burden in terms of the cost of compliance.

However, AMTA recognises the need of law enforcement and national security agencies for robust identity checks for mobile prepaid services and note that access to the Government's Document Verification Service (DVS) has been provided to mobile service providers to help alleviate the burden of regulatory compliance.

We also note the significant economic and social cost of identity theft to the community, including mobile telecommunications customers.

We therefore welcome the Bill and support the development of a co-ordinated national approach to both identity verification and the use of facial recognition technology. We strongly support providing access to the Facial Verification Service for mobile service providers for the purposes of compliance with identity check regulations for mobile prepaid services.

For any further questions relating to this submission please contact Lisa Brown, Public Policy Manager, AMTA at [lisa.brown@amta.org.au](mailto:lisa.brown@amta.org.au) or 02 8920 3555.

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<sup>2</sup> The [costs associated with use of the Government's DVS](#) can be prohibitive for many CSPs