

Contacts

Fair Trading Tribunal
Phone: (02) 9895 2070

Telecommunication Industry Ombudsman
Phone: 1800 062 058
TTY 1800 675 692
Email: tio@tio.com.au
complain@tio.com.au
www.tio.com.au

Legal Aid Commission
Phone: 1800 806 913
www.legalaid.nsw.gov.au

Australian Competition and Consumer
Commission (ACCC)
Phone: (02) 9230 9133

Consumers' Telecommunications Network
Phone: (02) 9572 6007
TTY (02) 9572 6047

For addresses and phone numbers of
Community Legal Centres in your area, look
under Community Advisory Services in the
Yellow Pages.



Location

Kingsford Legal Centre is located on the ground floor of the Law Building, University of New South Wales, Anzac Parade, Kensington.

Enter the university at the main entrance on Anzac Parade, walk down the main walkway and turn down the second path on the left. The entrance to the legal centre is opposite the Uni Bar.

Postal address

F8-303
Kingsford Legal Centre
University of New South Wales
NSW 2052

Contact details

Phone: 02 9385 9566
Fax: 02 9385 9583
E-mail: legal@unsw.edu.au
www.kingsfordlegalcentre.org

Mobile phone contracts



Information

Never Stand Still

As mobile phones become more popular, disputes about mobile phone contracts have also become more common. Sales assistants can be less than helpful in explaining what the terms of the contract are.

Signing a mobile phone contract

Before signing a mobile phone contract, you should be aware of the following matters:

Pricing

While the phone itself may be free or cost very little, the contract often has a minimum amount payable, which can be several hundred dollars. Different plans cost different amounts each month. Find out about all the different plans and choose one you can afford. When buying a mobile phone as a gift, you should be aware that if you signed the contract you will be legally responsible for paying the bill.

You can have a phone without a contract and control the total amount spent on mobile phone calls by using pre-paid phone cards.

Conditions

Read and understand all conditions of any contract before signing it. You will be responsible for the conditions once you signed the contract. You may have to pay several hundred dollars if you miss payments or want to end the contract early. You may need to find out what you need to do to end or cancel the contract. If you are unclear about anything, take the contract away and get independent advice from a community legal centre. Always keep a copy of any contract you sign and any letters about the phone.

Coverage

Make sure the network covers the areas you need to use the mobile phone. Ask the sales assistant for a coverage map.

Service

Know who you are buying the mobile phone from (e.g. network providers like Telstra, Optus, Vodaphone etc), so that you know who to go to if you have problems.

Warranties

Written warranties for mobile phones and network services should state clearly what is covered and for how long, and in case of phone warranties, who pays for parts, labour and transport.

Testing the mobile phone

Test out the mobile phone and make sure it works as advertised before you buy it! This is especially important for people who are hearing impaired because mobile phones can interfere with hearing aids.

What to do when misled by the phone company

If you can't solve the problem with the phone company, you can take your case to the Consumer, Trader & Tenancy Tribunal.

You can also complain to the Telecommunications Industry Ombudsman (TIO), who will investigate complaints regarding contracts, bills, coverage and network faults. However, the TIO cannot handle some complaints, such as setting of charges. Ring the TIO or browse its website (www.tio.com.au) about what it can do.

If you think that you have been misled by advertisements or anything said by the sales assistant, or you have been treated unfairly, you can make a complaint to the Australian Competition and Consumer Commission (ACCC). If you are uncertain about where to complain the Consumers' Telecommunications Network can refer you to appropriate bodies.

Mobile phone theft

To minimise problems of mobile phone theft:

- Make sure that you understand what you have to do under the contract if the phone is stolen.
- Take out insurance to cover the theft of your mobile phone. Make sure you understand what is covered by the insurance and any excess you may have to pay.
- Use a Personal Identification Number (PIN) lock to disable the phone. This may prevent an unauthorised user from making calls.
- Record the identification details for your phone, (e.g. the unique International Mobile Equipment Identification (IMEI) number. On most digital phones, you can find the IMEI by pressing *#06#).
- Block international and 1900 numbers if you do not use them.
- Do not leave your mobile phone unattended in a car or a handbag. Try to keep the phone with you at all times.

You will be liable for the cost of all calls until the phone is reported missing even if the calls are made by somebody else.

If your mobile phone is stolen:

- Immediately report the theft to your mobile phone company. The company can block your SIM card to ensure you are not charged for any further calls made from the phone.
- Some companies will suspend your mobile service for a period (usually 6 months) before they start charging a fee for the suspension.
- Report the theft to the police. Supply the IMEI to your mobile phone company and the police may assist in the recovery and identification of your mobile phone.