

# Mobile phones

## Your rights in Australia

### 10 things shoppers should know

Before you buy a mobile phone or sign up to a contract you should be aware of the following:

#### 1. Shop around

Look at all different types of plans, pre-paid, capped and monthly, as call costs and deals vary a lot. Do your sums and look at what calls, texts and downloads you would normally make to work out the best deal. Penalties can apply if you change plans before the contract expires and some contracts last up to 3 years. Voicemail, call forwarding, premium SMS, internet browsing and international roaming are often extra charges to your call plan or cap.

#### 2. Believe the contract, not the salesperson

Don't take the salesperson's word for it. Always read mobile phone contracts thoroughly and don't sign anything unless you fully understand what you are getting for your money and your obligations in the contract. Be careful 'going guarantor' on a phone for someone under 18 as you will be responsible for paying the bills if they can't pay.

#### 3. Check and pay the bills

Before signing your mobile phone contract find out what your monthly payments will be so that you don't get an unexpectedly high bill. If you don't receive a bill or have problems paying it, contact the service provider to discuss a new payment plan. If you don't keep up with your bills you might be listed with a credit reporting agency.

To get a free copy of your credit file call Veda Advantage on 1300 762 207 or visit [www.mycreditfile.com.au](http://www.mycreditfile.com.au) or call Dun & Bradstreet on 13 23 23 or visit [www.dnbcreditreport.com.au](http://www.dnbcreditreport.com.au)

#### 4. Beware of ring tone offers

Before downloading a ring tone check the seller's terms and conditions to ensure that you are not agreeing to further unwanted ring tones, which will cost you more money. Find out if it is a one-off download or a subscription service, how much each download will cost and what you'll have to do to cancel it. For information on mobile premium services visit [www.19sms.com.au](http://www.19sms.com.au)

#### 5. Phone coverage concerns

Look at the coverage maps on the provider's website and contact the phone provider to find out the quality of reception in the areas you're likely to use the phone.

#### 6. Mobile phone scams

If you receive an SMS from an unknown number, urging you to enter a competition or to answer a quiz to win a prize, don't respond! By responding you may accidentally sign up to a premium service you don't want, with a call rate of around \$6 per minute or more. It may be hard to unsubscribe without further costs and you may need to change your phone number.

#### 7. If a phone is lost or stolen

Contact your mobile phone company immediately to suspend the service. This will stop unauthorised calls being made. If you're on a plan you will still need to pay the monthly contract fee. Some network providers offer insurance for your phone but make sure you read the conditions and any exclusions before buying it.

#### 8. Phone warranties

Read what is covered by the manufacturer's warranty in the warranty paperwork so there is no confusion later. Remember that regardless of the warranty, you automatically get a consumer guarantee with every phone you buy, which means that you are entitled to ask for a refund if the phone is not of acceptable quality and fails soon after you buy it. Make sure you keep your receipts and network service connection agreement as proof of purchase.

#### 9. Downloading data to smartphones

Monitoring your data allowance can help you avoid big bills when accessing the internet and email via your phone. Some phones monitor your data usage automatically in 'Settings', but you may need to reset these at the start of billing periods. Or you can call or sms your service provider to regularly check on your data usage or log into your online account. This service may cost extra, so check with your service provider.

## 10. If things go wrong

Contact the retailer or network provider to try and sort out the problem. If you're unsuccessful, contact the Telecommunications Industry Ombudsman (TIO) for problems with a network service provider or your local consumer protection agency for problems with a retailer concerning the handset. The TIO will also examine complaints about faulty handsets where the handset was bought as part of a contract or bundled deal.

### Useful contacts

#### Telecommunications Industry Ombudsman (TIO)

Tel: 1800 062 058 (free call)\*

\*charges apply if you call from your mobile

[www.tio.com.au](http://www.tio.com.au)

#### SCAMwatch

Tel: 1300 795 995

[www.scamwatch.gov.au](http://www.scamwatch.gov.au)

#### Australian Mobile Telecommunications Association (AMTA)

For call blocking and preventing phone theft

Tel: 6239 6555

[www.mindyourmobile.com](http://www.mindyourmobile.com)

### Where can I get more information?

For general information, contact your local consumer protection agency.

#### Australian Capital Territory

Office of Regulatory Services T. (02) 6207 3000  
[ors.act.gov.au](http://ors.act.gov.au)

#### New South Wales

NSW Fair Trading T. 13 32 20  
[fairtrading.nsw.gov.au](http://fairtrading.nsw.gov.au)

#### Northern Territory

Consumer Affairs T. 1800 019 319  
[consumeraffairs.nt.gov.au](http://consumeraffairs.nt.gov.au)

#### Queensland

Office of Fair Trading T. 13 74 68  
[fairtrading.qld.gov.au](http://fairtrading.qld.gov.au)

#### South Australia

Consumer and Business Services T. 131 882  
[cbs.sa.gov.au](http://cbs.sa.gov.au)

#### Tasmania

Consumer Affairs and Fair Trading T. 1300 65 44 99  
[consumer.tas.gov.au](http://consumer.tas.gov.au)

#### Victoria

Consumer Affairs Victoria T. 1300 55 81 81  
[consumer.vic.gov.au](http://consumer.vic.gov.au)

#### Western Australia

Consumer Protection T. 1300 30 40 54  
[commerce.wa.gov.au/consumerprotection](http://commerce.wa.gov.au/consumerprotection)

The Australian Competition and Consumer Commission has national responsibilities for competition, fair trading and consumer protection and can be contacted on 1300 302 502 or visit [acc.gov.au](http://acc.gov.au)