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Media Release

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New report on ACMA enforcement shows need for greater information

Better public information on regulator enforcement is required, according to a new report published by the Centre for Media Transition.

The Centre, an interdisciplinary research unit within the University of Technology Sydney, published *The Enforcement of Telecommunications Consumer Protections* report, detailing the enforcement actions undertaken by the Australian Communications and Media Authority (ACMA) from January 2010 to June 2023 to ensure compliance with consumer protections.

The report, commissioned by the Australian Communications Consumer Action Network (ACCAN), highlights the importance of reliable public information on enforcement.

Key findings and recommendations from the report include:

- The ACMA should increase transparency and accountability around how they enforce telecommunications rules by establishing a public register of enforcement actions.
- According to public information, from January 2010 to June 2023 the entire telecommunications sector may have paid \$6,143,160 in infringement fines for breaches to consumer protection rules.
- According to public information, from January 2010 to June 2023, the ACMA obtained only three civil penalty orders against telco providers totalling \$1,077,625 for breaches to consumer protection rules.

ACCAN Acting CEO Gareth Downing said that the Centre for Media Transition has developed important research which will assist policymakers, regulators and industry to improve trust within the telecommunications sector.

“This report provides another piece of evidence for reforming the way telecommunications are regulated in Australia. It is a resource for policymakers as they consider the policy settings for the use of enforcement mechanisms, whether fines for telco non-compliance should be increased, whether ACMA should be able to take action other than a formal warning or a direction to comply when the Telecommunications Consumer Protections Code is initially breached, and what higher penalties should apply for providers who cause serious consumer harm,” Dr Downing said.

“We urge the government to consider this report and respond by improving publicly available information about telco enforcement, and strengthening the resourcing and powers of the ACMA.”

“The report flags that the ACMA relies heavily on warnings and other non-financial actions in

enforcing compliance. It lends strength to our view that matters such as domestic and family violence are too important to leave to industry codes, and should be subject to direct regulation.”

“We congratulate the Centre for Media Transition on the launch of this report, and look forward to engaging with industry, government and regulators on these critical issues,” Dr Downing concluded.

The full report will be published on Wednesday 3rd April, with a public webinar to follow at 12pm on Thursday 18th April. Report authors are available for comment on request.

The Australian Communications Consumer Action Network (ACCAN) is Australia's peak communication consumer organisation. The operation of ACCAN is made possible by funding provided by the Commonwealth of Australia under section 593 of the Telecommunications Act 1997. This funding is recovered from charges on telecommunications carriers.
