



ACMA Compliance priorities 2025–26

11 April 2025

Recommendations

This submission recommends the Australian Communications and Media Authority (ACMA):

- Conduct further consultation and measures to address domestic family and sexual violence (DFSVM) and vulnerable consumers, including greater proactive oversight by the ACMA to help and monitor industry compliance.
- Undertake a review of telecommunications communications practices surrounding natural disasters to identify opportunities for improvement.
- Investigate the handling of complaints related to the 3G shutdown and outages triggered by natural disasters.
- Reject the Telecommunications Consumer Protections (TCP) Code and clarify the application of the law in relation to the factors that the ACMA will consider assessing if the Code provides appropriate community safeguards for the matters covered by the Code.
- Create a public enforcement register to drive compliance.
- Address other compliance priorities as outlined in this submission.

About this submission

The Australian Communications Consumer Action Network (ACCAN) is pleased to provide this submission to Australian Communications and Media Authority (ACMA) on their 2025-26 compliance priorities. The ACMA provides an essential regulatory function, and its compliance priorities have material consequences for Australian consumers.

Contents

Introduction	4
Key recommendations	5
Protecting vulnerable consumers	5
Connectivity and natural disasters	6
Telco complaints handling – Outages and 3G shutdown	7
Telecommunications consumer protections	8
Enforcement and transparency	9
Other issues	9
ACMA’s enduring priorities should be expanded	9
Carryover of 2024-25 compliance priorities	10
Conclusion	4



ACCAN is the peak national consumer organisation advocating for fair communications and digital services.

Introduction

ACCAN welcomes the opportunity to provide input into the ACMA's 2025-26 compliance priorities.

This submission outlines ACCAN's key recommendations to help drive greater public confidence in the ACMA's role, identifies areas of concern from a consumer perspective, and responds to specific consultation questions. Our recommendations are aimed at strengthening consumer protections, improving regulatory transparency, and ensuring that the ACMA is well-positioned to respond to emerging technological and market developments.

In formulating our recommendations for the ACMA's compliance priorities we have considered a number of environmental, industry and market developments, in addition to the specific questions raised in the ACMA's consultation paper. These factors include:

- The need for an ongoing focus on protecting vulnerable consumers in an environment where high costs of living are continuing to impact consumers, and the incidence of domestic and family violence continues to increase. We are pleased to see that protecting vulnerable consumers is an enduring compliance priority for the ACMA. We also note that during 2024-25, the ACMA has been monitoring how telcos are complying with their obligations under the Telecommunications (Financial Hardship) Industry Standard 2024, as well as assessing how telecommunications providers help customers experiencing Domestic, Family and Sexual Violence (DFSV).
- The impact of natural disasters and extreme weather events on the community, which are becoming more prevalent, frequent and intense, and the importance of infrastructure resilience and recovery efforts to help maintain connectivity during these times.
- The ongoing consumer concerns with maintaining mobile coverage in rural, regional and remote Australia particularly since the shutdown of the 3G mobile network, and frustrations with the handling of complaints by telecommunications providers.
- Problems with developing an updated Telecommunications Consumer Protection (TCP) Code that contains appropriate consumer safeguards and protections, under an industry-led process that is no longer considered fit for purpose by all major consumer organisations working in this area.

Key recommendations

Protecting vulnerable consumers

ACCAN welcomes the ACMA's current consultation in relation to the development of a DFSV Industry Standard. According to the Australian Government 'Family, domestic and sexual violence is a major health, welfare and social issue in Australia and can have a lasting impact on individuals, families and the community.'^[1] The importance of this issue is underscored by the fact that DFSV consumer protection obligations have been removed from the TCP Code and the task of developing a comprehensive set of mandatory obligations now sits with the ACMA. ACCAN supports the ACMA's continued consultation and implementation of measures to address DFSV.

The communications sector is a late-starter in terms of efforts to address domestic and family violence as compared with other essential services sectors such as energy, water and financial services, and industry practices are therefore immature. Alongside the development and implementation of the DFSV Industry Standard, we consider that there is considerable opportunity for the ACMA to provide early education and guidance to the industry on how to ensure compliance with the DFSV Industry Standard once it is in effect. This would help to set expectations for acceptable industry practices, which can be tested further down the track by undertaking compliance reviews and audits to help inform future refinement of the industry standard.

We would also support the ACMA developing an appropriate breach reporting framework in relation to serious breaches of the DFSV industry standard, such as those related to maintaining the confidentiality and security of information about victim-survivors. These types of breaches can have safety and life-threatening consequences for victim-survivors and we consider that proactive oversight by the ACMA can help to reinforce the importance of compliance with industry. The breach reporting framework should take into account the serious incentives against reporting breaches when the Telecommunications Amendment (Enhancing Consumer Safeguards) Bill 2025 increases penalties.

^[1] Australian Government, 'Family, domestic and sexual violence: National data landscape 2022' (Report, 2022)<
ACCAN thanks [name of body] for the opportunity to comment on [consultation]>.

Connectivity and natural disasters

According to Essence Communications Australia, in 2023, 76% of Australians living in regional/rural or major regional centres had experienced a natural disaster in the last 5 years.[2] Research by ECA noted that '[m]any over-estimate their understanding of how telecommunications work with regional, rural and remote Australians more likely to make a conservative assessment of their preparedness for an outage in a natural disaster while urban residents are somewhat over-confident'.[3] The Royal Commission into Australia's natural disaster resilience found that 'for the most part, the lifestyles and daily activities of Australians are heavily dependent on interconnected systems for the delivery of essential services'.[4]

During natural disaster events, the infrastructure of essential networks, especially energy and telecommunications, are simultaneously at risk and introduce compounding risk factors which impact the safety of consumers in natural disasters.[5]

The Universal Outdoor Mobile Obligation (UOMO), if legislated, will provide a much-needed safety net during natural disasters and in areas outside of regular coverage. The Uomo will work with the National Messaging System (NMS) to provide consumers with critical, tailored information during natural disasters. However, both the NMS and Uomo will not be in operation for a number of years. In the meantime, it is important to maximise the effectiveness of industry efforts to communicate with and give information to consumers during natural disasters.

The ACMA should undertake a review of telecommunications provider's communications practices during natural disasters. The purpose of the exercise would be to understand the policies, procedures and practices of telecommunications providers, assess how well these are working, and make recommendations for improvement. The findings of this review should be published and shared with the public.

The ACMA should also consider developing and implementing a national, publicly accessible database to monitor and report communications outages in real-time.

[1] Essence, 'Strengthening Telecommunications Against Natural Disasters' (Report, 2023) 13. <https://www.infrastructure.gov.au/sites/default/files/strengthening-telecommunications-against-natural-disasters_1.pdf>.

[1] Ibid 4.

[1] Commonwealth of Australia, 'Royal Commission into National Natural Disaster Arrangements - Report' (Report, 2020) 70. <<https://naturaldisaster.royalcommission.gov.au/publications/royal-commission-national-natural-disaster-arrangements-report>>.

[1] The World Bank Group, 'No Broken Link: The Vulnerability of Telecommunication Infrastructure to Natural Hazards' (Report, 2019). 40. <<https://documents.worldbank.org/en/publication/documents-reports/documentdetail/951991560791754833/no-broken-link-the-vulnerability-of-telecommunication-infrastructure-to-natural-hazards>>.

Telco complaints handling – Outages and 3G shutdown

The handling of complaints by telcos is an area where there is room for significant improvement. Research has found that ‘40% of people who did not make a complaint said they didn’t believe their complaint would make a difference’.[6] ACCAN welcomes the ACMA’s initiative to publish data about complaint volumes in the sector and the proposal to expand the reporting to the individual telecommunications provider level.

ACCAN considers that the ACMA should undertake reviews into the complaints handling practices of telecommunications providers as they relate to outages (including outages caused by natural disasters) and the 3G shutdown. ACCAN’s engagement with key stakeholders in regional, rural and remote (RRR) Australia has revealed that consumers are struggling with persistent connectivity issues following the 3G network shutdown and even with new devices and boosters, and many have contacted their telecommunications provider 15 to 20 times with little to no resolution. This has led to considerable consumer fatigue and disillusionment, an outcome which is unacceptable for a service that is so critical to the everyday lives and safety of consumers.

ACCAN considers that effective complaints handling, particularly in relation to connectivity and service failures, is an issue of significant public interest and concern. While outages and service failures will occur and may be unavoidable during natural disasters, consumers of communication are entitled to feel that their complaints are handled responsively and effectively.

[6] TIO, “Barriers to effective dispute resolution in the telco industry” Consumer Policy Research Centre report’ (Online, 2023) 4 < <https://www.tio.com.au/reports/barriers-effective-dispute-resolution-telco-industry-consumer-policy-research-centre-report>>.

Telecommunications consumer protections

The current review of the TCP Code has been ongoing since June 2023.[7] As the ACMA is aware, there has been considerable dissatisfaction with the industry-led consultation and code development process. Consumer advocacy organisations from throughout Australia are now disengaged with the process and are calling for the ACMA to refuse registration of the Code and for important protections in the TCP Code to be directly regulated.[8]

ACCAN considers that the ACMA should, in making its decision on whether the TCP Code should be registered, explicitly clarify the criteria and factors that it will consider in deciding whether the TCP Code contains appropriate community safeguards, as required under Section 117 of the Telecommunications Act 1997 (Cth) **(The Act)**.

The Parliament intends that telecommunications be regulated in a manner that:

- (a) promotes the greatest practicable use of industry self - regulation; and
- (b) does not impose undue financial and administrative burdens on participants in the Australian telecommunications industry[.]

The ACMA's consideration of the registration of the TCP Code presents an important opportunity for the ACMA to clarify the application of the law. This could also incorporate a review of the ACMA's Guide to developing and varying telecommunications codes for registration 2015.[9]

ACCAN also recommends that the ACMA investigates sales practices in the telecommunications industry. Existing regulatory settings obscure the extent of consumer harm suffered due to irresponsible sales practices. Investigation by the ACMA could publicly report key industry metrics and consumer outcomes to boost public trust.

[7] Communications Alliance Ltd, 'Telecommunications Consumer Protections (TCP) Code Review 2024-2025' (Online, 2025) <6] TIO, "'Barriers to effective dispute resolution in the telco industry" Consumer Policy Research Centre report' (Online, 2023) 4 < <https://www.tio.com.au/reports/barriers-effective-dispute-resolution-telco-industry-consumer-policy-research-centre-report>>.>.

[8] Consumer Action, 'Telco regulator cannot register out of touch industry code say consumer advocates' (Online, 2025)< 6] TIO, "'Barriers to effective dispute resolution in the telco industry" Consumer Policy Research Centre report' (Online, 2023) 4 < <https://www.tio.com.au/reports/barriers-effective-dispute-resolution-telco-industry-consumer-policy-research-centre-report>>.>.

[9] ACMA, 'Guide to developing and varying telecommunications codes for registration 2015' (Guideline, September 2015) <6] TIO, "'Barriers to effective dispute resolution in the telco industry" Consumer Policy Research Centre report' (Online, 2023) 4 < <https://www.tio.com.au/reports/barriers-effective-dispute-resolution-telco-industry-consumer-policy-research-centre-report>>.>.

Enforcement and transparency

Transparency around enforcement is fundamental to driving public trust in regulation. As recent research from the Centre for Media Transition found that there is an absence of obligations to publish key data on enforcement.[10]

The researchers suggest that to 'address this problem, amendments could be made to the [Telecommunications] Act and the TCPSSA [Telecommunications (Consumer Protection and Service Standards) Act 1999] to require the establishment of a formal register of completed investigations and enforcement actions'.[11] They conclude: 'In our view, the added level of transparency that would flow from the publication of this data on telecommunications compliance and enforcement would help the community to assess the adequacy of current consumer protection regulatory obligations and to provide confidence in the effectiveness of their enforcement.'[12] ACCAN agrees with the research and urges the introduction of a public enforcement register to be instituted as soon as possible.

Other issues

ACCAN expects there to be a focus on ensuring compliance with the Telecommunications Amendment (Enhancing Consumer Safeguards) Bill 2025 when it comes into force. The Bill places a positive obligation on the ACMA to register applicants to the CSP register unless the ACMA is satisfied that a 'ground for refusal' exists in relation to the applicant. We consider that the CSP registration scheme should impose entry or ongoing operational restrictions on carriage service providers, similar to those that exist in other essential services sectors.[13] Telecommunications is an essential service and CSPs must be well placed to meet minimum standards for service provision.

ACMA's enduring priorities should be expanded

In ACCAN's view the ACMA should expand the enduring priorities to include:

- Focused initiatives for First Nations consumers.
- Enhanced protections for consumers with disability.

[10] Karen Lee, Derek Wilding, Kieran Lindsay & Vidya Kathirgamalingam, 'The Enforcement of Telecommunications Consumer Protections' UTS Centre for Media Transition (Report, 2024) 82.

<<https://www.uts.edu.au/research/centres/centre-media-transition/projects-and-research/enforcement-telecommunications-consumer-protections>>.

[11] Karen Lee, Derek Wilding, Kieran Lindsay & Vidya Kathirgamalingam, 'The Enforcement of Telecommunications Consumer Protections' UTS Centre for Media Transition (Report, 2024) 82

<https://www.uts.edu.au/research/centres/centre-media-transition/projects-and-research/enforcement-telecommunications-consumer-protections>>.

[12] Ibid.

[13] ACCAN, 'DITRDCA Consultation on a registration or licensing scheme for the telecommunications industry' (Submission, 2023) <<https://accan.org.au/accans-work/submissions/2267-licensing-scheme-telecommunications-industry>>.

Carryover of 2024-25 compliance priorities

In ACCAN's view the ACMA should continue to prioritise:

- Financial hardship support. ACCAN has received accounts from financial counsellors noting the improvements in telco financial hardship practices and would support the ACMA undertaking a review comparing the supports provided to communications consumers since the implementation of the Standard.
- Compliance related the forthcoming DFSV Standard.
- Scam prevention, particularly with the SMS Sender ID Register. ACCAN acknowledges that the ACMA will have responsibility for developing the telco code under the Scams Prevention Framework over the coming year.
- Triple Zero access in the wake of the 3G network shutdown.

These measures would not only strengthen consumer protection but also equip the ACMA to address emerging challenges effectively in a rapidly evolving communications landscape.

Conclusion

Public confidence in the communications regulatory framework depends on the ACMA's ability to protect vulnerable consumers, contribute to connectivity during natural disasters, oversee effective complaints handling and enhancing regulatory transparency. By addressing the points in this submission, the ACMA can continue to boost public trust in telecommunications regulation.



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. ACCAN is committed to reconciliation that acknowledges Australia's past and values the unique culture and heritage of Aboriginal and Torres Strait Islander peoples. [Read our RAP.](#)

Advocating for fair communications and digital services

www.accan.org.au
info@accan.org.au