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Submission

19 February 2024

Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100, Parliament House, Canberra ACT 2600

Re: Telecommunications Legislation Amendment (Enhancing Consumer Safeguards and Other Measures) Bill 2023 [Provisions]

The Australian Communications Consumer Action Network (**ACCAN**) thanks the Senate Standing Committees on Environment and Communications (**the Committee**) for the opportunity to comment on the Telecommunications Legislation Amendment (Enhancing Consumer Safeguards and Other Measures) Bill 2023 [Provisions] (**The Bill**).

ACCAN is the peak body that represents consumers on communications issues including telecommunications, broadband, and emerging new services. ACCAN provides a strong unified voice to industry and government as we work towards communications services that are trusted, inclusive and available for all.

ACCAN supports the Bill as an important step in refining the telecommunications consumer safeguards framework. We support the Bill expanding the Australian Communications and Media Authority's (**ACMA**) reporting remit and improving the ability for consumers to gain compensation from Statutory Infrastructure Providers (**SIPs**).

ACCAN supports the changes proposed in the Bill which would:

- Bring private networks for new developments into the SIP regime.¹
- Provide a mechanism for SIPs to be required to pay compensation to customers where they do not meet a standard or a rule.²
- Clarify that the obligations of SIPs start in an area once buildings have been constructed and the building is occupied.³
- Clarify the powers of the TIO to resolve complaints about SIP connections.⁴
- Provide powers for the ACMA to issue remedial notices to developers who do not install functional fibre-ready facilities in proximity to a development.⁵

¹ Parliament of Australia. 2024. Telecommunications Legislation Amendment (Enhancing Consumer Safeguards and Other Measures) Bill 2023. Explanatory Memoranda. p.1. Available at: https://www.aph.gov.au/Parliamentary_Business/Bills_LEGISlation/Bills_Search_Results/Result?bld=r7116.

² Ibid.

³ Ibid.

⁴ Ibid p.4.

⁵ Ibid.

- Clarify the powers of the ACMA to identify carriers and carriage service providers in public reports on their performance.⁶
- Provide powers for universal service providers to be determined in relation to specific areas of Australia.⁷

Additionally, ACCAN supports the Bill's technical amendments in relation to infringement notices and penalties.⁸ ACCAN welcomes further developments to the telecommunications consumer safeguards framework.

We thank the Committee for the opportunity to provide our views on the Bill. Should you wish to discuss any of the issues raised in this submission further, please do not hesitate to contact me at

Yours sincerely,

Con Gouskos

Policy Officer.

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](#)

⁶ Parliament of Australia. 2024. Telecommunications Legislation Amendment (Enhancing Consumer Safeguards and Other Measures) Bill 2023. Explanatory Memoranda. p.1. Available at:

https://www.aph.gov.au/Parliamentary_Business/Bills_LEGislation/Bills_Search_Results/Result?bid=r7116.

⁷ Ibid.

⁸ Ibid p.7.