



2 May, 2013

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

Dear Sir/Madam

Exposure Draft of the Telecommunications Legislation Amendment (Consumer Protection) Bill 2013

Vodafone Hutchison Australia appreciates the opportunity to comment on the Exposure Draft of the Telecommunications Legislation Amendment (Consumer Protection) Bill 2013. VHA is largely supportive of the amendments proposed in the Exposure Draft.

VHA supports the comments set out in the Communications Alliance submission on the Bill, particularly in relation to the amendments that will allow industry codes to be varied. The proposed amendments will ensure that Industry Codes can be adapted to respond to changes to telecommunications technologies, consumer priorities and industry circumstances, strengthening the Codes to better achieve their objectives into the future.

We are also largely comfortable with the draft amendments to the Telecommunications (Consumer Protection and Service Standards) Act 1999 (TCPSS Act) and the proposed introduction of a legislative instrument to determine standards for the Telecommunications Industry Ombudsman scheme. VHA believes this change will help to further clarify the TIO's role and the standards by which it should operate. However, VHA also supports the TIO Ombudsman's suggestion in his submission that the legislation or the note of memoranda accompanying the legislation should make it clear that any Standard should have full regard to the DIST benchmarks or other relevant industry standard for external dispute resolution.

As set out in our earlier submission on the discussion paper on the TIO Scheme, VHA acknowledges the fundamental role the TIO performs in providing an alternative dispute resolution scheme for consumers and industry to resolve complaints on a case-by-case basis. VHA reiterates its view that the TIO's dispute resolution function should not be expanded beyond this role as any extension may lead to duplication of functions currently performed by the existing regulators and potential conflicts of interest. In considering any changes to the TIO Scheme it is imperative that the boundaries of the TIO's function remain clear.

I hope that this submission will assist the Senate Committee. Please let me know if I can further assist.

Yours sincerely

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