

Terms of reference

Consumer Consultative Forum

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Scope

The Australian Communications and Media Authority (ACMA) convenes a Consumer Consultative Forum (CCF) under section 59 of the *Australian Communications and Media Authority Act 2005* (ACMA Act).

The CCF's function is to assist the ACMA to perform the ACMA's functions in relation to matters affecting consumers.

Aims of the forum

The aims of the CCF are to:

- > engage demand-side, supply-side, policy and regulatory interests on communications consumer issues
- > give the ACMA access to representative perspectives on issues affecting consumers, including disadvantaged consumers
- > give the ACMA access to networks for disseminating information to consumers about regulatory safeguards and initiatives.

To achieve these aims, the CCF will draw together participants that represent consumers, industry, regulators and policy-makers, and encourage active and open discussion.

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The CCF will provide information and advice to the ACMA on matters affecting consumers of communications services, including:

- > current and future demand for communications services by consumers
- > priority issues affecting the use of communications services by consumers in the short, medium and longer term
- > appropriate ways to address these issues, having regard to the current regulatory framework
- > effective methods of informing consumers on issues affecting them
- > specific advice on issues being considered in reviews, projects and other activities undertaken by the ACMA that may affect consumers.

Members may disseminate information, advice and updates from CCF meetings, teleconferences and correspondence within their organisations and/or through their networks. This could include topics that may be of concern to particular groups of consumers and other relevant matters as requested by the ACMA.

Composition of the CCF

Subsection 59(3) of the ACMA Act provides for the ACMA to appoint persons as members of the CCF. Persons are appointed to the CCF by a letter or instrument of appointment signed by the ACMA. CCF members will be organisations that are in a position to represent the views or interests of consumers in the communications sector.

CCF membership comprises the following:

- > ACMA, which will provide the Chair of the CCF
- > up to 8 consumer organisation members which are in a position to represent the views of consumers (the consumer members)
- > Australian Communications Consumer Action Network Limited, ACN 133 719 678 (ACCAN)
- > Communications Alliance Ltd, ACN 078 026 507 (CA)
- > Australian Mobile Telecommunications Association Limited, ACN 065 814 315 (AMTA)
- > Telecommunications Industry Ombudsman Limited, ACN 057 634 787 (TIO).

ACCAN, CA and AMTA for the purposes of the CCF (including attending CCF meetings) are to be represented by their respective Chief Executive or Chairperson.

Consumer members are to be represented by the head of the organisation or another senior officeholder in the organisation.

CCF meetings will be attended by a representative of each member of the CCF. Should the relevant representative of a CCF member not be able to attend a meeting, the member may, with the permission of the Chair of the CCF, select a suitable replacement representative to attend the meeting. The Chair of the CCF may also agree to other persons attending a meeting for the purpose of canvassing particular issues.

CCF meetings will also be attended by a representative of each of the following government agencies:

- > Australian Competition and Consumer Commission
- > Department of Infrastructure, Transport, Regional Development and Communications.

The representative of each of the government agencies will be nominated by the relevant government agency. The government agencies are to attend the CCF meetings to provide information relevant to telecommunications consumer issues. These attendees, where appropriate, will provide the CCF with an update of policy or programs developed, implemented or administered by them, which are relevant to telecommunications consumers. The government agencies are observers on the CCF.

Process for selecting and appointing consumer members

The ACMA will undertake a selection process for consumer organisations to be appointed or reappointed as consumer members. Selection will be based on the following criteria:

- > expertise and experience in representing Australian consumers and their interests
- > ability to identify and prioritise issues affecting Australian consumers
- > ability to actively represent views through the CCF and other ACMA consultative processes
- > knowledge of, and experience with, regulatory processes
- > ability to provide information, evidence and advice about regulatory issues to Australian consumers
- > the diversity of perspectives and interests represented across the CCF membership as a whole.

Consumer organisations and their representatives must declare any potential conflict of interest in relation to matters within the scope of the CCF upon nominating to become a consumer member.

Term of appointments to the CCF

ACCAN, CA, AMTA and the TIO are each appointed as a member of the CCF on an ongoing basis.

Consumer members are appointed to the CCF for a term of 3 years. Such organisations may be reappointed for further terms.

Under subsection 59(4) of the ACMA Act, the ACMA may, at any time, revoke a member's appointment to the CCF.

Operational arrangements

Chairing meetings

An ACMA full-time Member will chair the CCF meetings.

Work plan

The ACMA will develop, in consultation with CCF members, a work plan for the CCF.

The work plan will prioritise issues in line with the aims of the CCF and ACMA corporate objectives. The CCF will review progress against that work plan at least annually.

Referral of issues

The CCF principally provides an avenue for consultation. As such, the CCF may identify and analyse issues without resolving them. However, the CCF may refer issues to an appropriate body with a view to further consideration and/or resolution.

Costs

Consumer members may apply to the ACMA for reimbursement of their reasonable travel costs for attending a CCF meeting.

The ACMA may determine a reasonable sitting fee to be paid to consumer members for their attendance at a CCF meeting.

Other members and representatives must bear their own costs (including but not limited to travel costs) of participation on the CCF.