



Australian
Communications
and Media Authority

Corporate plan 2023–24

For the period 2023–24 to 2026–27

Copyright notice



<https://creativecommons.org/licenses/by/4.0/>

With the exception of coats of arms, logos, emblems, images, other third-party material or devices protected by a trademark, this content is made available under the terms of the Creative Commons Attribution 4.0 International (CC BY 4.0) licence.

We request attribution as © Commonwealth of Australia (Australian Communications and Media Authority) 2023.

All other rights are reserved.

The Australian Communications and Media Authority has undertaken reasonable enquiries to identify material owned by third parties and secure permission for its reproduction. Permission may need to be obtained from third parties to re-use their material.

Contents

Chair's introduction	1
Our purpose	2
Our environment	3
Our operating context	8
Our performance	18
Appendix A: Detailed performance measures	21

Acknowledgement of Country

The Australian Communications and Media Authority acknowledges First Nations peoples as the Traditional Owners and Custodians of Australia.

We respect and celebrate First Nations peoples as the original storytellers and content creators of the lands on which we work, and honour the enduring strength and commitment of Aboriginal and Torres Strait Islander peoples to the land, waters and their communities. We pay our respects to Elders past, present, and emerging.

Chair's introduction



Dear Minister,

As the accountable authority of the Australian Communications and Media Authority, I present the *Corporate plan 2023–24*, covering 4 reporting periods as required under paragraph 35(1)(b) of the *Public Governance, Performance and Accountability Act 2013* and the *Australian Communications and Media Authority Act 2005*.

The transformative power of technology continues to have a profound impact on Australian society and our economy. The widespread adoption of digital technologies and the reliance on communications and media services has fundamentally changed the way people live, work and interact with each other, opening up new possibilities and opportunities for industries and individuals alike.

At the same time, the evolution of these services has also brought considerable challenges in areas of significant public interest, such as privacy, disinformation, cyber security, media diversity and digital inclusion.

The interconnected nature of communications networks and markets make them inherently global, which magnifies both their potential benefits and their risks. We have seen this in a variety of ways, such as the impact of global issues on communications infrastructure supply chains, through to the growth of international telephone scams, the prevalence of online disinformation campaigns and other consumer harms.

Concurrent with this, consumers and businesses are able to reap the benefits of technological innovations, including through the expansion of 5G services and satellite communications, which have the potential to enhance connectivity for regional and remote Australia. Global competition in content creation and delivery has also resulted in unparalleled consumer choice for sources of news, information and entertainment.

The Australian Government recognises that the communications and media sectors are integral to an inclusive, connected, productive, cohesive and creative society, and are essential for government and businesses, as well as communities.

In this context, the ACMA has a critical role in enhancing consumer safeguards, supporting innovation, enhancing consumer protections and enforcing industry compliance commensurate with the essential role communications and media services play in Australia.

To deliver on this role, our key activities for the next 4 years will:

- > support an efficient and reliable communications infrastructure, and
- > build consumer trust in the use of communications content and services.

We are committed to achieving important public interest outcomes through our compliance and enforcement actions, our consultation with relevant stakeholders, our industry and consumer education activities and our contribution to responses to emerging public policy issues.

The performance measures in this plan will ensure that we deliver on our purpose to contribute to maximising the economic and social benefits of communications infrastructure, content and services for Australia.

We look forward to delivering this plan over the next 4 years, and I will report on our success in achieving our purpose in our Annual Performance Statement.

A handwritten signature in black ink, appearing to read 'Nerida O'Loughlin', written in a cursive style.

Nerida O'Loughlin PSM
Chair

Our purpose

The ACMA contributes to maximising the economic and social benefits of communications infrastructure, content and services for Australia.

We have identified 2 key activities for the period of this corporate plan, which will, collectively, deliver on our purpose. We have also included an externally focused vision statement to describe what we want to achieve through our work.

Our performance framework is illustrated below.



Our environment

The communications and media sectors are integral to an inclusive, connected, productive, cohesive and creative society, and are essential for government and businesses, as well as communities.¹

These sectors have undergone a period of extended disruption as a result of the COVID-19 pandemic but are increasingly seeing operations and business performance return to pre-pandemic levels.

The ACMA continues to respond to the rapidly evolving communications landscape, developing and implementing regulation that supports the delivery of communications infrastructure, content and services to all Australians.

Global factors

Australia continues to face a highly volatile international environment. Disrupted supply chains and global inflationary pressures are expected to continue², affecting all areas of the Australian economy, including the communications and media sectors.

Global drivers are also contributing to Australian consumers experiencing increased and sustained cost-of-living pressures, including for telecommunications services.³ As a result, consumers may look to reduce discretionary spending, which may affect access to communications services.

Suppliers of communication and media services operate in a global marketplace. This presents opportunities for Australia, such as the rollout of low earth orbiting (LEO) satellite systems by global companies to improve communications services in regional and remote areas. Conversely, dealing with issues harmful to consumers, such as scams, misinformation and online gambling, has a global dimension that may complicate the enforcement of Australia's rules.

The re-emergence of competition between sovereign states⁴, may also affect the development of communications technologies and international standards.

Communications infrastructure

Australians' appetite for advanced connectivity and the ubiquity of communications devices across all of Australia's economic, social and public-interest activities are key factors driving the demand for spectrum, which supports wireless and satellite communications.

Higher-speed, lower-latency connections are driving innovations, including in 5G/6G, Wi-Fi 6, and satellite direct-to-cell services with LEO satellites.

The take up of 5G will continue growing⁵ and we expect to see increased refarming of existing 3G/4G spectrum holdings to support future 5G deployment across a wide range of spectrum bands, increasing its accessibility and capacity to support the growth in and demand for data.⁶

1 Department of Infrastructure, Transport, Regional Development, Communications and the Arts (DITRDCA), *Australian Communications and Media Authority Statement of Expectations*, DITRDCA, Australian Government, 2022.

2 S Kennedy, 'Opening statement to the Economics Legislation Committee', The Treasury, Australian Government, 8 November 2022, accessed 18 Jan 2023.

3 Australian Communications Consumer Action Network (ACCAN), '1 in 5 Australians struggling to pay a Telco bill', ACCAN website, 2023, accessed 16 June 2023.

4 S Kennedy, 'Opening statement to the Economics Legislation Committee', The Treasury, Australian Government, 8 November 2022, accessed 18 Jan 2023.

5 Ericsson predicts that by 2028, all growth in mobile data traffic will come from 5G, with 69% of mobile data traffic set to come from 5G connectivity.

6 According to Ericsson research, the drive for data will continue to grow, with the global monthly average for data usage per smartphone device predicted to reach 19 GB in 2023 and forecast to be 46 GB by the end of 2028. However, by 2028, data traffic per smartphone in South-East Asia and Oceania is forecast to reach around 54 GB per month, making it the highest growth region.

Radio local area network (RLAN) technology, specifically wi-fi, has become an integral part of everyday modern life and wi-fi use continues to expand, with more diverse devices using these networks.

The ubiquity of satellite coverage means that satellite services both compete directly for coverage, as well as readily plug the gaps in connectivity presented by terrestrial data networks. New commercial satellite services will continue to emerge and evolve in response to the rising demand. Advances in satellite, machine-to-machine and artificial intelligence (AI) technology are facilitating the development of smaller, more affordable space hardware, and accelerating the attraction of satellite connections for the internet of things (IoT).

The industry landscape continues to see restructures occurring to capitalise on new technologies. This has led to a range of differing models for network deployment and ongoing management, including network-sharing arrangements, the sale of passive infrastructure assets and increased interest in neutral host models. We have also seen increased investment in LEO satellites and mergers involving LEO operators and incumbent satellite communications operators. Partnerships and mergers between LEO and geostationary orbit (GEO) operators, telecommunications providers and device manufacturers, and satellite services direct to mobile handsets are also on the rise. All these changes are likely to affect investment strategies, future demand for spectrum and delivery of communications infrastructure.

Content and services

Scams are a significant and increasing threat to the economic and social wellbeing of Australians. They are perpetrated by bad actors, predominantly criminal syndicates, that leverage existing and emerging technologies, such as AI, to create sophisticated scams that are increasingly difficult for Australians to identify as scams. Scammers continuously test perceived and actual weaknesses in systems, processes, regulations and markets. Reports about scams on digital platforms and over-the-top services are rising – the combined losses reported to government agencies in 2022 were at least \$3.1 billion, an 80% increase on total losses recorded in 2021. Scamwatch data shows that in 2022 reported losses on social networks increased by approximately 43% and on mobile apps by approximately 98% compared to 2021.⁷ However, there are promising indications that efforts to reduce the impact of phone and SMS scams are working.

The prevalence of online gambling (excluding lotteries) in Australia remained relatively stable in 2022, with 14% of Australian adults reporting they had gambled online compared to 12% in 2021.⁸ There are ongoing community concerns that existing restrictions for online gambling do not go far enough to address the range of harms associated with online gambling, from financial distress to relationship breakdown and mental health issues.

In 2022, more Australians accessed news from social media and other online sources than from traditional news platforms such as TV, radio or newspapers.⁹ These changing audience preferences, coupled with sustained economic pressures, continue to disrupt the Australian news media environment. From 1 January 2019 to 31 May 2023, there were 302 total contractions in Australian news production and availability, partly offset by 170 total expansions.¹⁰ Regional print newspapers have been particularly affected by the shift towards digital advertising, resulting in increasing centralisation, consolidation or closure of newsrooms.

⁷ Australian Competition and Consumer Commission (ACCC), *Targeting scams: report of the ACCC on scams activity 2022*, ACCC, Australian Government, 2023.

⁸ Australian Communications and Media Authority (ACMA), *Annual consumer survey*, ACMA, Australian Government, unpublished, accessed 22 June 2023.

⁹ ACMA, *Communications and media in Australia: How we watch and listen to content*, ACMA, Australian Government, 2023.

¹⁰ Public Interest Journalism Initiative (PIJI), 'The Australian Newsroom Mapping Project', PIJI website, accessed 16 June 2023.

While newsroom closures are not unique to Australia or traditional media¹¹, these trends give rise to concerns around the long-term availability and sustainability of public interest journalism, and the state of media diversity in Australia.

Use of digital platforms is now ubiquitous, with 95% of Australians using a communication or social media website or app in the 6 months to June 2022 (96% in 2021) to communicate or engage with, post or create content.¹² However, there continues to be ongoing debate and public interest in regulatory and competition issues relating to digital platforms, including the impact of digital platforms on the news industry, the spread of misinformation, breaches of individuals' privacy, and foreign interference via social media.

Generative AI technologies also have the potential to benefit consumers and support productivity across the media and communication sector and the Australian economy. At the same time, regulators are closely examining the potential risks and harms, including the ability to produce harmful content such as scams and disinformation.

The COVID-19 pandemic accelerated the take-up of on-demand video platforms, with around 6 in 10 (59%) Australian adults now watching online subscription services in 2022, compared to around half (49%) in 2019. The continued uptake of smart TVs has also played a role by making it easier to access a variety of online content services, including catch-up TV for free-to-air (FTA) services and streaming video on demand (SVOD) services such as Netflix, Stan and Disney+.¹³

FTA broadcast television has long played an important role in informing and entertaining the Australian public and remains one of the most common ways to view audio-visual content. In June 2022, 70% of Australians watched FTA content either through linear broadcast or catch-up television. By comparison, 60% of Australians viewed content on subscription or pay-per-view services in the same period. Broadcasters have also begun to recover from the challenges brought by the pandemic, with stronger revenue growth and the return of regular sports events.

Similar to viewing, audiences have been increasingly embracing online audio options. While most Australians continue to tune in to radio, online audio services have emerged as a strong competitor, with podcasts and music streaming attracting millions of weekly listeners.

Regulatory environment

On 12 December 2022, the Minister for Communications, the Hon Michelle Rowland MP, issued a [Statement of Expectations](#) to the ACMA.¹⁴ The Ministerial Statement of Expectations is issued to provide greater clarity about government's policies and objectives relevant to the ACMA in line with our statutory objectives, and the priorities the minister expects us to observe in conducting our operations. The ACMA responded to the Statement of Expectations with a [Statement of Intent](#), which was published in February 2023.¹⁵

Our Statement of Intent sets out how we will meet these expectations and contribute to broader government policy priorities, including the APS Net Zero by 2030 commitment and deepening links and cooperation between Australia and the Indo-Pacific.

11 For example, BuzzFeed News closed in April 2023, and Vice Media Group filed for bankruptcy in May 2023.

12 ACMA, [Communications and media in Australia: How we communicate](#), ACMA, Australian Government, 2022.

13 ACMA, [Communications and media in Australia, Trends and developments in viewing and listening 2021–22](#), ACMA, Australian Government, unpublished, accessed 22 June 2023.

14 DITRDCA, [Australian Communications and Media Authority Statement of Expectations](#), DITRDCA, Australian Government, 2022.

15 ACMA, [Australian Communications and Media Authority Statement of Intent](#), ACMA, Australian Government, 2023.

As part of the 2023–24 Budget, the government announced the following measures:

- > regulatory powers to combat misinformation and disinformation – this provides the ACMA with new information-gathering and record-keeping powers, and the ability to register an enforceable industry code and make a standard
- > fighting scams – this supports the ACMA to launch and maintain an Australian SMS sender ID registry, adding a new layer of protection for Australian consumers against scammers.

Further major government reforms or reviews are underway that may influence our environment over the life of this plan. These include:

- > the release of the government’s National Cultural Policy, *Revive*, on 30 January 2023, which has an action to introduce requirements for Australian screen content on streaming platforms¹⁶
- > the government’s announcement on 25 March 2023 that it has remade the anti-siphoning list for 3 years but intends to undertake further consultation on specific reform proposals¹⁷
- > the minister’s announcement in November 2022 that the ACMA will consult on a news measurement framework.¹⁸ Our work on this project will be closely aligned with, and inform, the work of the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department), under the government’s News Media Assistance Program
- > the government’s 29 March 2023 announcement of a number of proposed improvements to the National Classification Scheme and release of the Review of the Australian Classification Regulation, which envisages a new role for the ACMA¹⁹
- > the Australian Competition and Consumer Commission’s (ACCC) Digital platform services inquiry 2020-25, and the government’s response to the fifth interim report, released on 11 November 2022, to consult publicly on the ACCC’s recommendations to changes that would strengthen consumer protections and ensure Australia has the right regulations in place to be a leading digital economy.²⁰

As a Commonwealth regulator, the ACMA is committed to the 3 principles of regulatory best practice identified in the government’s Regulator Performance Guide:

- > Continuous improvement and building trust – adopt a whole-of-system perspective, continuously improving ACMA’s performance, capability and culture to build trust and confidence in Australia’s communications and media regulatory settings.
- > Risk based and data driven – manage risks proportionately and maintain essential safeguards while minimising regulatory burden, and leveraging data and digital technology to support regulated entities to comply and grow.
- > Collaboration and engagement – be a transparent and responsive communicator, implementing regulations in a modern and collaborative way.

We are committed to embedding these principles through their inclusion in our performance targets and will report on our performance against them in our 2023–24 Annual Performance Statement.

The *Privacy Act 1988* is also subject to review, which seeks to bring Australia’s privacy laws into the digital era and strengthen privacy protections for consumers and their data. This has the potential to change the way personal information is collected, managed and used for direct marketing regulation, for which the ACMA is responsible.

¹⁶ DITRDCA, *Revive: a place for every story, a story for every place – Australia’s cultural policy for the next five years*, DITRDCA, Australian Government, 2023.

¹⁷ M Rowland, *Broader reforms to be pursued as anti-siphoning list remade* [media release], Australian Government, 25 March 2023, accessed 16 June 2023.

¹⁸ M Rowland, *First step towards news measurement framework for the digital era* [media release], Australian Government, 14 November 2022, accessed 16 June 2023.

¹⁹ M Rowland, *Albanese Government outlines key reforms to National Classification Scheme* [media release], Australian Government, 29 March 2023, accessed 16 June 2023.

²⁰ J Chalmers, *ACCC report into digital platform services* [media release], Australian Government, 11 November 2022, accessed 16 June 2023.

Australia continues to be a significant contributor to global radiocommunications, including long-standing involvement in the International Telecommunication Union (ITU) Radiocommunication Sector. With the World Radiocommunication Conference being held in late 2023, Australia will be supporting international cooperation on radiocommunications that provides regulatory certainty, and interoperable, international technology standards that support expanding new technologies, such as 5G.

ACMA's role in the changing environment

Access to efficient, reliable and secure communications infrastructure and services remains critical. We will continue to support the communications sector to grow and expand its services so that consumers can access the services they need. Our approach to spectrum management continues to focus on promoting the long-term public interest derived from spectrum, and our spectrum work program includes activities to support government objectives and policy priorities.

We will release more spectrum to the market for 5G via our planned mid-band allocations to address the continuing demand for data. When considering options for expiring spectrum licences, we will consult with key stakeholders, including affected licensees, to respond to the changing landscape and ensure that use of that spectrum continues to meet the public interest.

Our spectrum work program will have a continued focus on regional and remote connectivity to provide communications access for all Australians and in support of government objectives and policy priorities.

We will assist industry to protect their networks and the people using or working on them. We will also hold the industry to account for the products and services they provide to consumers. Over the reporting period, we will continue to target areas for improved industry compliance, which we will progress through annual compliance priorities.

We will look for opportunities to proactively collaborate with stakeholders to explore and address new and emerging regulatory challenges. This includes the inherent issues involved in scam reduction activities that necessitate ongoing consideration of how scammers operate, and what interventions and capabilities (such as enhanced machine learning) are required across government, the telecommunications industry and the broader economy to be effective. We will also work with our international counterparts to collaborate on matters of mutual concern arising from the increasingly global nature of communications companies and services.

Our operating context

ACMA's regulatory role

The ACMA's regulatory functions are set out in Part 2, Division 2 of the *Australian Communications and Media Authority Act 2005* (ACMA Act). The ACMA is responsible for the regulation of broadcasting, radiocommunications, telecommunications and some online content, in accordance with 4 principal Acts – the *Radiocommunications Act 1992*, *Telecommunications Act 1997*, *Telecommunications (Consumer Protection and Service Standards) Act 1999* and *Broadcasting Services Act 1992*.

There are other Acts that confer regulatory jurisdiction on the agency or are otherwise relevant to the ACMA, such as the *Spam Act 2003*, the *Do Not Call Register Act 2006* and the *Interactive Gambling Act 2001*. The ACMA may also make legislative instruments in areas where primary legislation requires or permits.

Governance arrangements

The Authority

The ACMA is a statutory authority established by the ACMA Act. The ACMA's Chair serves as Agency Head, with powers, functions and accountabilities under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), the *Public Service Act 1999*, *Safety, Rehabilitation and Compensation Act 1988*, *Fair Work Act 2009* and various other pieces of legislation.

The Authority is a collegiate, regulatory decision-making body of between 3 and 9 members, including the Chair and Deputy Chair. The Authority also has associate members, including one appointed under cross-appointment arrangements with the ACCC to support collaboration between the sectoral and economic regulators.

Members are appointed by the Governor-General and associate members are appointed by the Minister for Communications.

At 1 July 2023, the Authority comprised:

- > Nerida O'Loughlin (Chair)
- > Creina Chapman (Deputy Chair)
- > James Cameron
- > Anita Jacoby (Associate Member)
- > Anna Brakey (ACCC Associate Member)
- > Catriona Lowe (ACCC Associate Member).

On 1 August 2022, Fiona Cameron formally resigned her position as Authority Member. Delia Rickard's term as an ACCC Associate Member ceased on 26 February 2023 and Catriona Lowe was appointed as an ACCC Associate Member on 19 June 2023. Chris Jose's term as Authority Member ceased on 30 April 2023 at the completion of his 5-year term.

Authority members may lead an area of the ACMA's work and chair internal committees aligned with their relevant skills and expertise. Current internal committees are:

- > Content Committee
- > Telecommunications and Consumer Committee
- > Spectrum Committee
- > Compliance and Enforcement Committee.

The Authority is advised, guided and assisted by agency staff who are employed under the Public Service Act. The Authority may also delegate some decision-making to staff. Staff are ultimately accountable through their line managers and general managers to the Chair.

Authority Code of Conduct

The *Code of Conduct for Authority members and associate members*²¹ sets out the Authority's strategic intent, approach to business, duties, responsibilities, and the culture and values that guide its work. The code is reviewed regularly by the Authority.

Audit and Risk Committee

In accordance with section 45 of the PGPA Act, the Audit and Risk Committee (ARC) helps us to comply with legal requirements and provides a forum for communication between the Chair, senior managers and the internal and external auditors of the agency. The ARC provides independent advice to the Chair on the appropriateness of our financial and performance reporting, risk oversight and management, and system of internal control.

The PGPA Rule 2014 provides direction on the composition of audit and risk committees. Under subsection 17(4), all members of the ARC must not be officials of the ACMA and the majority must not be officials of any Commonwealth entity.

This requirement is reflected in the composition of the ARC. At 1 July 2023, members were:

- > Ian McPhee AO PSM, Committee Chair
- > Karen Michelle, External Member
- > Mark Ridley, External Member.

The ARC meets at least 5 times each year.

Executive Management Committee

The Executive Management Committee (EMC) consists of the senior leadership team – the Chair (as Agency Head), Deputy Chair (as Chief Executive Officer) and the 4 Senior Executive Service (SES) Band 2 general managers.

The EMC's core responsibility is to support the Chair in carrying out statutory responsibilities and provide collective advice and support to the Chair in areas including setting strategic priorities and aligning resources and activities to them, managing strategic risk, and establishing agency policies and procedures.

Major project boards

The Enterprise Project Group (EPG) is a sub-committee of the EMC and is chaired by the Deputy Chair (as Chief Executive Officer). The EPG supports the EMC by overseeing and coordinating the ACMA's major projects. The EPG meets monthly and regularly updates the EMC on the projects it oversees.

In addition to the EPG, significant projects, including major ICT projects, each have a project board to oversee, guide and govern their work.

²¹ ACMA, *Code of Conduct for Authority members and associate members*, ACMA, Australian Government, 2023.

Advisory committees

Part 7 of the ACMA Act enables us to establish advisory committees to assist with performing our functions. We have 2 advisory committees:

- > Consumer Consultative Forum (CCF) – convened under section 59 of the ACMA Act, the CCF brings together consumer organisations, the telecommunications industry and government to examine issues that affect consumers using mobiles, the internet, and fixed-line phones. Membership currently comprises 7 consumer groups, telecommunications industry bodies, regulatory/government representatives and the Telecommunications Industry Ombudsman. The CCF convenes 4 times a year and is chaired by an Authority member. In addition, the ACMA hosts 2 virtual meetings for consumer group members each year to allow them to share information and inform CCF meetings.
- > Numbering Advisory Committee (NAC) – established under section 58 of the ACMA Act, the NAC assists us to regulate telephone numbering in Australia. The NAC provides informed and representative advice on ever-evolving phone numbering issues, including number rights-of-use, number porting and phone scam reduction activities. The NAC is chaired by an Authority member and generally meets twice a year.

Management and staff committees

Our principal body for formal consultation and discussions on workplace relations of national focus or significance is the National Consultative Forum (NCF). We work collaboratively with employees and their representatives to identify the effects of change on staff at an enterprise level and implement any major changes or updates to relevant policies or procedures. The NCF meets 3 times a year and is chaired by the Chair as Agency Head.

The National Work Health and Safety Committee (NWHSC) provides a forum to identify and consider broad workplace health and safety issues that may need to be addressed at an organisational level. The NWHSC is chaired by the General Manager, Corporate and Research Division and meets 3 times a year.

Culture and Values Network

The Culture and Values Network is co-chaired by 2 ACMA senior staff. The network has members in each office location and works to foster a committed, impartial, accountable, respectful and ethical workplace that embraces diversity and celebrates inclusion. The network promotes the organisational values of being purposeful, collaborative, and curious and questioning.

Our culture and values are a priority for our agency and are embedded in all our priorities and activities.

Annual compliance priorities

Each year, the ACMA targets key areas for improved industry compliance. These are known as our annual compliance priorities. The Authority consults on and chooses areas that are of public interest or specific issues that are having a negative impact on the community, including consumer harm. These key areas guide our efforts to deliver effective compliance and, where necessary, targeted enforcement action.

In 2023–24, we will be focusing on:

- > protecting telco customers experiencing financial hardship
- > supporting telco customers experiencing domestic and family violence
- > tackling the online supply of dodgy devices
- > ensuring 5G mmWave EME compliance
- > maintaining licensing integrity: LPON licence compliance
- > minimising gambling harm
- > enforcing e-marketing unsubscribe rules
- > combating SMS scams.

Risk oversight and management

Our risk management framework supports effective decision-making and creates a shared understanding of our risks and mitigation plans. The framework is designed to identify our risks transparently and systemically through standardised processes.

Our framework is developed in accordance with section 16 of the PGPA Act and the Commonwealth Risk Management Policy. The key components of risk oversight are the quarterly consideration of strategic risk by the EMC and advice provided by the ARC to the Chair on the health of our risk management framework. We review our risk framework annually, so it remains relevant in our continually evolving operating environment.

We aim for a work culture that supports the identification of risks through business planning processes and risk management-enabled decisions consistent with our risk appetite.

Our risk appetite

When delivering on our purpose, we engage with risk to ensure our activities as a statutory regulatory authority are fit-for-purpose and that there is a willingness to pursue innovation in our systems and processes. As a result, our appetite for risk will vary according to the activities being undertaken.

We work towards ensuring all ACMA staff understand both the potential benefits and potential risks before activities commence, and that sensible controls, appropriately authorised, are in place to mitigate and manage those risks.

Our appetite for engaging with opportunity and risks extends to the management of shared risks with other entities to deliver on the government's objectives.

Our risk appetite is outlined below. Internal documentation provides staff with further guidance in developing and applying our risk appetite to the particular regulatory activities they undertake.

Risk category	Description
Work health and safety	> We have no appetite for activities that could compromise workforce requirements including capability, safety and wellbeing.
Systems and infrastructure	> We have no appetite for the loss or degradation of critical ICT infrastructure, applications and services.
Financial	> We have no appetite for internal fraud. > We have no appetite for non-compliance with accounting standards, government financial management orders and relevant regulatory requirements.
Trust	> We have no appetite for behaviour or activities that are unethical, corrupt or illegal. > We have a low appetite for action that may negatively affect stakeholder trust in the ACMA.
Data and information systems	> We have a low appetite for anything that compromises the security of our data and information systems. > We have a high appetite to use data and information systems for decision making.
Strategy	> We have a high appetite to pursue strategies that contribute to maximising the economic and social benefits of communications infrastructure, content and services and for Australia. > We have a high appetite to pursue strategies that minimise consumer harms through our regulatory activities.
Innovation	> We have a high appetite for fostering innovation that contributes to better regulatory outcomes and continual improvement in our systems and processes.

Our Executive Management Committee, which comprises the ACMA Chair and Agency Head, the Deputy Chair and Chief Executive Officer, and general managers, has identified areas of key risks to manage in meeting the ACMA's functions. These areas of key risk are set out in the table below.

Key risk	How risk will be managed
A reduction in public confidence in the communications and media services we regulate	<ul style="list-style-type: none"> > Monitoring and researching industry and consumer behaviours to inform decision-making > Improving regulation where possible to respond to market changes and emerging harms > Taking compliance and enforcement actions proportionate to harms caused by non-compliance > Managing the ACMA's reputation, including monitoring perceptions and conversations, responding to reputation threats and proactively seizing opportunities to boost reputation
A reduction in workforce cohesiveness reduces collaboration, innovation and effective decision making	<ul style="list-style-type: none"> > Delivering enhanced communication platforms to strengthen communication within the workforce while hybrid work options are being utilised > Monitoring the balance of hybrid work arrangements to ensure they continue to support an engaged and cohesive workforce, while providing flexible options to attract and retain staff > Providing increased opportunities for in-office engagement to encourage staff to come together to share information and collaborate
Loss or degradation of critical ICT infrastructure	<ul style="list-style-type: none"> > Maintaining our cyber security enhancement project to meet essential government controls > Internal intrusion detection testing > Investing in ICT infrastructure > Enabling effective disaster-recovery capability

Our culture and values

Our culture and values support us to achieve our purpose, now and into the future. They shape how we work with each other and our stakeholders, and how we approach the opportunities and challenges in our environment. We are committed to the Australian Public Service (APS) values of being impartial, committed to service, accountable, respectful and ethical. We also embrace diversity and celebrate inclusion. These values underpin our role as an independent decision-maker, responsible for balancing sometimes competing public interest objectives and informed by a deep knowledge of the sectors we regulate.

Complementing the APS values, we have developed our own ACMA-specific values outlined below. We continue to embed our culture and values in all our priorities and activities.

We are purposeful

Our commitment to delivering tangible and significant benefits to all Australians provides direction and drives our work. We are committed to maintaining and enhancing our expertise and contribution to the work of the APS. We are outcomes-focused and strive for high performance. We are timely, measured and transparent. We engage with and manage risk and adapt quickly to changing expectations and priorities by being agile and flexible.

We contribute to a positive and professional workplace that encourages us to do our best work. We appreciate and support each other and take time to recognise, communicate and celebrate our accomplishments.

We are curious and questioning

We look around us and into the future to explore new ways of addressing ongoing challenges and maximising opportunities. We look deeply into issues from the various perspectives of our stakeholders to develop new understandings.

We ask astute questions and interrogate the implications of matters relevant to our work. We gather and analyse data from multiple sources. We value critical thinking and analysis to support rigorous and innovative approaches to our work.

We value and invest in learning and opportunities for professional development. We seek out information and learn from international research and the experiences of other jurisdictions.

We are collaborative

We collaborate within the ACMA, with the Department, other regulators and relevant agencies, as well as across all levels of government. We engage proactively and creatively with industry and the community, demonstrating a clear understanding of their issues and challenges. In doing so, as with all our work, we maintain the highest levels of integrity.

We articulate and promote the work of the ACMA to maximise awareness of what we do. We seek out and value diverse perspectives and ideas. We are respectful and share knowledge generously.

Diversity and inclusion

We aim to foster and maintain an inclusive and accepting culture at the ACMA.

Over the coming year, a significant focus will be on finalising and implementing the ACMA's inaugural Reconciliation Action Plan (RAP), which will enable us to sustainably and strategically take meaningful action to advance reconciliation. We currently participate in the Indigenous Australian Government Development Program and the Indigenous Apprenticeship Program.

The 2022 graduate cohort's major project focused on diversity and inclusion. The project examined and assessed our approach to diversity and inclusion and made a number of recommendations on initiatives and support that could be implemented to create a contemporary workplace that embraces diversity and inclusion. The findings and recommendations from the project will be used to develop a diversity and inclusion strategy.

Critical capabilities

We recognise that our skills and expertise as a regulator are fundamental to achieving our purpose. This section outlines how we will continue to develop our most critical capabilities and respond to our changing operational context.

Workforce capability

Our *People Strategy 2021–24* provides the blueprint for supporting our people to deliver the ACMA's purpose.

During 2022, we focused on building internal HR foundations while still delivering a program of work against the People Strategy. The strategy identifies key focus areas that cover the employment lifecycle, providing a pathway for attracting, developing and retaining the right people. It will enable us to identify and implement the new and emerging skills and capabilities that our people will need into the future.

In the coming year, we will continue to build our diversity and inclusion agenda, improve processes and systems, develop our management and leadership capability, and ensure strong data governance practices. Many of these projects are underpinned by our focus on building workforce capability, improving the staff experience and supporting our executive in managing the workforce as part of our Organisational Development Strategy.

Through this work, we continue to engage with whole-of-government initiatives such as the APS professional streams and entry-level programs. These approaches will support the development of critical skills, such as regulatory capability, digital and data literacy, and engineering.

We continue to implement improved workforce planning practices. Initial work to date has focused on:

- > improving the accuracy of workforce data and controls for its ongoing maintenance
- > reporting key people metrics and data
- > enabling HR dashboard reporting for the executive team.

Regulatory capability

Our key regulatory capabilities include understanding, contributing to, and implementing broader policy and regulatory frameworks using the full range of regulatory tools and methods. We continue to strengthen our strategic and regulatory capabilities so that we are well-placed to drive and lead the development of new regulatory frameworks in response to emerging technologies, business models, and consumer behaviours and expectations.

Our research program provides strategic and regulatory analysis of consumer, market and regulatory developments in the evolving communications and media environment. The program examines the effectiveness of regulation and informs regulatory and program design, as well as advice to government.

Our research program supports our staff, who are highly dedicated and committed to delivering best practice regulatory outcomes that effectively balance the needs of industry and the community.

The ongoing development of our regulatory capability is a key focus of the ACMA's Capability Framework. Through this, we will provide a range of internal learning and development opportunities to embed regulatory best practice across our workforce. We will also partner with the APS Academy on Regulatory Practice for training, including access to e-learning and pilot courses. These initiatives will provide our staff with the skills needed to regulate effectively.

Data capability

We continue to implement our 2019 Data Strategy and our Data Governance Framework.²² These provide a roadmap for increasing our data capability and maturity, and improving the discoverability, usability and security of our data.

An important way we are delivering on our data and analytics vision is through Data Action Projects (DAPs). By applying analytics to solve business problems, DAPs lay a foundation for building our capabilities.

With a focus on building skills, we are implementing whole-of-agency programs that will establish foundational data literacy and learning and development initiatives for all skill levels.

As we build our data and analytics capability, we will continue to collaborate across the APS, including with the Data Professional Stream and the Data Champions Network, to align with APS data reforms and outcomes under the Australian Data Strategy.²³

Digital and ICT

Our digital and ICT program has established a contemporary cloud and technology platform that is delivering modern business capabilities as well as increased resilience to emerging cyber security threats.

We maintain critical business systems that allocate, manage and sell spectrum; manage spectrum interference; support International Telecommunication Union (ITU) processes; regulate media diversity and provide compliance and enforcement functions for scams, spam, gambling, content and other areas.

Digital capability will build over 2023 with the modernisation of key business systems supporting Australian content, spam complaints management and spam intelligence. Experimentation with advanced technologies will inform how we may regulate more efficiently in the future.

Services to the Australian public will be improved as we embark on replacing our ageing spectrum licensing system with a new end-to-end digital spectrum management platform planned to be online by 2026.

Understanding our charging environment

We collect revenue on behalf of the Australian Government through broadcasting, radiocommunications and telecommunications taxes, and levies, fees and charges.

We also operate within the Australian Government Charging Framework for the regulatory activities we cost-recover from industry, including the Annual Carrier Licence Charge and Do Not Call Register access-seeker fees. All charges, levies and taxes the ACMA collects from industry are returned to the government's Consolidated Revenue Fund.

During the period of this plan, our focus will continue to be on the efficiency and refinement of cost attribution processes and concluding our involvement in the Cost Recovery Review to Improve Regulatory Performance project led by the Department of Finance.

²² ACMA, *Data strategy and governance framework*, ACMA, Australian Government, 2022.

²³ Department of Finance, *Australian Data Strategy: The Australian Government's whole-of-economy vision for data*, Department of Finance, Australian Government, 2022.

External cooperation and partnerships

In undertaking our regulatory role, we work with government, industry and international colleagues to achieve outcomes that are in the long-term interests of all our stakeholders. This includes the millions of Australians who use and rely on communications and media networks, devices and services, together with the businesses that supply them. Our work also supports defence, security, emergency and law enforcement services in their use of spectrum.

Domestic collaboration

Our domestic relationships include working closely with the Department to progress improvements to the regulatory framework within which we operate, as well as with other government agencies and regulators, industry, industry bodies and consumer advocacy groups.

We work closely with the ACCC and hold cross-appointment arrangements that provide an example of how collaboration between agencies can better serve the interests of our broader stakeholder base and benefit decision-making. We also work closely with the Australian Cyber Security Centre (ACSC) to examine technological solutions to protect consumers from harms caused from the use of communications and media technologies.

We continue to enter into memorandums of understanding (MoUs)²⁴ with other government agencies and regulators to facilitate information-sharing and collaboration. We have MoUs with several domestic organisations, including the Office of the Australian Information Commissioner (OAIC), the Australian Securities and Investments Commission (ASIC), the ACSC, the Australian Financial Crimes Exchange, the ACCC, the Telecommunications Industry Ombudsman, the Northern Territory Department of Industry, Tourism and Trade, the Department of Defence, the Australian Defence Force and the Australian Space Agency. A full list of our current MOUs is published on our website. Our MoUs with these agencies facilitate the exchange of information to promote industry compliance and consumer protection.

We work collaboratively with other government agencies, industry, not-for-profits and organisations from across the economy to address the challenge of protecting Australians from online and telecommunications harms. The ACMA-led Scam Telco Action Taskforce serves as a key forum to coordinate scam prevention activities and associated regulatory responses. We are also one of 4 government regulators, along with the ACCC, the eSafety Commissioner and the OIAC, that have formed the Digital Platform Regulators Forum (DP-REG). DP-REG gives members the opportunity to share information and collaborate on cross-cutting issues, and facilitates better coordination across government on digital platform regulation.

We also work closely with industry, industry bodies and consumer advocacy groups to consult on priorities, work programs and proposed regulatory changes. This includes consulting on our annual five-year spectrum outlook and annual compliance priorities to ensure that our regulatory efforts are proportionate to the problem at hand and meet the needs of industry, government and the community.

²⁴ ACMA, '[Memorandums of understanding](#)', ACMA website, accessed 14 March 2023.

International collaboration

We work closely with international regulators and take part in global forums to help deliver the best results for Australians and the Australian communications industry.

By building strong co-operative relationships and partnerships, we can promote and protect Australian interests and support broader government policies and activities.

We have strong relationships with international spectrum and telecommunications regulators. We continue to participate in the work of the Asia-Pacific Telecommunity and the ITU and are involved in preparatory activity supporting the World Radiocommunication Conference 2023 and other international spectrum matters. We provide technical expertise for Australian engagement in international spectrum management forums and through international consultative frameworks.

We are particularly focused on strengthening our relationship and cooperation between Australia and the Indo-Pacific to support broader government policies and activities. In the past year, we have welcomed delegations from the Papua New Guinea National Information and Communications Technology Authority and the Office of the National Broadcasting and Telecommunications Commission of Thailand to our offices for an information exchange program and have met with representatives from the Kiribati and Indonesian governments on spectrum regulations.

The increasingly global nature of our work also means we need to continue to find new and innovative approaches to collaborate with overseas regulators and organisations; for example, in giving effect to Australia's online gambling laws and working to reduce telecommunications scams.

We continue to enter into MoUs with international regulators, including with the Info-Communications Media Development of Singapore, the UK Information Commissioner's Office, the Unsolicited Communications Enforcement Network (UCENet), the New Zealand Department of Internal Affairs, the Canadian Radio-television and Telecommunications Commission and the US Federal Communications Commission.

eSafety Commissioner

The eSafety Commissioner (eSafety) is Australia's independent regulator for online safety.

eSafety supports positive online experiences through national leadership and administration of statutory schemes and awareness activities that promote online safety to all Australians. It fosters online safety by exercising powers under Australian government legislation, primarily the *Online Safety Act 2021*, to protect Australians from serious online harms.

We continue to support the eSafety Commissioner as an independent statutory officer. Further details about the work of the Commissioner and their office, including activities and performance information, are provided in the eSafety *Corporate plan 2023–24*²⁵, the 2023–24 ACMA Portfolio Budget Statement²⁶ and eSafety's annual report.²⁷

²⁵ eSafety Commissioner, *Corporate plan 2023–24*, eSafety Commissioner, Australian Government, 2023.

²⁶ DITRDCA, 'Portfolio Budget Statements', DITRDCA website, accessed 15 March 2023.

²⁷ eSafety Commissioner, *eSafety Commissioner annual report 2021–22*, eSafety Commissioner, Australian Government, 2022.

Our performance

The corporate plan is ACMA's primary planning document and covers a rolling 4-year period. It sets out the direction for how we will work, build our capability and engage with risk to deliver our purpose.

We have a streamlined and focused performance framework, with 2 key activities that are underpinned by reliable and robust measures and targets, and supported by enabling activities. We will continue to refine our performance framework to better assess performance in reliable and meaningful ways.

We will measure our success through:

- > key activities – which outline significant areas of work that we undertake in achieving our purpose
- > performance measures – that provide a basis by which we will assess our success in delivering our key activities and, ultimately, our purpose
- > targets – which provide an unbiased assessment of our success in achieving our performance measures
- > methodologies and data – that allow us to monitor and assess ourselves against the targets.

The Portfolio Budget Statement 2023–24 sets out our purpose and how we will measure our achievement. Our performance measures and targets are also aligned with the best practice principles detailed in the Regulator Performance Guide. We will report on our success in achieving our purpose and outcomes against this plan in our Annual Performance Statement. Full details of how we will measure our success over the life of the plan, including the relationship between targets and regulator best practice principles, are detailed in Appendix A of this plan.

The following tables provide a summary of the performance measures that we will measure our success against in 2023–24.

Our assessment methodology

The 2023–24 corporate plan performance measures are composite measures. Composite measures can be defined as a combination of 2 or more individual targets. These performance measures are determined to be met, partially met or not met based on the achievement of unweighted targets. The following table explains our methodology for assessing our performance against our composite measures. The description, rationale and method for each target is provided in 'Appendix A: Detailed performance measures'.

Performance category	Description
Met	All targets must be assessed as being met for the performance measure to be considered 'met'.
Partially met	If at least half of the targets (or an equal number in the case of an even number of targets) are assessed as being met, the performance measure would be considered 'partially met'. Additionally, if no more than half of the targets are assessed as being not met, the performance measure would also be considered 'partially met'.
Not met	A performance measure is considered to be not met if more than half of the targets are assessed as 'not met'.

Note: If there is an equal number of targets and not all have been met, the performance measure cannot be 'met'.

Key activity 1: Support an efficient and reliable communications infrastructure

We manage Australia's Radiofrequency Spectrum Plan and the Telecommunications Numbering Plan to make spectrum and numbers available for existing and new communications services.

The ACMA's spectrum allocation decisions support the rollout of new communications technologies, bringing benefits to Australians using communications services. Our licensing, authorisations, rule-making, and compliance and enforcement activities underpin reliable communications networks. Efficient management of numbering allows telecommunications providers to supply services to new customers and promote competition.

Key activity 1: Support an efficient and reliable communications infrastructure

Performance measure 1.1: The ACMA's spectrum planning, allocation and licensing activity meets the needs of the communications industry

Targets:

- 1.1.1 The spectrum management work program is informed by ACMA's consultation with spectrum users, industry and government.
- 1.1.2 The progress of delivering the spectrum management work program is published every 6 months.
- 1.1.3 Apparatus licensing issue and renewal decisions meet the statutory requirements.
- 1.1.4 The ACMA's communications infrastructure compliance activities are informed by a risk-based assessment of harm.
- 1.1.5 Major spectrum allocations are held effectively.

Performance measure 1.2: The ACMA's contribution to the international spectrum framework supports the needs of the Australian communications industry

Targets:

- 1.2.1 Australia's international engagement activities are informed by the ACMA's consultation with industry and government.
- 1.2.2 The ACMA's international engagement activities at ITU Radiocommunication Sector (ITU-R) and regional meetings support Australia's interests.

Performance measure 1.3: The ACMA's activities contribute to telecommunications infrastructure providers having confidence that they are appropriately authorised and enabled to provide communication services

Targets:

- 1.3.1 Telecommunications carrier licensing and submarine cable permit activities meet statutory requirements.
 - 1.3.2 Equipment regulation appropriately mitigates the risk of harm to communications networks and people using or working on those networks.
 - 1.3.3 Numbering services are available 99% of the time and 99.9% of numbering transactions are processed within 5 seconds.
-

Key activity 2: Build consumer trust in the use of communications content and services

We undertake compliance and enforcement of rules relating to communications content and services. This contributes to consumer confidence in industry's performance in delivering communication content and services.

During the reporting period, we will also establish and maintain the national self-exclusion register (NSER) and maintain a number of other registers, many of which contribute to consumer protections, such as the Do Not Call Register (DNCR).

Key activity 2: Build consumer trust in the use of communications content and services

Performance measure 2.1: The ACMA's activities contribute to Australian consumers having confidence in the content and services available to them.

Targets:

- 2.1.1 80% or more of surveyed consumers report having confidence in the content and services available to them.
- 2.1.2 The NSER data checking service is available to the wagering industry 99.95% or more of the time for the year.
- 2.1.3 The DNCR is available to the Australian public 99.5% or more of the time.
- 2.1.4 95% or more of investigations undertaken are completed within 6 months of the investigation being opened.
- 2.1.5 The ACMA's compliance priorities concerning media and content services are on track or implemented on time.

Performance measure 2.2: The ACMA's activities contribute to Australian consumers having access to diverse media content and services.

Targets:

- 2.2.1 Enforcement decisions to accept or give agreed measures, enforceable undertakings (EUs), remedial directions or injunctions deliver improved compliance by the relevant regulated entity.
- 2.2.2 Community broadcasting licence renewal decisions are made within the statutory timeframes.
- 2.2.3 Media control notifications and caption order applications are processed within statutory timeframes.
- 2.2.4 Annual compliance results for Australian content and captioning reporting are finalised within 6 months of reports being received.

Performance measure 2.3: The ACMA's activities contribute to Australians' access to a competitive telecommunications market.

Targets:

- 2.3.1 The ACMA's compliance priorities concerning telecommunications services are on track.
 - 2.3.2 Enforcement decisions to accept or give agreed measures, EUs, remedial directions or injunctions deliver improved compliance by the relevant regulated entity.
-

Appendix A: Detailed performance measures

Key activity 1: Support an efficient and reliable communications infrastructure

Performance measure 1.1: The ACMA's spectrum planning, allocation and licensing activity meets the needs of the communications industry

The ACMA is responsible for managing the radiofrequency spectrum in accordance with the Radiocommunications Act. Our spectrum management activities include:

- > maintaining the Australia Radiofrequency Spectrum Plan consistent with ITU Radio Regulations
- > developing and maintaining band plans and channel plans
- > authorising the use of spectrum through the issue of spectrum licences and apparatus licences (including the development of licence conditions) and the development and maintenance of class licences
- > monitoring and enforcing compliance with spectrum management regulations by investigating licensing and interference management and, where required, taking enforcement action.

This performance measure aligns directly to an intermediate impact that the key activity is aiming to achieve, that is, spectrum planning, allocation and licensing meets the needs of the communications industry. This measure will be assessed through 5 evenly weighted targets – one measures the efficiency of activities, 2 measure the outputs of activities, and 2 measure the effectiveness of activities.

Target 1.1.1

2023–24

The spectrum management work program is informed by ACMA's consultation with spectrum users, industry and government.

2024–25

The spectrum management work program is informed by ACMA's consultation with spectrum users, industry and government.

2025–26

The spectrum management work program is informed by ACMA's consultation with spectrum users, industry and government.

2026–27

The spectrum management work program is informed by ACMA's consultation with spectrum users, industry and government.

Description:

We publish our plans to manage spectrum by developing a five-year spectrum outlook (FYSO). A draft FYSO is developed by our subject matter experts who monitor domestic and international technology and market trends to identify drivers for spectrum demand, which inform our plans to manage spectrum.

The draft FYSO is published on the ACMA website and spectrum users, including consumers, industry and government, are invited to comment on the draft FYSO and annual work program.

Rationale:

This output-based target provides a long-term qualitative assessment on the quality of our consultation with users, industry and government. Meeting the target demonstrates the achievement of the performance measure by enabling spectrum users, including consumers, industry and government, to have an opportunity to express views about our work to plan, allocate and licence spectrum.

Method:

To assess if the spectrum management work program is informed by our consultation, we will undertake a qualitative assessment. This will include a review of internal records that document our consultation with users, industry and government during the development of the spectrum management work program. We will assess if the decision to approve the spectrum management work program was informed by the views and issues raised through our consultation process.

Data/Information sources: Published FYSO and internal program documentation.

PBS links: Outcome 1, Program 1.1 – Communications regulation, planning and licensing.

Regulator performance principle: Collaboration and engagement.

Target 1.1.2

2023–24

The progress of delivering the spectrum management work program is published every 6 months.

2024–25

The progress of delivering the spectrum management work program is published every 6 months.

2025–26

The progress of delivering the spectrum management work program is published every 6 months.

2026–27

The progress of delivering the spectrum management work program is published every 6 months.

Description:

Our FYSO includes an annual spectrum management work program that details the band planning, forward allocations, planning framework optimisation, licensing, pricing, compliance, and international engagement activities that we will conduct.

We monitor our progress against the annual work plan and publish a 6-month progress report and an annual progress report.

Rationale:

This target provides a long-term qualitative assessment of our efficiency in delivering the spectrum management work program. It demonstrates whether our spectrum planning, allocation and licensing activity is successfully delivered on time to meet the needs of spectrum users. It is a proxy measure of efficiency as the resources required to undertake each priority vary depending on the size and complexity of the priority.

Method:

To assess if the spectrum management work program has been delivered transparently, we will undertake a qualitative assessment of whether we have published a 6-month progress report and an annual progress report, and whether these progress reports have included reasons for any deviations from the timelines established in the spectrum management work program.

Data/Information sources: FYSO, the FYSO 6-month progress report and the FYSO annual progress report.

PBS links: Outcome 1, Program 1.1 – Communications regulation, planning and licensing.

Regulator performance principle: Continuous improvement and building trust.

Target 1.1.3

2023–24

Apparatus licensing issue and renewal decisions meet the statutory requirements.

2024–25

Apparatus licensing issue and renewal decisions meet the statutory requirements.

2025–26

Apparatus licensing issue and renewal decisions meet the statutory requirements.

2026–27

Apparatus licensing issue and renewal decisions meet the statutory requirements.

Description:

The Radiocommunications Act 1992 details requirements for issuing and renewing apparatus licences. There are approximately 167,000 apparatus licences currently on issue, with approximately 16,000 apparatus licences issued annually. All apparatus licence issues and renewals are managed through our spectrum licensing system, SPECTRA. The system specifications for SPECTRA have been designed to meet the statutory requirements for issuing and renewing apparatus licences.

We allow suitably qualified people, called accredited persons, to perform certain activities for radiocommunications licensing. Approximately 90% of apparatus licences are issued via accredited persons. They understand the rules and what we require for radiocommunications licences and use their technical expertise to process licence applications in SPECTRA on behalf of applicants.

Rationale:

This target provides a long-term qualitative assessment of the effectiveness of our licensing activities. The target provides a proxy measure of our effectiveness by assessing the extent to which licensing issue and renewal decisions meet statutory requirements.

Method:

To assess if apparatus licensing issue and renewal decisions meet the statutory requirements, we will undertake a qualitative assessment of licences processed in our spectrum licensing system and of updates made to that system. This will include assessing a sample of 'out-of-policy' applications, applications related to broadcasting services, system upgrades for new Radiocommunications Assignment and Licensing Instructions (RALIs) and the timing of issues for licence renewal invoices.

'Out-of-policy' applications are licence applications received that require additional technical assessment before the licence can be granted.

Data/Information sources: Spectrum licensing system.

PBS links: Outcome 1, Program 1.1 – Communications regulation, planning and licensing.

Regulator performance principle: Continuous improvement and building trust.

Target 1.1.4

2023–24

The ACMA's communications infrastructure compliance activities are informed by a risk-based assessment of harm.

2024–25

The ACMA's communications infrastructure compliance activities are informed by a risk-based assessment of harm.

2025–26

The ACMA's communications infrastructure compliance activities are informed by a risk-based assessment of harm.

2026–27

The ACMA's communications infrastructure compliance activities are informed by a risk-based assessment of harm.

Description:

Communications infrastructure compliance activities include our efforts to deliver effective compliance and, where necessary, targeted enforcement. These actions contribute to ensuring that licences are operating within the relevant rules and interference is effectively managed.

Rationale:

This is an output-based target that provides a long-term qualitative assessment of whether our infrastructure compliance priorities take a risk-based approach to compliance.

Method:

We will undertake a qualitative assessment of all infrastructure compliance priorities to identify if each priority has been informed by a risk-based assessment of harm. This includes potential and actual risks of harm relevant to the identified compliance issue.

Data/Information sources: Annual compliance priorities and internal business and project plans.

PBS links: Outcome 1, Program 1.1 – Communications regulation, planning and licensing.

Regulator performance principle: Continuous improvement and building trust.

Target 1.1.5

2023–24

Major spectrum allocations are held effectively.

2024–25

Major spectrum allocations are held effectively.

2025–26

Major spectrum allocations are held effectively.

2026–27

Major spectrum allocations are held effectively.

Description:

We are responsible for the allocation of spectrum to users. We use auctions to allocate spectrum if demand for available spectrum exceeds supply to ensure it is effectively and efficiently allocated. There are several auction formats that can be used. Choice of auction format for a specific allocation will depend on a range of factors, such as the characteristics of the spectrum for sale and the anticipated demand for the spectrum.

Rationale:

The target provides a long-term qualitative assessment of the effectiveness of allocating spectrum licences through our auction activities and therefore meeting the needs of the communications industry.

This target commences in 2023–24. Results will establish a reporting baseline for future years.

Method:

We will undertake a qualitative assessment that considers whether each auction achieves the object of the Act, including communications policy objectives of the government, and whether it was delivered within the FYSO timeframes. Both need to be achieved for this target to be considered met.

Data/Information sources: End project reports and FYSO progress reports.

PBS links: Outcome 1, Program 1.1 – Communications regulation, planning and licensing.

Regulator performance principle: Continuous improvement and building trust.

Performance measure 1.2: The ACMA's contribution to the international spectrum framework supports the needs of the Australian communications industry

The ACMA is responsible for leading Australia's engagement in the ITU Radiocommunication Sector Study Groups, Working Parties and Task Groups, Australian Radiocommunications Study Groups (ARSGs), and the Asia-Pacific Telecommunity Wireless Group (AWG) and preparatory meetings. We also provide expert technical and regulatory advice to the Department.

We participate in these forums to support Australian Government policy and to ensure that the outcomes maximise the social and economic benefits of domestic spectrum use.

This performance measure directly aligns to an intermediate impact that the key activity is aiming to achieve, which is that the ACMA's contribution to the international spectrum framework supports the needs of the Australian communications industry. This measure will be assessed through 2 evenly weighted targets – one measures the effectiveness of the activities in achieving an impact while the other measures the outputs of activities.

Target 1.2.1			
2023–24	2024–25	2025–26	2026–27
Australia's international engagement activities are informed by the ACMA's consultation with industry and government.	Australia's international engagement activities are informed by the ACMA's consultation with industry and government.	Australia's international engagement activities are informed by the ACMA's consultation with industry and government.	Australia's international engagement activities are informed by the ACMA's consultation with industry and government.
Description:			
Australian Radiocommunications Study Groups (ARSGs) provide expert advice to assist in our development of Australian positions and contributions to the above-mentioned international forums. Membership includes representatives from major telecommunications providers, broadcasters, representatives of international and national satellite providers, amateur radio and satellite specialists, maritime specialists and radio-astronomy experts, as well as representatives from various government departments and agencies.			
Rationale:			
This target is output-based and provides a long-term qualitative assessment on whether our contribution to the international spectrum framework is informed by consultation with industry and government to ensure that domestic interests are considered.			
Method:			
We will assess whether consultation undertaken through ARSGs was consistent with the guidelines. If the consultation was inconsistent, we will determine if the complexity of the matter warranted the inconsistent approach.			
Data/Information sources: ARSG meeting documentation and guidelines.			
PBS links: Outcome 1, Program 1.1 – Communications regulation, planning and licensing.			
Regulator performance principle: Collaboration and engagement.			

Target 1.2.2

2023–24

The ACMA's international engagement activities at ITU-R and regional meetings support Australia's interests.

2024–25

The ACMA's international engagement activities at ITU-R and regional meetings support Australia's interests.

2025–26

The ACMA's international engagement activities at ITU-R and regional meetings support Australia's interests.

2026–27

The ACMA's international engagement activities at ITU-R and regional meetings support Australia's interests.

Description:

The ACMA is responsible for leading and representing Australia at international radiocommunications forums, including interacting with international peers and experts, delegations from other countries and industry representatives.

Rationale:

This target provides a long-term qualitative assessment of the effectiveness of our international engagement activities in supporting Australia's interests.

Method:

Success in achieving this target will be measured through a case study. For 2023–24, the case study will focus on our management of the domestic preparatory process for ITU-R Study Group meetings. We will undertake a qualitative assessment of whether the ITU-R meeting outcomes reflect the preparatory process undertaken in attending and briefing ITU-R Study Group meetings.

Data/Information sources: Internal documentation.

PBS links: Outcome 1, Program 1.1 – Communications regulation, planning and licensing.

Regulator performance principle: Collaboration and engagement.

Performance measure 1.3: The ACMA's activities contribute to telecommunications infrastructure providers having confidence that they are appropriately authorised and enabled to provide communication services

The ACMA is responsible for regulating telecommunications carrier licensees and submarine cable permit holders under the Telecommunications Act. This includes assessing, granting or refusing applications for carrier licences, nominated carrier declarations, and submarine cable permits within set timeframes.

The ACMA also regulates telecommunications, radiocommunications and electrical/electronic equipment under the Telecommunications Act and Radiocommunications Act. Under this role, we make legislative instruments (technical standards) that impose obligations on suppliers at the point-of-supply to the Australian market.

The ACMA also manages Australia's phone number system by providing phone numbers to telecommunications providers that are then provided to customers.

This performance measure directly aligns to and measures the effectiveness of infrastructure providers being appropriately authorised and enabled to provide communication services.

The achievement of the measure will be assessed through 3 evenly weighted targets – 2 measure the effectiveness of activities in achieving an impact and one measures the output of the activities.

Target 1.3.1

2023–24

Telecommunications carrier licensing and submarine cable permit activities meet statutory requirements.

2024–25

Telecommunications carrier licensing and submarine cable permit activities meet statutory requirements.

2025–26

Telecommunications carrier licensing and submarine cable permit activities meet statutory requirements.

2026–27

Telecommunications carrier licensing and submarine cable permit activities meet statutory requirements.

Description:

The ACMA is responsible for ensuring that licences for telecommunications carriers and permits for submarine cabling meet statutory requirements.

For telecommunications carrier licences, this includes consulting with relevant agencies on applications and administering application fees, notices of surrender and notices of cancellations. We also maintain an electronic register of carrier licences and nominated carrier declarations.

We assess, grant or refuse applications for submarine cable installation permits.

Rationale:

This target provides a long-term qualitative assessment of the effectiveness of our telecommunications carrier licensing and submarine cable permit activities. It assesses the extent to which we meet statutory requirements in our decision making.

Method:

We will undertake a qualitative assessment of whether statutory requirements for telecommunication carrier licences and submarine cable permits have been met in our licensing and permit decisions. The statutory requirements relate to:

- > license and permit applications
- > license carrier formal warnings or remedial directions
- > cancellation of carrier licences
- > the electronic register of carrier licences and nominated carrier declarations
- > revoking nominated carrier declarations
- > permit extension applications
- > suspensions and cancellations of permits.

Data/Information sources: Internal decision-making packages and related carrier licence records.

PBS links: Outcome 1, Program 1.1 – Communications regulation, planning and licensing.

Regulator performance principle: Continuous improvement and building trust.

Target 1.3.2

2023–24

Equipment regulation appropriately mitigates the risk of harm to communications networks and people using or working on those networks.

2024–25

Equipment regulation appropriately mitigates the risk of harm to communications networks and people using or working on those networks.

2025–26

Equipment regulation appropriately mitigates the risk of harm to communications networks and people using or working on those networks.

2026–27

Equipment regulation appropriately mitigates the risk of harm to communications networks and people using or working on those networks.

Description:

The ACMA regulates the supply of certain telecommunications, radiocommunications and electrical/electronic equipment under the Telecommunications Act and Radiocommunications Act, and makes legislative instruments (ACMA mandatory technical standards) that impose obligations on suppliers at the point-of-supply to the Australian market, including:

- > compliance with applicable technical standards
- > record-keeping obligations
- > requirements for labelling with the regulatory compliance mark.

Maintaining appropriate and effective ACMA mandatory technical standards contributes to telecommunications infrastructure providers having confidence that they are appropriately authorised and enabled to provide communications services.

Rationale:

This target provides a long-term qualitative assessment of the effectiveness of our equipment regulation activities to appropriately mitigate the risk of harm to communications networks and people using or working on those networks.

Method:

We will undertake a qualitative assessment of our equipment regulation reform program and its continued impact to establish whether equipment regulation appropriately mitigates the risk of harm to networks and people using or working on those networks. This includes equipment regulation reports being actioned in accordance with our regulatory functions and that the reform program demonstrates that:

- > equipment regulation appropriately reflects Australian safety standards
- > existing instruments are reviewed with industry, including electrical safety regulators in states and territories being consulted about any proposed changes.

Data/Information sources: Consultation packages, internal documentation and legislative instruments.

PBS links: Outcome 1, Program 1.1 – Communications regulation, planning and licensing.

Regulator performance principle: Risk based and data driven.

Target 1.3.3**2023–24**

Numbering services are available 99% of the time and 99.9% of numbering transactions are processed within 5 seconds.

2024–25

Numbering services are available 99% of the time and 99.9% of numbering transactions are processed within 5 seconds.

2025–26

Numbering services are available 99% of the time and 99.9% of numbering transactions are processed within 5 seconds.

2026–27

Numbering services are available 99% of the time and 99.9% of numbering transactions are processed within 5 seconds.

Description:

The ACMA is responsible for managing Australia’s phone number system. We provide phone numbers to telecommunications providers that then provide those numbers to their customers.

Rationale:

This target is output-based and provides a long-term quantitative assessment of our numbering services by measuring the extent to which the numbering service is available to the telco industry and the time taken to process transactions.

The numbering allocation system and services are contracted to ZOAK Solutions to perform these functions on behalf of the ACMA.

Method:

We will make a quantitative assessment of information provided by ZOAK Solutions on a monthly basis about the percentage of time the numbering service is available and the percentage of transactions processed within 5 seconds. The annual assessment will be based on the 12 monthly assessments.

Data/Information sources: Monthly performance reports provided by ZOAK Solutions.

PBS links: Outcome 1, Program 1.1 – Communications regulation, planning and licensing.

Regulator performance principle: Continuous improvement and building trust.

Key activity 2: Build consumer trust in the use of communications content and services

Performance measure 2.1: The ACMA's activities contribute to Australian consumers having confidence in the content and services available to them.

The ACMA is responsible for delivering activities that contribute to Australian consumers having confidence in the content and services available to them. Our role includes:

- > regulating the communications and media services sector to ensure it follows rules set in legislation, industry codes and standards, and licences
- > conducting research, performance analysis and reporting relating to the media content and services, including complaints, compliance, network reliability and service standards
- > issuing and managing broadcast content licences and community broadcasting licences
- > conducting investigations and compliance and enforcement activities of media content and service providers.

The performance measure aligns directly to both the intermediate impact the key activity is aiming to achieve – of Australians having trust and confidence in the content and services available to them – and the activities the ACMA delivers to achieve that impact. The achievement of this performance measure will be assessed collectively through 5 evenly weighted targets – one measures the effectiveness of the activities in achieving the impact, 2 measure the efficiency of the activities, and the remaining 2 measure the outputs of the activities.

Target 2.1.1

2023–24

80% or more of surveyed consumers report having confidence in the content and services available to them.

2024–25

80% or more of surveyed consumers report having confidence in the content and services available to them.

2025–26

80% or more of surveyed consumers report having confidence in the content and services available to them.

2026–27

80% or more of surveyed consumers report having confidence in the content and services available to them.

Description:

Our annual consumer survey tracks changes in the ways Australians are engaging with media and communications. From 2022–23, this will include assessing the level of confidence that consumers have in the content and services available to them. Achieving the target demonstrates that our activities build consumer trust in the use of communications content and services.

Rationale:

This target is a long-term quantitative target that assesses the effectiveness of our activities in contributing to Australian consumers having confidence in the content and services available to them.

We outsource our research survey to a research consultant who undertakes the survey to ISO quality standards.

Method:

Multiple questions will be asked within the survey, the results of which will be combined to determine an overall percentage of consumers who report having confidence in the content and services available to them.

We will agree on the survey processes and procedures with the research consultant each year, including the sample size, error rates, weighting methods and sample quality. For all annual consumer surveys, the sample is representative of Australian adults, and a probability-based panel or Computer Assisted Telephone Interviewing (CATI) research design is required.

Data/Information sources: Survey data.

PBS links: Outcome 1, Program 1.2 – Consumer safeguards, education and information.

Regulator performance principle: Continuous improvement and building trust.

Target 2.1.2

2023–24

The NSER data checking service is available to the wagering industry 99.95% or more of the time for the year.

2024–25

The NSER data checking service is available to the wagering industry 99.95% or more of the time for the year.

2025–26

The NSER data checking service is available to the wagering industry 99.95% or more of the time for the year.

2026–27

The NSER data checking service is available to the wagering industry 99.95% or more of the time for the year.

Description:

The ACMA is developing and implementing a national self-exclusion register (NSER) that will allow Australians to self-exclude from all licensed interactive wagering services for 3 months or more. The service is expected to launch in the second half of 2023.

The NSER involves hosting a central register of people who have self-excluded that industry can then query to stop (or not start) providing services to those individuals. Our performance measure is tied to the availability of the industry-facing service, as this is the core aspect of the service that enables licensed interactive wagering providers to action an individual's request to self-exclude.

This supports the policy intent of the project by reducing the extent of gambling harm in the community and will provide confidence to consumers that their decision to self-exclude will be supported by the service.

Rationale:

This target provides a long-term quantitative assessment of our performance in providing the national self-exclusion service. It is output-based and measures the availability of the data-checking service to industry.

The ACMA appointed Big Village Australia (previously Engine Asia Pacific) to build and operate the register. Big Village Australia entered into voluntary administration on 26 January 2023 and a process has been undertaken to sell the company.

Method:

To assess performance against this target, we will assess the availability of the data-checking service using a quantitative assessment of performance indicator data provided by the register operator on a monthly basis. This will identify the percentage of time each month that the data-checking service was available and will be used to calculate the availability across the year.

Data/Information sources: Monthly performance reports and incident notifications provided by Engine.

PBS links: Outcome 1, Program 1.2 – Consumer safeguards, education and information.

Regulator performance principle: Continuous improvement and building trust.

Target 2.1.3

2023–24

The DNCR is available to the Australian public 99.5% or more of the time.

2024–25

The DNCR is available to the Australian public 99.5% or more of the time.

2025–26

The DNCR is available to the Australian public 99.5% or more of the time.

2026–27

The DNCR is available to the Australian public 99.5% or more of the time.

Description:

The Do Not Call Register (DNCR) is a secure database where individuals and organisations can register, check or remove their Australian telephone, mobile and fax numbers to opt-out of receiving most unsolicited telemarketing calls and faxes. The ACMA is responsible for establishing and overseeing the DNCR.

Rationale:

This target is output-based and provides a long-term quantitative assessment of the availability of a service that enables industry to meet its obligations under the Do Not Call Register Act.

Achieving the target demonstrates that the ACMA's DNCR activities contribute to Australian consumers' confidence in the content and services available to them.

The ACMA has contracted IVE Group Australia Pty Ltd to provide this service on our behalf.

Method:

We will make a quantitative assessment on the availability of the DNCR to the Australian public on a monthly basis. The annual assessment will be made based on the 12 monthly assessments.

Data/Information sources:

Monthly performance reports provided by IVE Group.

PBS links: Outcome 1, Program 1.2 – Consumer safeguards, education and information.

Regulator performance principle: Continuous improvement and building trust.

Target 2.1.4

2023–24

95% or more of investigations undertaken are completed within 6 months of the investigation being opened.

2024–25

95% or more of investigations undertaken are completed within 6 months of the investigation being opened.

2025–26

95% or more of investigations undertaken are completed within 6 months of the investigation being opened.

2026–27

95% or more of investigations undertaken are completed within 6 months of the investigation being opened.

Description:

Our role is to regulate media and content services and ensure rules set in legislation, industry codes and standards, and licences are followed. As part of this, we are responsible for investigating and enforcing compliance of media and content services with those rules.

Investigations commonly arise through complaints we receive. The complexity of the investigations undertaken can vary, which affects the time required to conduct each investigation.

Rationale:

This target provides a long-term quantitative assessment of the efficiency of our investigation of media and content services.

It is a proxy measure of efficiency. Investigations can vary based on their complexity, which results in varied amounts of resources required to complete each investigation.

Method:

We will identify the total number of investigations completed within the reporting period, and investigations completed within 6 months of the investigation being opened. The number of investigations completed within 6 months will be divided by the total number of investigations to establish a percentage of investigations completed within 6 months.

Data/Information sources: Internal investigation records.

PBS links: Outcome 1, Program 1.2 – Consumer safeguards, education and information.

Regulator performance principle: Continuous improvement and building trust.

Target 2.1.5

2023–24

The ACMA's compliance priorities concerning media and content services are on track.

2024–25

The ACMA's compliance priorities concerning media and content services are on track.

2025–26

The ACMA's compliance priorities concerning media and content services are on track.

2026–27

The ACMA's compliance priorities concerning media and content services are on track.

Description:

Our annual compliance priorities establish key areas of focus. They guide our efforts to deliver effective compliance and, where necessary, targeted enforcement action. Priorities are selected because they are in the public interest or represent developing areas where we could encourage compliance to boost public confidence in Australia's communications infrastructure and services.

The annual compliance priorities include monitoring compliance each financial year with the media and content services rules we administer.

Rationale:

The target provides a long-term qualitative assessment of the extent to which we achieve our compliance priorities for media and content services. It is a proxy measure of efficiency as it assesses the extent to which we've successfully completed each priority on time.

The case study selected to measure performance will vary each year, as will the resources required to undertake the compliance priority.

Method:

We will assess performance using a case study on one of the priorities each year. In 2023–24, the case study will examine gambling harm minimisation activities. We will identify the compliance priority objectives and the respective implementation dates, then review whether the objectives were implemented within the timeframes specified in the work plan.

Data/Information sources: Program documentation.

PBS links: Outcome 1, Program 1.2 – Consumer safeguards, education and information.

Regulator performance principle: Risk based and data driven.

Performance measure 2.2: The ACMA's activities contribute to Australian consumers having access to diverse media content and services.

We are responsible for compliance and enforcement of media content and services. This includes ensuring industry follows the rules set in legislation, industry codes and standards and licences. If a regulated entity does not comply with their obligations, a range of enforcement tools can be used, consistent with our published compliance and enforcement policy. We are also responsible for broadcasting licensing and renewal decisions for the media content and services industry.

This performance measure directly aligns to and measures the intermediate impact of Australian consumers having access to diverse media and contact services. It has 4 evenly weighted targets – one measures the effectiveness of the activities in achieving the impact and 3 measure the efficiency of the activities.

Target 2.2.1

2023–24

Enforcement decisions to accept or give agreed measures, EUs, remedial directions or injunctions deliver improved compliance by the relevant regulated entity.

2024–25

Enforcement decisions to accept or give agreed measures, EUs, remedial directions or injunctions deliver improved compliance by the relevant regulated entity.

2025–26

Enforcement decisions to accept or give agreed measures, EUs, remedial directions or injunctions deliver improved compliance by the relevant regulated entity.

2026–27

Enforcement decisions to accept or give agreed measures, EUs, remedial directions or injunctions deliver improved compliance by the relevant regulated entity.

Description:

We conduct our compliance and enforcement activities in accordance with our compliance and enforcement policy. Under this, we adopt a strategic risk-based approach, which recognises that breaches of the rules established by Acts and instruments will be dealt with effectively and efficiently. We will take regulatory action commensurate with the seriousness of the breach and the level of harm.

Rationale:

The target measures how effective we have been in supporting behavioural change in non-compliant entities by assessing whether entities complied with the obligations set out in agreed measures, enforceable undertakings (EUs), remedial directions, or injunctions.

Those obligations will have been designed to contribute to improved compliance over time by the entity.

This target is a long-term quantitative assessment of our effectiveness in achieving the intermediate impact of Australians having access to diverse media content and services.

Method:

We will identify each entity subject to agreed measures, EUs, remedial directions or injunctions that are required to be reported to the ACMA. We will identify the number of obligations that were complied with to determine whether the imposition of enforcement actions is delivering improved compliance.

Data/Information sources: Internal records of agreed measures, EUs, remedial direction and injunctions.

PBS links: Outcome 1, Program 1.2 – Consumer safeguards, education and information.

Regulator performance principle: Collaboration and engagement.

Target 2.2.2

2023–24

Community broadcasting licence renewal decisions are made within the statutory timeframes.

2024–25

Community broadcasting licence renewal decisions are made within the statutory timeframes.

2025–26

Community broadcasting licence renewal decisions are made within the statutory timeframes.

2026–27

Community broadcasting licence renewal decisions are made within the statutory timeframes.

Description:

The ACMA is responsible for community broadcast licensing and renewal decisions. Community broadcasting plays an important role in Australia, delivering content that is diverse and relevant to the local community. The goals of community broadcasters are to:

- > promote a diverse range of broadcasting for the Australian public
- > develop and reflect Australian identity, character and cultural diversity
- > provide local content.

Rationale:

The target measures how effective our activities are by assessing the extent to which community broadcasting licensing renewal decisions meets statutory timeframes. Achieving the target demonstrates that our activities are delivered efficiently and support Australians' access to diverse media content and services. This target provides a long-term quantitative assessment of our activities and is a proxy efficiency measure of performance.

Method:

We will use a quantitative assessment of whether community broadcasting licence renewal decisions were made within the statutory timeframes. We will identify licences due to expire in the relevant financial year and the relevant renewal applications and compare the date the renewal decisions were made to the licence expiry dates.

Data/Information sources: Records of licence renewal applications.

PBS links: Outcome 1, Program 1.2 – Consumer safeguards, education and information.

Regulator performance principle: Continuous improvement and building trust.

Target 2.2.3

2023–24

Media control notifications and caption order applications are processed within statutory timeframes.

2024–25

Media control notifications and caption order applications are processed within statutory timeframes.

2025–26

Media control notifications and caption order applications are processed within statutory timeframes.

2026–27

Media control notifications and caption order applications are processed within statutory timeframes.

Description:

The ACMA is responsible for monitoring and enforcing statutory control and media diversity rules, including managing registers with information about the control of media operations. We are also responsible for processing applications for target reduction or exemption orders from captioning obligations by broadcasters.

Rationale:

This target provides a long-term qualitative assessment of our media control activities and management of captioning order applications. It is a proxy efficiency measure that assesses whether the processing of these notifications and applications meet statutory timeframes.

Method:

We will use a qualitative assessment to determine if media control notifications and captioning applications were processed within the statutory timeframes. The assessment will identify the date the notifications/applications were received, types of notifications/applications and relevant processing timeframes, and compare this to the date the notifications/applications were processed.

Data/Information sources: Notification and application records.

PBS links: Outcome 1, Program 1.2 – Consumer safeguards, education and information.

Regulator performance principle: Continuous improvement and building trust.

Target 2.2.4

2023–24

Annual compliance results for Australian content and captioning reporting are finalised within 6 months of reports being received.

2024–25

Annual compliance results for Australian content and captioning reporting are finalised within 6 months of reports being received.

2025–26

Annual compliance results for Australian content and captioning reporting are finalised within 6 months of reports being received.

2026–27

Annual compliance results for Australian content and captioning reporting are finalised within 6 months of reports being received.

Description:

Certain broadcasters are required to broadcast a minimum amount of Australian content and report to the ACMA on an annual basis. There are also rules about showing captions on some programs that broadcasters must also report to the ACMA on an annual basis. We use this data to prepare and release the following reports:

- > content compliance report (metropolitan networks)
- > content compliance report (regional networks)
- > free-to-air broadcasters and subscription TV licensees captioning compliance report.

Rationale:

The target provides a long-term quantitative assessment of how efficient the annual compliance results are by evaluating the extent to which we finalised them within 6 months. It is a proxy measure that enables us to assess the sector's reported annual compliance results against statutory obligations.

Method:

We will make a quantitative assessment of whether the annual compliance results for Australian content and captioning reporting were finalised within 6 months of industry information being received. The assessment will compare the dates the results were due to be finalised, and the dates the results were finalised.

Data/Information sources: Annual compliance results and internal documentation.

PBS links: Outcome 1, Program 1.2 – Consumer safeguards, education and information.

Regulator performance principle: Collaboration and engagement.

Performance measure 2.3: The ACMA's activities contribute to Australians' access to a competitive telecommunications market.

The ACMA is responsible for compliance and enforcement of telecommunication services. This includes checking whether industry follows the rules set in legislation, industry codes and standards, and licences. If a telecommunications provider breaks a rule, we may issue formal warnings or direct them to comply, or take further action if they do not comply after a formal warning or direction.

This performance measure aligns to and measures the intermediate impact of effectiveness of Australians having access to a competitive telecommunications market. It has 2 evenly weighted targets – one measures the effectiveness of the activities in achieving the impact and the other target is a proxy measure for the efficiency of the activities.

Target 2.3.1			
2023–24	2024–25	2025–26	2026–27
2023–24 compliance priorities concerning telecommunications services are on track or implemented on time.	2024–25 compliance priorities concerning telecommunications services are on track or implemented on time.	2025–26 compliance priorities concerning telecommunications services are on track or implemented on time.	2026–27 compliance priorities concerning telecommunications services are on track or implemented on time.

Description:

Our annual compliance priorities establish key areas of focus. They guide our efforts to deliver effective compliance and, where necessary, targeted enforcement action. Priorities are selected because they are in the public interest or represent developing areas where we could encourage compliance to boost public confidence in Australia's communications infrastructure.

The annual compliance priorities include monitoring telecommunications services.

Rationale:

The target provides a long-term qualitative assessment of the extent to which we have achieved our compliance priorities for telecommunication services. It is a proxy measure of efficiency as it assesses the extent to which we have successfully completed each priority on time. The case study selected to measure performance will vary each year, as will the resources required to undertake the compliance priority.

Method:

We will assess performance against this target through a case study on one of the priorities each year. For 2023–24, the case study will look at how telcos are assisting customers experiencing domestic and family violence. We will identify the compliance priority objectives and their respective implementation dates then review whether the objectives were implemented within the timeframes in the work plan.

Data/Information sources: Program documentation.

PBS links: Outcome 1, Program 1.2 – Consumer safeguards, education and information.

Regulator performance principle: Risk based, and data driven.

Target 2.3.2

2023–24

Enforcement decisions to accept or give agreed measures, EUs, remedial directions or injunctions deliver improved compliance by the relevant regulated entity.

2024–25

Enforcement decisions to accept or give agreed measures, EUs, remedial directions or injunctions deliver improved compliance by the relevant regulated entity.

2025–26

Enforcement decisions to accept or give agreed measures, EUs, remedial directions or injunctions deliver improved compliance by the relevant regulated entity.

2026–27

Enforcement decisions to accept or give agreed measures, EUs, remedial directions or injunctions deliver improved compliance by the relevant regulated entity.

Description:

We conduct our compliance and enforcement activities in accordance with our compliance and enforcement policy. Under this, we adopt a strategic risk-based approach. This recognises that breaches of the rules established by Acts and instruments will be dealt with effectively and efficiently. We will take regulatory action commensurate with the seriousness of the breach and the level of harm.

Rationale:

The target measures how effective we have been in supporting behavioural change in non-compliant entities by assessing whether entities complied with the obligations set out in agreed measures, enforceable undertakings (EUs), remedial directions, or injunctions.

Those obligations will have been designed to contribute to improved compliance over time with the relevant obligations by the entity.

This target is a long-term quantitative assessment of our effectiveness in achieving the intermediate impact of Australians having access to diverse, high-quality telecommunications services.

Method:

We will identify each entity subject to agreed measures, enforceable undertakings, remedial directions and injunctions that are required to be reported to the ACMA. We will identify the number of obligations that were complied with to determine whether the imposition of enforcement actions is delivering improved compliance.

Data/Information sources: Internal records of agreed measures, EUs, remedial direction and injunctions.

PBS links: Outcome 1, Program 1.2 – Consumer safeguards, education and information.

Regulator performance principle: Collaboration and engagement.

