



## Formal Warning issued under subsection 103(1) of the *Telecommunications Act 1997*

TO: Starlink Internet Services Pte. Ltd. (ABN 44 658 489 582)

c/- McBurney & Partners Pty Ltd  
Level 10  
68 Pitt Street  
SYDNEY NSW 2000

The Australian Communications and Media Authority (the **ACMA**), being satisfied for the reasons explained in the ACMA's investigation report sent to Starlink Internet Services Pte.Ltd. (ABN 44 658 489 582) (**Starlink**) on 6 May 2025, that Starlink contravened subsection 101(1) and section 530 of the *Telecommunications Act 1997* (the **Act**) by failing to comply with subsection 12(1) of the *Telecommunications (Consumer Complaints) Record-Keeping Rules 2018* (the **Complaints RKR**s) as described below,

HEREBY issues Starlink a formal warning under subsection 103(1) of the Act for its failure to comply with subsection 101(1) and section 530 of the Act, as a consequence of failing to comply with subsection 12(1) of the Complaints RKR.

### Details of the contravention

#### *Obligation*

Subsection 101(1) of the Act provides that a service provider must comply with the service provider rules that apply to the provider. Subsection 98(1) provides that the service provider rules include the rules set out in Schedule 2 to the Act. Clause 1 of Schedule 2 to the Act provides that a service provider must comply with the Act.

Section 530 of the Act provides that a carrier or carriage service provider (**CSP**) must comply with any record-keeping rules that are applicable to the carrier or provider. The Complaints RKR are record-keeping rules made by the ACMA under section 529 of the Act which apply to retail CSPs.

Under subsection 103(1) of the Act, the ACMA can issue a formal warning to a service provider if the service provider contravenes a service provider rule.

#### *Investigation findings*

Starlink is a CSP that supplies satellite internet services directly to consumers. It is therefore a retail CSP for the purposes of the Complaints RKR and required to comply with the Complaints RKR under section 530 of the Act.

Subsection 12(1) of the Complaints RKR provides that a retail CSP that is or was a qualifying CSP for a record-keeping period must give the ACMA a complaints report in

respect of that record-keeping period no later than 30 days after the end of the record-keeping period.

A retail CSP is a qualifying CSP for a record-keeping period if, on the last day immediately preceding the record-keeping period, the total number of services in operation (**SIO**) supplied by the provider was 30,000 or more. Record-keeping period is defined to mean a period of 3 months ending on 30 June, 30 September, 31 December or 31 March as the case may be.

Starlink has confirmed that it had more than 30,000 SIO on 31 March 2024, 31 December 2023, 30 September 2023, and 30 June 2023. Starlink was therefore a qualifying retail CSP in respect of the June 2024, March 2024, December 2023, and September 2023 record-keeping periods (collectively, the **4 record-keeping periods**).

On 4 and 6 March 2025, more than 30 days after the end of the 4 record-keeping periods, Starlink gave the ACMA complaints reports for each period.

The ACMA is consequently satisfied that, between 31 October 2023 and 31 July 2024, Starlink did not comply with subsection 12(1) of the Complaints RKR on 4 occasions as it did not give complaints reports to the ACMA in respect of the 4 record-keeping periods no later than 30 days after the end of each record-keeping period when it was a qualifying retail CSP.

As a consequence of failing to comply with the Complaints RKR, the ACMA is also satisfied that Starlink contravened, on the same 4 occasions, section 530 of the Act, and thereby has also contravened the service provider rule set out at clause 1 of Schedule 2 to the Act, and subsection 101(1) of the Act.

Dated this 6 day of May 2025.



Signature of Member



Signature of General Manager