

Investigation Report

File No.	ACMA2025/34
Carriage Service Provider	Starlink Internet Services Pte.Ltd. (Starlink)
ABN	44 658 489 582
Relevant Legislation	<i>Telecommunications Act 1997</i> <i>Telecommunications (Consumer Complaints) Record-Keeping Rules 2018</i>

Findings

The Australian Communications and Media Authority (**ACMA**) finds that Starlink Internet Services Pte. Ltd. (ABN 44 658 489 582) (**Starlink**) has contravened subsection 12(1) of the *Telecommunications (Consumer Complaints) Record-Keeping Rules 2018* (**Complaints RKR**s) on 4 occasions between 31 October 2023 and 31 July 2024 (the **relevant period**) by failing to give complaints reports to the ACMA no later than 30 days after the end of the record-keeping period to which the report relates.

Consequently, the ACMA also finds that Starlink has contravened, on 4 occasions during the relevant period:

- a. section 530 of the *Telecommunications Act 1997* (the **Act**);
- b. the service provider rules set out at clause 1 of Schedule 2 to the Act; and
- c. subsection 101(1) of the Act.

The ACMA finds that Starlink has not contravened subsection 11(1) of the Complaints RKR for the relevant period.

Legislative context

1. The Complaints RKR apply to retail carriage service providers (**CSP**s).
2. Section 5 of the Complaints RKR defines a retail CSP to mean a CSP that provides a carriage service directly to consumers. CSP is defined in section 87 of the Act to include the supply of a listed carriage service to the public using a satellite-based facility (subsection 87(2)).
3. Under section 7 of the Complaints RKR, a retail CSP is a “qualifying retail 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 CSP was 30,000 or more.
4. Section 5 of the Complaints RKR defines a “record-keeping period” to mean a period of 3 months ending on 30 June, 30 September, 31 December or 31 March as the case may be.

5. Under section 11 of the Complaints RKR, a retail CSP that was a qualifying CSP for a record-keeping period must prepare a complaints report in respect of that period (**Complaints RKR report**). Under section 12 of the Complaints RKR, a qualifying CSP must give a Complaints RKR report to the ACMA no later than 30 days after the end of the record-keeping period.
6. The Complaints RKR are made by the ACMA under section 529 of the Act.
7. Section 530 of the Act states that a CSP must comply with any record-keeping rules that are applicable to the CSP.
8. The Act states that service providers (including CSPs) must comply with the service provider rules that apply to the provider (see subsection 101(1) of the Act). The relevant service provider rule in this case requires a service provider to comply with the Act (see paragraph 98(1)(a) and clause 1 of Schedule 2 to the Act).
9. Failure to comply with section 530 of the Act is therefore a contravention of the service provider rules, and a contravention of subsection 101(1) of the Act.

Background

10. Starlink supplies satellite internet services directly to consumers in Australia. It is therefore a retail CSP for the purposes of the Complaints RKR.
11. On 29 August and 1 October 2024, the ACMA wrote to Starlink outlining the requirements under the Complaints RKR and requesting a count of its SIO. This followed media reporting in March 2024 that Starlink had more than 200,000 customers in Australia at that time.¹
12. On 30 October 2024, 13 November 2024, and 28 November 2024, Starlink gave the ACMA a Complaints RKR report prepared under section 11 of the Complaints RKR for the September 2024 record-keeping period, identifying that it had █████ SIO.² Starlink had not given Complaints RKR reports to the ACMA in respect of any previous record-keeping periods.
13. On 17 December 2024, the ACMA gave Starlink a notice under subsection 521(2) of the Act (the **Notice**) requiring it to provide data on the number of SIOs it had supplied as at the day before the 4 record-keeping periods that preceded the September 2024 record-keeping period. That is, the day before the June 2024, March 2024, December 2023, and September 2023 quarters commenced.³
14. On 24 December 2024, Starlink responded to the Notice with the following SIO data (**Starlink's Response**):

¹ [Starlink reports 200k Australian users | Advanced Television](#).

² Starlink initially reported █████ SIO for the September 2024 record-keeping period, however Starlink revised this figure to █████ on 13 November 2024 after the ACMA reviewed Starlink's submission and provided feedback on 30 October 2024. Starlink provided a further submission on 28 November 2024 revising its complaints numbers.

³ The day before the June 2024 quarter commenced was 31 March 2024; the day before the March 2024 quarter commenced was 31 December 2023; the day before the December 2023 quarter commenced was 30 September 2023; the day before the September 2023 quarter commenced was 30 June 2023.

- > 31 March 2024: █████ SIO
 - > 31 December 2023: █████ SIO
 - > 30 September 2023: █████ SIO
 - > 30 June 2023: █████ SIO.
15. On 13 February 2025, the ACMA commenced an investigation under Part 26 of the Act into Starlink's compliance with subsections 11(1) and 12(1) of the Complaints RKR. On 20 February 2025, the ACMA sent its preliminary findings report to Starlink and invited it to respond by 6 March 2025.
 16. On 4 and 6 March 2025, Starlink gave Complaints RKR reports to the ACMA for the September 2023, December 2023, March 2024 and June 2024 quarters (collectively, the **4 record-keeping periods**).
 17. On 6 March 2025, Starlink responded to the ACMA's preliminary findings. Starlink acknowledged that the Complaints RKR reports were not provided to the ACMA for the 4 record-keeping periods as set out in the ACMA's preliminary findings. Starlink did not dispute the ACMA's preliminary findings.

Findings and reasons

18. Having assessed the information before it, the ACMA finds that Starlink has contravened subsection 12(1) of the Complaints RKR and has not contravened subsection 11(1). Details are set out below.

Subsection 12(1) of the Complaints RKR: Requirement to give complaints reports to the ACMA

19. Under subsection 12(1) of the Complaints RKR, a retail CSP that is or was a qualifying retail CSP for a record-keeping period must give the ACMA a Complaints RKR report in respect of that record-keeping period no later than 30 days after the end of the record-keeping period.
20. Starlink's Response identifies 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 4 record-keeping periods.
21. As Starlink was a qualifying retail CSP on 31 March 2024, 31 December 2023, 30 September 2023, and 30 June 2023, it was required to give a Complaints RKR report to the ACMA no later than 30 days after the end of each of the 4 record-keeping periods. As outlined above, Starlink did not give Complaints RKR reports to the ACMA in respect of the 4 record-keeping periods until 4 and 6 March 2025.
22. Given the above, the ACMA finds that Starlink contravened subsection 12(1) on 31 July 2024, 1 May 2024, 31 January 2024, and 31 October 2023.
23. Consequently, the ACMA finds 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 therefore subsection 101(1) of the Act.

Subsection 11(1) of the Complaints RKR: Requirement to prepare complaints reports

24. Subsection 11(1) of the Complaints RKR provides that:

A retail carriage service provider that is or was a qualifying retail carriage service provider for a record-keeping period must, in accordance with this section, prepare a complaints report in respect of that record-keeping period.

25. For the 4 record-keeping periods Starlink has prepared Complaints RKR reports. The ACMA finds that Starlink did not contravene subsection 11(1) for the 4 record-keeping periods.