

## Summary of TCP Review and Revision Process

### Process

The TCP Code has been updated through a thorough review, consultation and iterative drafting process, with numerous opportunities for stakeholder input and discussion. This process was specifically designed to address stakeholder feedback about previous Code reviews, with a specific aim of allowing more in-depth analysis and exploration of the issues.

The process included:

- a) written and verbal submissions at stage 1 of the review, including in response to a public discussion paper.
- b) written and verbal submissions and dialogue with the Review Committee (RC) throughout stage 2 of the review, including:
  - RC meetings and documentation (discussing issues identified in stage 1 and in meetings, resulting in issue papers/position statements, minutes, report summaries, etc.)
  - one-on-one meetings with key stakeholders
  - consultation on a comprehensive December 2023 'Code review package' (issues papers, outline revised code, comment log), and
  - consultation on an iterative May 2024 draft Code.
- c) written submissions through the formal public consultation process at stage 3 of the review, with comments invited on a draft updated Code (opened 17-12-2024, closed 28-02-25). This included invitation to provide input on any aspect of the Code, with targeted questions to explain and seek further input on issues where divergent stakeholder views were apparent. This included a direct discussion and request for advice from FNDIAG about credit management thresholds during a meeting on broader issues (22-11-24).
- d) an open invitation to any stakeholder to raise and discuss issues directly with Communications Alliance at any point in the process.
- e) an open invitation to any stakeholder to raise and discuss issues directly with Independent Adviser (IA) to the TCP Code, Michael Cosgrave, at any point in the process.

*Note: as part of his brief, the IA will provide an independent report to the ACMA on his views about whether the review and revision process was fair, reasonable, and transparent.*

## Input, engagement and analysis

The following input was received, analysed and responded to by the Drafting Committee, including through comment logs, and transparently shared on the CA website:

- a) Stage 1: 8 written submissions, 2 one-on-one stakeholder meetings. (Details [here](#))
- b) Stage 2: 4 RC meetings, one-on-one meetings with/ direct input provided by OAIC, FNDIAG, ACMA, written input by RC at numerous stages. (Details [here](#), [here](#) and [here](#), including a comment log detailing comments received on, and the drafting committee's response to them)
- c) Stage 3: 28 public comment submissions were received (stage 3). These were reviewed by the TCP Code Drafting Committee and:
  - provided to the ACMA
  - listed and published on the Communications Alliance website (except where provided confidentially).
- d) Additionally, the Drafting Committee received:
  - comments, but not formal submissions, from Amaysim, Aussie Broadband, Optus, Telstra, TPG-T, Symbio and Vocus (received via the Drafting Committee and included in the comment log).
  - a letter from the ACMA (8 April) which summarised key issues of concern raised in publications.

The Drafting Committee reviewed and discussed comments from all parties and:

- made amendments to the attached TCP Code proposed for submission to the ACMA for publication, and
- detailed its responses (including rationale for not accepting suggested changes) in the 'Public Comment' comment log.

Further detail about all steps in the process, submissions received, Review Committee meeting summaries, comment logs, etc., is available on the Communications Alliance website.

Note: For transparency and to allow all stakeholders to see their and others' comments, and the Drafting Committee's response to them, a version of the comment log with not-for-publication comments removed (from the OAIC, Department) will be published on the CA website, after it has been provided to the ACMA. This will be accompanied by the draft updated Code and other relevant documentation.

### **One-on-one briefings**

Bilateral meetings were available to any stakeholder at any point in the process.

Additional targeted briefings were offered to Review Committee on updates to clauses relating to sales incentives, prior to the public comment draft being published, to assist their review of the changes.

Additionally, bilateral meetings were offered (and accepted) by ACCAN (prior to the ballot) and other members of the Review Committee (ACCC, the Department, TIO) at the conclusion of the public comment stage (May 2025), with copies of the comment log and updated Code (with comments to highlight and explain key changes).