

From:



[Craig Riviere](#)

Subject:

RE: This morning's ACCC/ACMA catch up [SEC=OFFICIAL]

Date:

Friday, 1 December 2023 11:31:51 AM

Attachments:

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[image002.png](#)

[image003.png](#)

[image004.png](#)

[EO - Correspondence - John Stanton - Communications Alliance - Signed by Deputy Chair Catriona Lowe 30 November 2023\(16088924.2\).pdf](#)

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OFFICIAL

Further to the below, I've attached for your information correspondence we sent to Communications Alliance yesterday. As outlined in the letter, we intend to provide some further comments on the 17 November draft TCP Code package in the coming weeks.



Craig Riviere <Craig.Riviere@acma.gov.au>

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Australian Communications and Media Authority

+61 2 6219 5145

adrian.smith@acma.gov.au

acma.gov.au



[REDACTED]
[REDACTED]
[REDACTED] Craig Riviere <Craig.Riviere@acma.gov.au>

Cc: [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
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The ACCC acknowledges the traditional owners and custodians of Country throughout Australia and recognises their continuing connection to the land, sea and community. We pay our respects to them and their cultures; and to their Elders past, present and future.

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Contact officer: [REDACTED]
Contact phone: [REDACTED]

Land of the Wurundjeri people of the Kulin Nation
Level 17, 2 Lonsdale Street
Melbourne Vic 3000

30 November 2023

GPO Box 3131
Canberra ACT 2601
Tel 03 9290 1800
www.accc.gov.au

John Stanton
CEO
Communications Alliance
PO Box 444
MILSONS POINT NSW 1565

Dear Mr Stanton

Re: Australian Competition and Consumer (ACCC) initial comments on November 2023 draft Telecommunications Consumer Protections Code package

We refer to the package provided to the Telecommunications Consumer Protections Code (TCP Code) Review Committee on 17 November 2023, the Review Committee meeting on 28 November, and Communications Alliance's request for written feedback by 30 November 2023.

We welcome the opportunity to comment, however, unfortunately in view of the very limited time between the meeting and the deadline for written feedback, it will not be possible to provide detailed comments in the time available. Accordingly, to the extent that views of the Review Committee are required by 30 November, this letter should be taken to represent the ACCC's response.

Proposed Outcomes, Expectations and Rules

We note the position and issue papers provided on a range of topics, including the six areas of concern identified by the ACMA (other than financial hardship assistance):

- Responsible selling
- Vulnerable customers
- Domestic and family violence
- Scope and application of the Code
- Code structure, measurements of success and reporting
- Accessibility
- Credit/debt management
- Credit assessments
- Customer service
- Essential information during the sales process
- Languages and translation services
- Mobile network coverage

- Payment methods

While some of the position papers propose specific draft wording for the 2024 TCP Code, others are less clear regarding the Drafting Committee's intentions. This lack of clarity limits the ACCC's ability to provide the feedback requested.

In our further response, we will not touch on the provided sample rules drafting, as we understand this drafting is subject to change. This is unfortunate given the potential for the detailed drafting to either support or diminish the proposed approaches.

As discussed at the 28 November 2023 Review Committee meeting, our further written comments will consider the outcomes and expectations of each chapter, as set out in the draft 2024 TCP Code outline. We will also consider the consumer issues and proposed approaches as outlined in each of the position papers.

Code as a whole

We note the provided papers do not allow the opportunity to consider the proposed TCP Code content as a whole. Whilst we acknowledge provision of the Code outline document, the absence of detailed drafting inhibits the ability to consider how the provisions will interact with each other. As we have indicated throughout the process, being able to consider how the proposed Code content fits together is critical to the ACCC's ability to support (or not support, as the case may be) the proposed TCP Code more generally.

Subject to these limitations and caveats, the ACCC will endeavour to provide Communications Alliance detailed written comments over the coming weeks. We note as a general comment that whilst a number of the proposed approaches represent positive steps forward, others fall short of delivering on the feedback provided by the Review Committee and, more importantly, effective solutions to long standing consumer problems.

Finally, we reiterate, as emphasised at the 28 November 2023 Review Committee meeting, that the Drafting Committee position papers should not be represented by Communications Alliance as reflecting the views of the Review Committee.

[Redacted signature block]

Yours sincerely

[Redacted signature]

Catriona Lowe
Deputy Chair