Australian Government | acma Australian Communications and Media Authority

Australian Government | eSafety Commissioner

Annual report 2023–24

Australian Communications and Media Authority
eSafety Commissioner

Annual report
2023–24

Part 1

Australian Communications and Media Authority
annual report 2023–24

Part 2

eSafety Commissioner annual report 2023–24

Acknowledgement of Country

The Australian Communications and Media Authority and the eSafety Commissioner acknowledge 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 and present.

Artwork from *Connected and United* © Amy Allerton

Contents

Introduction **1**

Australian Communications and Media Authority 2

The eSafety Commissioner 3

About this report 4

Part 1: Australian Communications and Media Authority annual report 2023–24 **5**

Letter of transmittal 7

Chair's foreword 8

Our year at a glance 12

Overview **13**

Functions and responsibilities 14

The Authority 15

Agency structure 18

Our purpose 19

Report on performance **20**

Annual Performance Statement 2023–24 21

The ACMA's performance framework 21

Analysis of performance against purpose 23

Management and accountability **55**

Governance 56

Financial performance and management 60

Our people 72

Appendices **76**

Appendix 1.1: Committees, memberships and attendance at meetings 77

Appendix 1.2: Staffing information 81

Appendix 1.3: Executive remuneration 92

Appendix 1.4: Telecommunications consumer protection compliance and enforcement outcomes 94

Appendix 1.5: Disclosures of information 97

Appendix 1.6: Lawful disruption of access to online services by government agencies 99

Appendix 1.7: Advertising expenditure and market research 100

Appendix 1.8: Data reported by regulated entities 102

Appendix 1.9: Spectrum management functions and powers 105

Appendix 1.10: Outcome table 107

Appendix 1.11: Agency resource statement 108

Appendix 1.12: eSafety financial reporting 109

Appendix 1.13: List of requirements 110

Appendix 1.14: Financial statements 119

Part 2: eSafety Commissioner annual report 2023–24 **167**

Letter of transmittal 169
Commissioner's foreword 170
Our year at a glance 173

Overview **175**

Functions and responsibilities 176
The Commissioner 177
eSafety structure 178
Our purpose 179

Report on performance **180**

Annual Performance Statement 2023–24 181
eSafety's performance framework 181
Analysis of performance against purpose 183
Our performance 185

Management and accountability **218**

Financial performance and management 219
Governance 219

Appendices **222**

Appendix 2.1: Mandatory reporting under the *Online Safety Act 2021* 223
Appendix 2.2: Online Safety Grants Program 229

Glossary **232**

Index **236**

Introduction

Australian Communications and Media Authority

The Australian Communications and Media Authority (ACMA) aims to contribute to maximising the economic and social benefits of communications infrastructure, content and services for Australia.

We do this by fostering a communications and media environment that balances the needs of industry and the Australian community through regulation, education and advice.

We maintain, enforce and improve regulation to drive industry performance and protect consumers; manage public resources to enable industry to deliver existing and new services; and understand the changing communications sector to inform decision-making.

By engaging with consumers, industry and government to shape and apply the regulatory framework in the public interest, we encourage and promote an innovative communications and media sector.

This work underpins our vision: a connected, informed and entertained Australia.

Find out more at **acma.gov.au**.

The eSafety Commissioner

The eSafety Commissioner (eSafety) is Australia's independent regulator for online safety. eSafety fosters online safety by exercising powers under Australian Government legislation, primarily the *Online Safety Act 2021*, to protect Australians from online harms and to promote safer, more positive online experiences.

We achieve this through regulation, national leadership and coordination, research, and educational and awareness activities that promote online safety.

eSafety leads and coordinates online safety efforts across Australian Government departments, authorities and agencies.

The eSafety Commissioner is an independent statutory office holder. Under the Online Safety Act, the ACMA makes staff available to assist the eSafety Commissioner to perform its functions and exercise its powers to such extent as the eSafety Commissioner reasonably requires.

Find out more at **eSafety.gov.au**.

About this report

This report provides details of the ACMA's and eSafety's performance for 2023–24, key corporate information and responses to the mandatory reporting requirements.

As a primary mechanism of accountability to the Parliament of Australia, this report has been prepared in line with the requirements for annual reports for non-corporate Commonwealth entities under the *Public Governance, Performance and Accountability Act 2013*.

Guide to the report

Introduction outlines the joint nature of this report.

Part 1: Australian Communications and Media Authority annual report 2023–24

- Overview
- Report on performance (includes the Annual Performance Statement and financial performance)
- Management and accountability (includes information the ACMA is required to report on in relation to eSafety)
- Appendices (includes information the ACMA is required to report on in relation to eSafety)

Part 2: eSafety Commissioner annual report 2023–24

- Overview
- Report on performance
- Accountability arrangements and enquiries management
- Appendices

Aids to access

- Table of contents
- Index
- Glossary
- List of requirements (Appendix 1.13)

Part 1

Australian Communications and Media Authority
annual report 2023–24

Contact details

Canberra
Level 3
40 Cameron Avenue
Belconnen ACT

PO Box 78
Belconnen ACT 2616

T +61 2 6219 5555

Melbourne
Level 32
Melbourne Central Tower
360 Elizabeth Street
Melbourne VIC

PO Box 13112
Law Courts
Melbourne VIC 8010

T +61 3 9963 6800

Sydney
Level 5
The Bay Centre
65 Pirrama Road
Pyrmont NSW

PO Box Q500
Queen Victoria Building
NSW 1230

T +61 2 9334 7700

This report is available on the ACMA website at acma.gov.au/annualreport

Enquiries about this report can be directed to the Governance Manager at info@acma.gov.au or by calling 1300 850 115.

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Australian Government | acma Australian Communications and Media Authority

Chair and Agency Head

The Hon Michelle Rowland MP
Minister for Communications
Parliament House
CANBERRA ACT 2600

Dear Minister

I am pleased to present the annual report of the Australian Communications and Media Authority (ACMA) for the year ended 30 June 2024 for presentation to the Parliament.

This report has been developed in compliance with section 46 of the *Public Governance, Performance and Accountability Act 2013* and section 57 of the *Australian Communications and Media Authority Act 2005.*

Due to its operational independence and statutory obligations, the annual report of the eSafety Commissioner, prepared for the purpose of section 183 of the *Online Safety Act 2021,* is presented in Part 2 of the report.

Further, in accordance with section 10 of the *Public Governance, Performance and Accountability Rule 2014*, I certify that:

(i) fraud risk assessments and fraud control plans have been prepared for the ACMA;

(ii) appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meet the needs of the ACMA are in place; and

(iii) I have taken all reasonable measures to deal appropriately with fraud relating to the ACMA.

Yours sincerely

Nerida O'Loughlin PSM
26 September 2024

PO Box 78, Belconnen ACT 2616
OfficeoftheChair@acma.gov.au | acma.gov.au

Chair's foreword

I am pleased to present the annual report of the Australian Communications and Media Authority (ACMA) for 2023–24.

The communications and media sectors play an integral role in the functioning of Australian society and our economy. The industries that comprise these sectors and their consumers have experienced challenging times over the last year due to an unpredictable global environment, continuing disruptions to international supply chains, and cost of living pressures.

Despite this, Australians continue to embrace digital connectivity, relying on these services for communications, connection, trusted information and entertainment. ACMA research indicates that in the 6 months to June 2023, 99% of Australian adults accessed the internet, up from 90% in 2019. Of those online Australians, 95% used the internet to find news and information, while 87% purchased goods or services online.

Consumers also value the ubiquity and convenience of digital technology, with 95% of Australian adults using their mobile phones to connect to the internet in the 6 months to June 2023. Consumers expect that these services will be resilient and secure as they play a constant part of their lives.

In this environment, the ACMA seeks to have adaptive regulatory approaches that keep pace with the shifting landscape, safeguarding consumer protections while supporting industry innovation.

Actively enforcing regulatory responsibilities

In 2023–24, the ACMA successfully undertook a range of enforcement activities under its existing regulatory remit and also gained new regulatory responsibilities.

The ACMA took enforcement action against a number of large corporations, including Kmart, Uber and Ticketek for breaches of Australia's spam rules. Our anti-spam enforcement actions resulted in financial penalties of more than $9.5 million for the businesses involved and serve as a deterrent for unlawful electronic marketing practices.

Over the course of the year, telecommunications companies were penalised more than $5 million by the ACMA for various non-compliance matters, including a $3 million penalty to Telstra for wrongly charging customers for inactive internet services.

Following action taken by the ACMA, in July 2023 the Federal Court imposed a penalty of $5 million on Diverse Link Pty Ltd for contraventions of the *Interactive Gambling Act 2001* (IGA). This was the first time the Federal Court has ordered a civil penalty in relation to contraventions of the IGA.

In September 2023, the Federal Court dismissed a challenge by Axicom Inbuilding Solutions Pty Ltd into the approach the ACMA had taken to assess the eligible revenue of the carrier to calculate their contribution to the Telecommunications Industry Levy (TIL). The case provided some important clarification to industry of the law in regard to the TIL.

In May 2024, the Federal Court found that Phaze Broadcasting Pty Ltd contravened the *Radiocommunications Act 1992*. This ruling followed an investigation by the ACMA into allegations Phaze was breaching its low-power narrowcasting (LPON) licence.

Also in May 2024, we filed proceedings in the Federal Court against Optus for its 2022 data breach, which potentially impacted more than 9.5 million current and former customers.

We allege that Optus failed to protect the confidentiality of its customers' personal information from unauthorised interference or unauthorised access as required under the *Telecommunications (Interception and Access) Act 1979*.

As the national online gambling regulator, the ACMA has been active in online gambling harm minimisation, continuing to disrupt illegal offshore gambling sites operating in Australia. More than 1,000 illegal gambling sites have been blocked since the ACMA commenced this work in 2019.

Many of the above actions were reflective of our annual compliance priorities, which we promote to provide transparency to industry of our focus for the year. During this year, we also undertook substantial compliance work in the areas of financial hardship for telco consumers, combating scams and tackling the online supply of dodgy devices.

The ACMA has also been provided with new responsibilities under the government's reform agenda and in response to particular events. This included in response to an Optus outage in November 2023 that affected Australians' ability to contact the vital Triple Zero emergency service. In March 2024, the government agreed to recommendations in a post-incident review of the outage that will see the ACMA introduce new rules in 2024–25 on testing, communications and reporting on network outages.

In addition, the Minister for Communications directed the ACMA in September 2023 to make an enforceable industry standard to ensure appropriate support is provided to telecommunications customers experiencing financial hardship. This standard came into effect in March 2024.

The ACMA will also be responsible for implementing Parliament's decision to establish a prominence framework to assist Australians to more easily access Australian stories, news and content from their connected TV devices.

Delivering consumer protections in an increasingly online world

Alongside our enforcement actions, the ACMA has undertaken a wide range of compliance, education, research and other work to inform government and industry and to improve consumer outcomes.

Governments around the world are moving to consider whether a range of online harms should be regulated to protect consumers, particularly the young and the vulnerable. For the ACMA, this means an increasing focus of our work will be in the online world.

A primary example is the commencement of BetStop – The National Self-Exclusion Register™ in August 2023. The register allows individuals to exclude themselves from all licensed online and phone wagering services for a minimum of 3 months, up to a lifetime. As at 30 June 2024, almost 26,000 people had made the decision to register for this vital support mechanism.

A strong and vibrant news media market helps promote pluralism and protect our democratic processes. News consumption in Australia continues to evolve, driven by technological change and new services. Our research has found that social media is now a key source for news, a trend driven by younger Australians, with nearly half (46%) of those aged 18 to 24 nominating social media as their main source of news in the 7 days to June 2023.

In 2023, the ACMA commenced the implementation of the Media Diversity Measurement Framework, which will help inform government decision making in support of Australian public interest journalism and media diversity.

Throughout the year, the ACMA also continued to monitor digital platforms' activities under the voluntary Australian Code of Practice on Disinformation and Misinformation and report to government on the adequacy and effectiveness of the code.

As one of the 4 members of the Digital Platform Regulators Forum (DP-REG), the ACMA contributes to a broader regulatory approach to addressing online harms by sharing information, collaborating on cross-cutting issues and facilitating better coordination across government on digital platform regulation.

In 2023–24, the ACMA has also had a strong focus on telecommunications consumer protections, publishing a major position paper – *What consumers want: Consumer expectations for telecommunications safeguards* – in July 2023. This paper set out the ACMA's views on the efficacy of the current Telecommunications Consumer Protection Code and highlighted areas where current safeguards require improvement to meet consumer expectations.

The ACMA continues to take the fight to scammers to disrupt their activities and protect Australians. We do so working alongside major Australian companies, other government agencies and international regulators, supporting the work of the National Anti-Scam Centre, which was launched on 1 July 2023 under the government's Fighting Scams initiative.

The telco industry reports that under the ACMA-administered Reducing Scam Calls and Scam SMs industry code, more than 721 million scam calls and 411 million scam SMS were blocked in 2023–24.

The ACMA is also implementing and maintaining an Australian SMS sender ID registry, which will be a key mechanism to stop scam texts impersonating well-known brands getting through to consumers.

Supporting industry innovation through spectrum management and licensing

In 2023–24, the ACMA undertook a range of spectrum management and licensing initiatives to deliver long-term benefit to industry and the public. Central to this work is our five-year spectrum outlook, which sets out our priorities taking into account developments in the market that impact on industry and consumer interests.

We continue to see a demand for higher speed, lower latency connections driving innovations, including in 5G/6G, Wi-Fi 6, and satellite direct-to-mobile services with low Earth orbit (LEO) satellites. Our approach to the resulting competition for spectrum is to be adaptable and responsive, ensuring the timely delivery of spectrum to market.

This included our auction in November 2023 of spectrum in the 3.4 GHz and 3.7 GHz bands in metropolitan and regional areas. The auctions were successfully delivered utilising the ACMA's new auction management system and met the government's stated objectives, as outlined in the Ministerial Policy Statement of February 2020, including to promote competitive markets and support digital connectivity.

Our development of an area-wide licence (AWL) type is an innovative approach to apparatus licensing, designed to enhance the flexibility and adaptability of spectrum regulation and facilitate new or expanded uses for spectrum.

As part of this approach, we successfully completed the allocation process for area-wide licences in the 3.4 to 4.0 GHz band in remote areas of Australia, which is expected will be used to support a wide range of innovative business cases, including broadband services for remote communities.

As a key priority, the ACMA is considering the status of current 20-year spectrum licences that are due to expire between 2028 and 2032. A 4-stage consultative process is underway that will guide our assessment of future options for this spectrum.

In February 2024, we also took responsibility for a new amateur radio class licence framework, setting a consistent approach in fees, standards and accreditation for these licensees. The new licensing arrangements deliver a more streamlined system, providing an improved end-to-end experience for operators while maintaining our effective administration of the spectrum.

Organisational adaptability and capability

As an agency, we continue to initiate programs that contribute to best regulatory practice and enhance performance, culture and capability.

The ACMA is committed to reconciliation between First Nations and non-indigenous peoples, and to a diverse and inclusive workplace. Our inaugural Reconciliation Action Plan (RAP) was released in August 2023. Through this plan we will work to strengthen our relationships with First Nations peoples and create opportunities for cultural understanding and meaningful engagement. Our Diversity and Inclusion Strategy was released in May 2024 and sets out the actions we will take to support a diverse and inclusive workforce.

Our Digital Strategy serves as a blueprint for transforming the agency into a digital business, adept at fulfilling regulatory responsibilities and meeting customer expectations. Over 2023–24, digital business initiatives have been delivered that support business outcomes for unsolicited communications and scams, amateur licensing, area-wide licensing renewals, Australian content quotas and interactive gambling.

Under our Data Strategy and Governance Framework, several Data Action Projects have been delivered over the year that, using data analytics, aim to improve our compliance, regulatory and operational functions. Over 2023–24, projects have been delivered for unsolicited communications, spectrum management, broadcast area licensing, interactive gambling and content safeguards.

The year also saw changes in the Authority's membership. I would like to acknowledge the significant contribution of James Cameron over the 10 years of his various terms of appointment to the ACMA. James brought to all his ACMA roles his deep intellect, an ability to grasp very complex topics, a collaborative approach and an abiding commitment to the public interest.

I also acknowledge Anita Jacoby's tenure also over a 10-year period as a part-time and, more recently, an Associate Member of the Authority. Anita generously shared her deep and practical understanding of the media industry to inform the Authority's consideration of many matters over the years.

Newly appointed Authority Members – Adam Suckling, Samantha Yorke and Carolyn Lidgerwood – all commenced their 5-year terms in the reporting period. Each bring a wealth of skills and experience to contribute to the ACMA's work across its very broad regulatory remit.

I thank all Authority colleagues and the ACMA staff for their work over the reporting period as we look forward to meeting new challenges and delivering public benefit through the regulatory regimes we administer.

Nerida O'Loughlin PSM
Chair

Our year at a glance

We finalised 214 investigations:	
Broadcasting	13
Gambling advertising – broadcasting and online services	8
Interactive gambling	50
Telco consumer safeguards	26
Unsolicited communications	4
Scams and customer ID authentication	10
National Interest	2
Integrated Public Number Database	3
Telecommunications	1
Radiocommunications	97

We issued 5,698 informal warnings or advice:	
Radiocommunications	201
Radiocommunications interference investigations	195
Domestic services interference investigations	137
EME measurements	198
Telecommunications	30
Broadcasting	4
Media control and diversity rules	5
BetStop – the National Self-Exclusion Register	100
Telco consumer safeguards	138
Unsolicited communications	4,690

We issued 62 formal warnings or advice:	
Media control and diversity rules	14
Interactive gambling	38
Telco consumer safeguards	10

We accepted 16 enforceable undertakings:	
Broadcasting	2
Telco consumer safeguards	1
Anti-fraud and customer ID authentication	2
Unsolicited communications	8
Integrated Public Number Database	3

We issued 15 infringement notices, totalling $15,552,500:	
Telco consumer safeguards	2
Unsolicited communications	6
Anti-fraud and customer ID authentication	3
Integrated Public Number Database	3
Gambling advertising – online services	1

We issued 22 directions to comply:	
Telecommunications consumer safeguards	5
Phone scams	10
Integrated Public Number Database	7

We issued 3 remedial directions:	
Broadcasting	1
Telecommunications consumer safeguards	1
Radiocommunications	1

We undertook 2 civil penalty proceedings	
Telecommunications consumer safeguards	1
Radiocommunications	1

We engaged with our stakeholders:	
Public consultations published	48
Targeted electronic newsletters sent	225
Media releases issued	33
Customer enquiries actioned	30,252

We allocated or issued 13,088 licences:	
Broadcasting	93
Telecommunications	21
Radiocommunications	12,974

We renewed 165,360 licences:	
Broadcasting	90
Radiocommunications	165,270

We made 47 legislative instruments

We undertook 1 criminal penalty proceeding (radiocommunications)

Overview

Functions and responsibilities

The ACMA's regulatory functions are set out in Part 2, Division 2 of the *Australian Communications and Media Authority Act 2005*. The ACMA is a statutory authority within the Infrastructure, Transport, Regional Development, Communications and the Arts portfolio, with the Hon Michelle Rowland MP, Minister for Communications the responsible minister. The ACMA also has formal reporting responsibilities to the Minister for the Arts, the Hon Tony Burke MP.

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 make regulatory instruments under primary legislation and may, in certain circumstances, be directed by the minister to do so.

In accordance with the relevant legislation, our specific responsibilities include:

- regulating telecommunications and broadcasting services, some internet content, interactive gambling and datacasting services
- managing access to spectrum and planning the availability of radiofrequency bands through licence arrangements, and resolving competing spectrum demands through price-based allocation methods for the telecommunications and broadcasting sectors
- regulating compliance with the relevant legislation, licence conditions, codes of practice, standards, service guarantees and other safeguards
- upholding community safeguards and protections
- promoting and facilitating industry self-regulatory and co-regulatory solutions to emerging issues
- exercising powers, where necessary, to create legislative and other instruments, often in the form of standards or service provider rules
- providing information to Australians to promote informed decisions about communications products and services
- reporting on matters relating to the communications industry, including its performance
- representing Australia's communications interests internationally
- advising the government on specific matters from time to time.

The Authority

Chair and Agency Head – Nerida O'Loughlin PSM
Appointed 14 October 2017 for 5 years
Re-appointed Chair 14 October 2022 for 2 years
Re-appointed Chair 14 October 2024 for 3 years

Nerida O'Loughlin was appointed as Chair of the ACMA from 14 October 2017. From 2011, Nerida was a Deputy Secretary in the Department of Communications, where she led the Digital Television Switchover Program until 2013 and was responsible for a diverse range of policy, program and project areas. Nerida also served as interim Chief Executive Officer (CEO) of the Digital Transformation Agency from 2016 to 2017.

Nerida has worked in Commonwealth and state government agencies, predominantly in technology and content policy and program roles.

Nerida was awarded a Public Service Medal in the Queen's Birthday Honours List on 10 June 2019 for outstanding public service.

Nerida is also a Part-time Associate Member of the ACCC, appointed 6 April 2019 to 13 October 2022 and was re-appointed on 16 December 2022 until 13 October 2024.

Deputy Chair and CEO – Creina Chapman
Appointed 11 June 2018 for 5 years
Re-appointed Deputy Chair 11 June 2023 for 18 months

Creina Chapman has held several senior executive and strategic adviser roles at commercial media companies Southern Cross Austereo, News Corp, Publishing & Broadcasting Limited and the Nine Network. Her experience in the media and communications sector is gained from organisations spanning television, radio, print, mobile services, podcasting and online services that serve metropolitan, regional and remote Australian markets.

Creina has also been a senior policy adviser to federal members of parliament, including the communications, information technology and Treasury portfolios.

Full-time Member – James Cameron
Appointed Part-time Member 5 August 2013 for 5 years
Appointed Full-time Member 9 July 2015 to 4 August 2018
Appointed Acting Deputy Chair 24 February 2016 to 8 June 2018
(re-appointed as A/g Deputy Chair 3 times)
Re-appointed Full-time Member 5 August 2018 to 4 August 2021
Reappointed Full-time Member 5 August 2021 to 4 August 2023

James Cameron has over 20 years of Australian Government public policy experience, including senior executive roles in the telecommunications, radiocommunications, broadcasting and digital economy fields.

James has held executive positions managing government policies and programs supporting Australia's arts and sports sectors and, immediately prior to joining the ACMA, was Chief Executive Officer of the National Water Commission.

James is also a Part-time Associate Member of the ACCC, appointed 6 April 2019 to 4 August 2021, and was re-appointed on 16 December 2022 until 4 August 2023.

Full-time Member – Carolyn Lidgerwood
Appointed Acting Member 25 September 2023 to 13 October 2023
Appointed Full-time Member 16 October 2023 for 5 years

Carolyn Lidgerwood has worked in leading organisations for more than 30 years, specialising in broadcasting and data privacy law and compliance.

Immediately prior to being appointed as an ACMA Authority Member, Carolyn was for 12 years the Head of Privacy at Rio Tinto, where she managed the data privacy compliance program across its global operations (which included more than 50,000 employees across 35 countries).

Carolyn was also General Counsel and Company Secretary at Southern Cross Media and Special Counsel at Gilbert + Tobin Lawyers, specialising in the Australian broadcasting industry. In the early years of her career, Carolyn worked at the former Australian Broadcasting Authority.

Carolyn has been a board member of iappANZ and has previously served on the Privacy Committee and the Media and Communications Committee of the Law Council of Australia

Full-time Member – Adam Suckling
Appointed Full-time Member 24 July 2023 for 5 years

Adam Suckling was until 2022 the Chief Executive Officer of Copyright Agency. Prior to this, Adam has had over 20 years' experience in a range of senior leadership, commercial, policy, regulatory and corporate affairs roles for companies such as Optus, Singtel (where he undertook an Asia-Pacific role based in Singapore), Foxtel and News Corporation.

Adam is also a Part-time Associate Member of the Australian Competition and Consumer Commission (ACCC), appointed on 28 May 2024 until 24 July 2028.

Adam's policy experience spans a wide range of areas including media and telecommunications policy, spectrum allocation, micro-economic reform, telecommunications network pricing, copyright and intellectual property policy, and Australian content and cultural policy.

Full-time Member – Samantha Yorke
Appointed Full-time Member 28 August 2023 for 5 years

Samantha is an accredited mediator, technology lawyer and policy advisor with over 24 years' experience working within the digital media and technology sectors both in Europe and the Asia Pacific.

Prior to being appointed as an ACMA Authority Member, she worked in Google's Government Affairs and Public Policy team leading their privacy, online safety, scam and mis/disinformation efforts in Australia.

Samantha established the regulatory function at the Interactive Advertising Bureau of Australia, worked as General Counsel AUNZ and Legal Director for Yahoo! Asia Pacific and spent 10 years working for Microsoft in London.

Associate Member – Anita Jacoby AM
Appointed Part-time Member 5 August 2013 to 4 August 2018
Appointed Associate Member 5 August 2018 for 5 years

Anita Jacoby is a broadcast executive and company director with more than 25 years' experience in media and communications, creating original content across almost all genres, and for every free-to-air network and Foxtel. Most recently, she was Managing Director of ITV Studios Australia, responsible for the local operations of this global company.

Anita's work has been recognised with 6 AFIs/AACTAs, a Logie and various other industry awards. She is currently on the National Advisory Board of Women in Media and has been a non-executive director on a number of not-for-profit boards, including Headspace and Arts Law Centre Australia.

Anita was awarded a Member of the Order of Australia (AM) in the Australia Day 2019 Honours List for her significant service to broadcast and print media and to community mental health groups.

Associate Member – Anna Brakey

Appointed 6 May 2021 for 5 years, or until the appointee ceases to be a member of the ACCC, whichever comes first

Anna Brakey was appointed a Commissioner of the ACCC in December 2020. Anna has extensive experience in regulatory economics and public policy with over 25 years' experience working with regulators, government and within the private sector. She has had broad exposure to a wide range of infrastructure industries, including energy, water and transport. She has also worked on economic reform to social policy.

Prior to starting at the ACCC, Anna worked as an economist at Frontier Economics and held a number of roles at IPART, including being a deputy Tribunal Member, the Executive Director of Strategy and Economic Analysis and the Chief Operating Officer.

Anna chairs the ACCC's Infrastructure and Communications Committee, Electricity Markets Inquiry Board and East Coast Gas Market Board and is a member of the ACCC's Competition Exemptions Committee and Agriculture Board.

Associate Member – Catriona Lowe

Appointed 19 June 2023 for 5 years, or until the appointee ceases to be a member of the ACCC, whichever comes first

Catriona Lowe was appointed ACCC Deputy Chair for a 5-year term in January 2023. For over 20 years she has had a strong commitment to consumer issues and protection of consumer rights in her varied roles as a regulator, litigator and consumer advocate.

Before joining the ACCC, Catriona was a Board Member of the Australian Energy Regulator. She has also held non-Executive director roles on boards including the Australian Financial Complaints Authority, the Financial Adviser Standards and Ethics Authority and the Telecommunications Industry Ombudsman. Catriona was also Co-CEO of the Consumer Action Law Centre.

Over the years, Catriona has worked extensively on matters involving consumer-focused regulation, behavioural economics and effective enforcement and compliance.

Table 1.1: Details of accountable authority during 2023–24

Name	Position title/ position held	Period as the accountable authority or member	
		Date of commencement	Date of cessation
Nerida O'Loughlin	Chair and Agency Head	14 October 2017 for 5 years Re-appointed 14 October 2022 for 2 years Re-appointed 14 October 2024 for 3 years	n/a

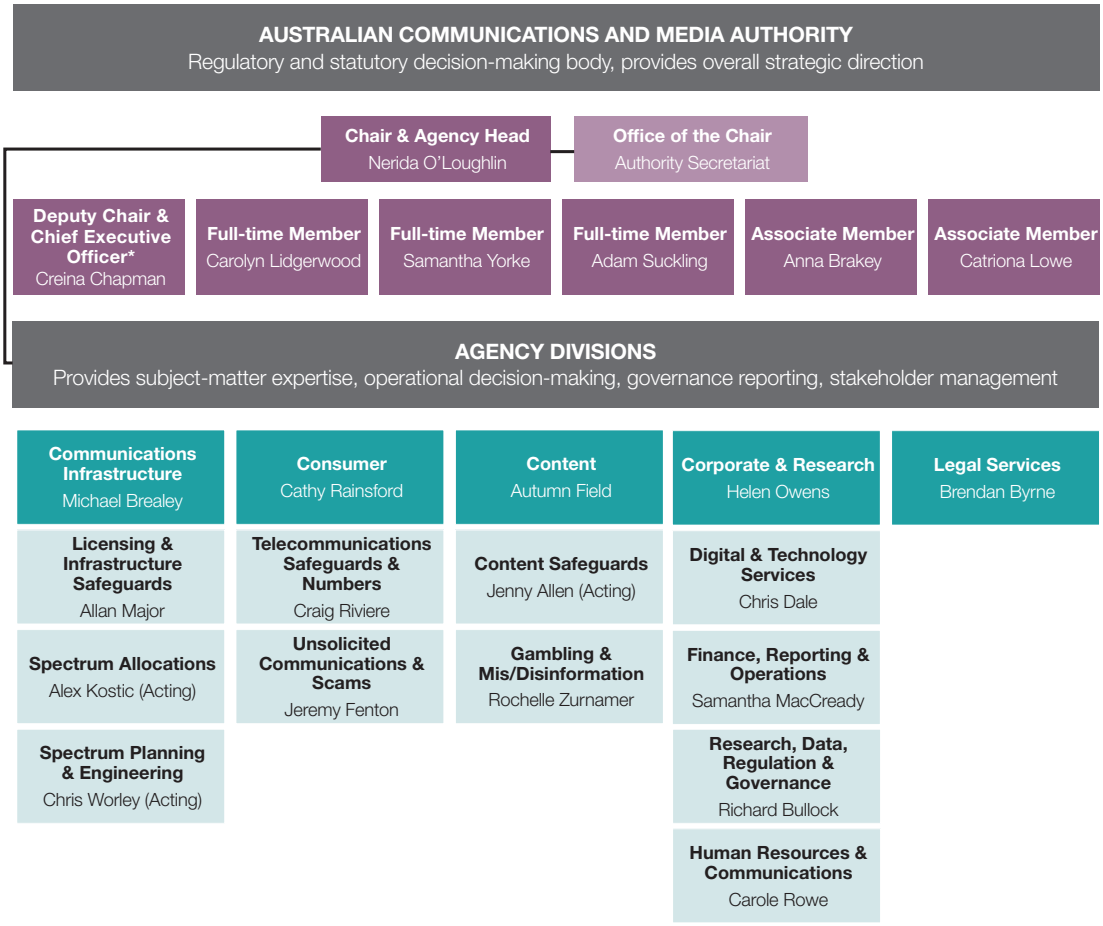
Agency structure

The ACMA's day-to-day activities are managed by the Chair as Agency Head and the accountable authority, the Deputy Chair/Chief Executive Officer (CEO), 5 general managers and 11 executive managers.

The ACMA's organisational structure at 30 June 2024 is set out in Figure 1.1.

At 30 June 2024, the ACMA had 610 staff employed under the *Public Service Act 1999*, 170 of whom work in eSafety. Under section 184 of the Online Safety Act, the ACMA provides staff to assist the Commissioner to perform the Commissioner's functions under the Act. These staff are employed by the ACMA under the Public Service Act. Most staff are located in our offices in Canberra, Melbourne and Sydney, with smaller numbers in Brisbane and Hobart. Detailed information about our staff is provided in Appendix 1.2.

Figure 1.1: Organisational structure as at 30 June 2023



** The Chief Executive Officer reports to the Agency Head but does not report as Deputy Chair to the Chair.*

General managers
Executive managers

Our purpose

The ACMA's purpose, set out in the 2023–24 corporate plan and 2023–24 Portfolio Budget Statements (PBS), is to contribute to maximising the economic and social benefits of communications infrastructure, content and services for Australia. We achieve our purpose by:

- maintaining, enforcing, and improving regulation to drive industry performance and protect consumers
- managing public resources to enable industry to deliver services to the community.

Outcome and program structure

The ACMA's 2023–24 PBS sets out the resources allocated to the ACMA by government to deliver Outcome 1 and the 2 programs that contribute to it.

Outcome 1 A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice	
Program 1.1 Communications regulation, planning and licensing	**Program 1.2** Consumer safeguards, education and information
This program contributes to the outcome by the allocation and use of Australia's critical public resources, radiofrequency spectrum and telephone numbers, to maximise their value to the Australian community.	This program contributes to the outcome by ensuring efficient, effective and contemporary safeguards protect users of media and communication services so that the Australian community can confidently use those services.

Report on performance

Annual Performance Statement 2023–24

Introductory statement

I, Nerida O'Loughlin, as the accountable authority of the Australian Communications and Media Authority, present the Annual Performance Statement 2023–24 of the Australian Communications and Media Authority and the eSafety Commissioner, prepared for paragraph 39(1)(a) of the *Public Governance, Performance and Accountability Act 2013* (the PGPA Act).

In my opinion, the Annual Performance Statements accurately reflect the performance of the Australian Communications and Media Authority and the eSafety Commissioner, and comply with subsection 39(2) of the PGPA Act. The eSafety Commissioner's performance is described in Part 2 of the annual report.

The eSafety Commissioner is an independent statutory office holder governed by the *Online Safety Act 2021*. The eSafety Commissioner is an official of the ACMA under section 170 of the Online Safety Act for the purposes of the finance law. Under subsection 184(3) of the Online Safety Act, the ACMA makes staff available to assist the eSafety Commissioner to perform their functions and exercise their powers to such extent as the eSafety Commissioner reasonably requires.

Nerida O'Loughlin PSM
Chair and Agency Head

The ACMA's performance framework

The ACMA's performance framework includes our:

- corporate plan – this sets out our purpose, vision, environment, key activities, performance measures, targets and capabilities
- Portfolio Budget Statements (PBS) outcome, performance criteria and targets – these inform the programs of work we are funded by the government to deliver
- Annual Performance Statement (APS) – this assesses our performance against our key activities, performance measures and targets to achieve our purpose.

There are several performance measures under each key activity in our corporate plan that we undertake to achieve our purpose. The performance measures have corresponding targets that set out what we aimed to deliver in 2023–24. These form the basis for assessing our performance.

Our methodology, including the quantitative metrics and qualitative sources used for objectively measuring whether we have met each of our performance measures and targets, is set out in the corporate plan.

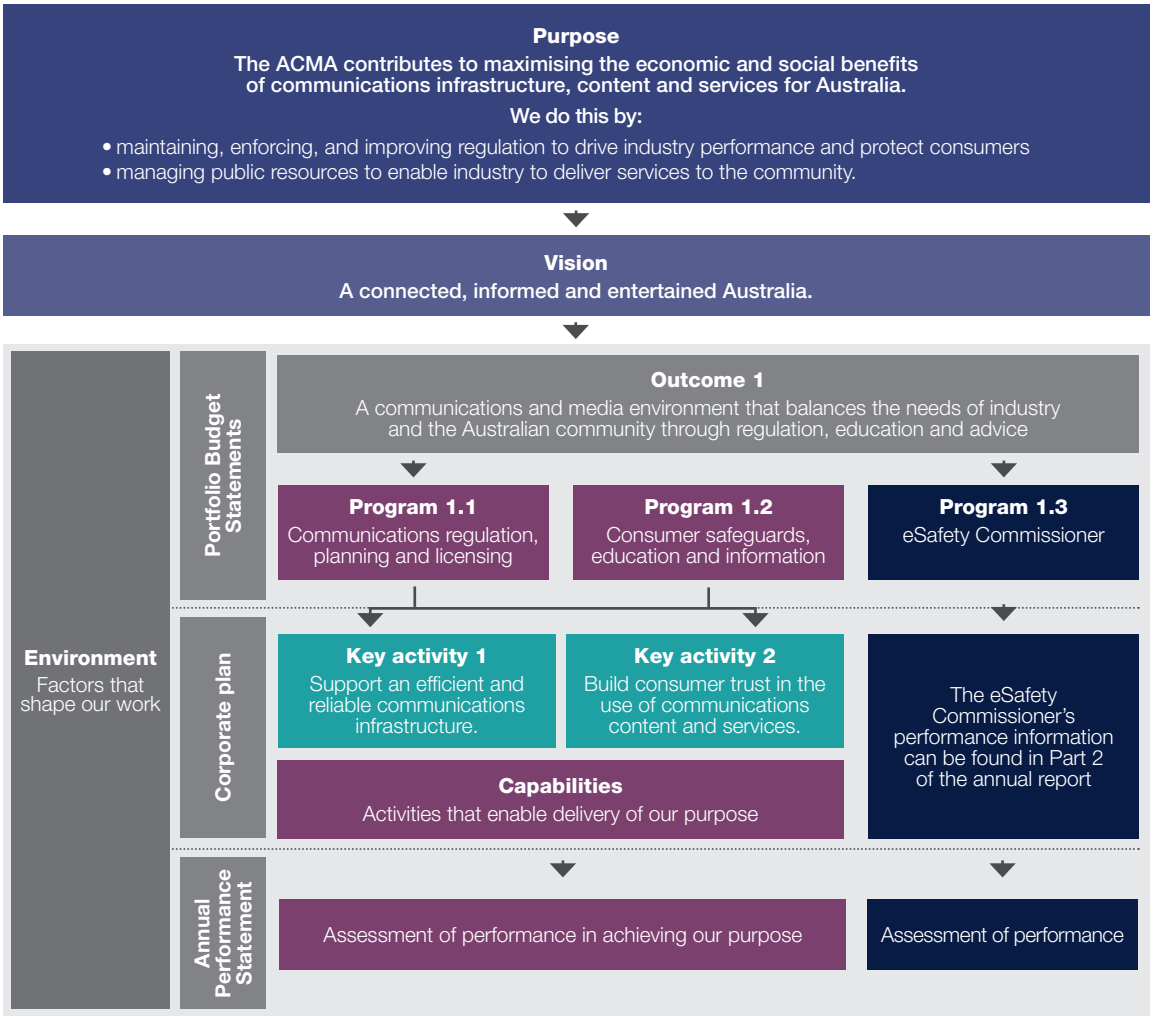
The reporting of regulator performance has been incorporated into performance reporting obligations under the PGPA Act and the *Public Governance, Performance and Accountability Rule 2014* (the PGPA Rule).

Our performance measures and targets are also aligned with the best practice principles detailed in the government's Regulator Performance Guide (RMG 128).

Figure 1.2 shows the relationship between our purpose and key activities in our 2023–24 corporate plan, and programs 1.1 and 1.2 in the 2023–24 PBS.

Program 1.3 relates to the eSafety Commissioner and is reported separately in Part 2: *eSafety Commissioner annual report 2023–24*.

Figure 1.2: Relationship between ACMA 2023–24 corporate plan, 2023–24 PBS and 2023–24 APS



Analysis of performance against purpose

During 2023–24, we continued to focus on the following key activities to deliver on our purpose of contributing to maximising the economic and social benefits of communications infrastructure, content and services for Australia:

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

These activities supported our vision of a connected, informed, and entertained Australia.

Our Statement of Intent (published in February 2023 in response to the government's Statement of Expectations), sets out how the ACMA will meet government expectations and contribute to broader policy priorities, including the APS Net Zero by 2030 commitment and deepening links and cooperation between Australia and the Indo–Pacific.

Our environment

Our environment is characterised by the essential role of the communications and media sectors in fostering an inclusive, connected, productive, cohesive, and creative society. Over the 2023–24 reporting period, the ACMA navigated a dynamic and evolving landscape influenced by both global and local factors, and continued to adapt and respond to these changes with agility and foresight.

The sector has faced persistent volatility, including disrupted supply chains and inflationary pressures, which have influenced economic conditions and consumer behaviour. In response, the ACMA adapted its regulatory framework to support technological advancements such as the expansion of 5G networks and the integration of satellite communications. These efforts aim to leverage new opportunities for growth and innovation while mitigating the impacts of economic uncertainties.

Additionally, shifts accelerated by the COVID-19 pandemic have transformed consumer behaviour and media consumption patterns. The increased reliance on digital platforms and evolving content delivery methods prompted a re-evaluation of our regulatory approaches. We proactively updated our strategies to ensure that communications infrastructure and services remain robust, efficient, and responsive to these changes.

Key actions taken by the ACMA include enhancing spectrum management practices to meet the growing demand for advanced connectivity, bolstering industry compliance, and addressing emerging regulatory issues. Our focus on spectrum management encompassed preparations for future 5G deployments and supporting regional and remote connectivity.

The ACMA prioritised collaboration with stakeholders to address new challenges, such as combating sophisticated scams and misinformation, and strengthening the resilience of communications networks. We are actively tackling the complexities of online harms and consumer protection in a global context.

The ACMA remains committed to fostering an inclusive and efficient communications environment. By addressing both immediate and long-term needs, we aim to support the sector's growth and sustainability, ensuring it effectively serves all Australians and adapts to an ever-changing environment.

Our assessment methodology

The 2023–24 corporate plan performance measures are composite measures, combining 2 or more individual targets. They are determined to be met, partially met or not met based on the achievement of unweighted targets. The following table outlines our methodology for assessing our performance against our composite measures.

Table 1.2: Methodology for assessing our performance against our composite measures

Performance category	Description
Met	*All targets* must be assessed as being met
Partially met	*At least half* the targets (or an equal number if there is an even number of targets) must be assessed as met
Not met	*Less than half* the targets are assessed as met

Our performance

Of our 6 performance measures, we met 5 and partially met 1.

We **met**:

- Performance measure 1.1: The ACMA's spectrum planning, allocation and licensing activity meets the needs of the communications industry.
- Performance measure 1.2: The ACMA's contribution to the international spectrum framework supports the needs of the Australian communications industry.
- 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.
- Performance measure 2.2: The ACMA's activities contribute to Australian consumers having access to diverse media content and services.
- Performance measure 2.3: The ACMA's activities contribute to Australians' access to a competitive telecommunications market.

We **partially met**:

- Performance measure 2.1: The ACMA's activities contribute to Australian consumers having confidence in the content and services available to them.
  - 3 of the 5 targets were met.
  - 1 target was not met (2.1.1: 80% or more of surveyed consumers report having confidence in the content and services available to them).
  - 1 target was partially met (2.1.4: 95% or more of investigations undertaken are completed within 6 months of the investigation being opened).

Full analysis of our performance is provided under each key activity.

Overview of results

Key: Met | Partially met | Not met

Measures and targets		Result
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		
1.1.1	The spectrum management work program is informed by ACMA's consultation with spectrum users, industry, and government	Met
1.1.2	The progress of delivering the spectrum management work program is published every 6 months	Met
1.1.3	Apparatus licensing issue and renewal decisions meet the statutory requirements	Met
1.1.4	The ACMA's communications infrastructure compliance activities are informed by a risk-based assessment of harm	Met
1.1.5	Major spectrum allocations are held effectively	Met
Performance measure 1.2: The ACMA's contribution to the international spectrum framework supports the needs of the Australian communications industry		
1.2.1	Australia's international engagement activities are informed by the ACMA's consultation with industry and government	Met
1.2.2	The ACMA's international engagement activities at ITU Radiocommunication Sector (ITU-R) and regional meetings support Australia's interests	Met
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		
1.3.1	Telecommunications carrier licensing and submarine cable permit activities meet statutory requirements	Met
1.3.2	Equipment regulation appropriately mitigates the risk of harm to communications networks and people using or working on those networks	Met
1.3.3	Numbering services are available 99% of the time and 99.9% of numbering transactions are processed within 5 seconds	Met
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		
2.1.1	80% or more of surveyed consumers report having confidence in the content and services available to them	Not met
2.1.2	The NSER data-checking service is available to the wagering industry 99.95% or more of the time for the year	Met
2.1.3	The DNCR is available to the Australian public 99.5% or more of the time	Met
2.1.4	95% or more of investigations undertaken are completed within 6 months of the investigation being opened	Partially met
2.1.5	The ACMA's compliance priorities concerning media and content services are on track or implemented on time	Met

Measures and targets		Result
Performance measure 2.2: The ACMA's activities contribute to Australian consumers having access to diverse media content and services		
2.2.1	Enforcement decisions to accept or give agreed measures, enforceable undertakings, 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		
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, enforceable undertakings, remedial directions or injunctions deliver improved compliance by the relevant regulated entity	✓

Analysis of performance against Regulator Performance Guide

We are committed to the 3 principles of regulatory best practice identified in the Australian Government's Regulator Performance Guide:

- Continuous improvement and building trust – we adopt a whole-of-system perspective, continuously improving our performance, capability and culture to build trust and confidence in Australia's regulatory settings.
- Risk-based and data driven – we manage risks proportionately, maintain essential safeguards while minimising regulatory burden, and leverage data and digital technology to support those we regulate to comply and grow.
- Collaboration and engagement – we are transparent and responsive communicators, implementing regulations in a modern and collaborative way.

Continuous improvement and building trust

As a regulatory agency, we are committed to continually improve our processes, governance and capabilities. To support best practice in carrying out our regulatory functions, we have established and adhere to our values of being purposeful, collaborative, and curious and questioning, as described in our 2023–24 corporate plan.

Recognising the interconnectedness of the communications and media sectors, we collaborate with various entities, including:

- the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department)
- the Australian Competition and Consumer Commission (ACCC)
- the Office of the Australian Information Commissioner (OAIC)
- other regulatory bodies and relevant agencies.

By working together – across sectors and internationally– we share common experiences, successes and challenges and continually improve our performance. We also foster connections across all levels of government. Our interactions with industry and the community are proactive and innovative, grounded in a deep understanding of their concerns and obstacles.

Our remit encompasses a rapidly changing technological environment, in which Australians' growing appetite for advanced connectivity and the ubiquitous use of communications devices across all facets of economic, social, and public-interest activities are key drivers of the demand for spectrum. We are committed to meeting and guiding this demand by enhancing our capabilities and supporting new technologies, including the ongoing development and deployment of higher-speed, lower-latency connections, such as 5G/6G, Wi-Fi6, and satellite direct-to-device services with LEO sats (low earth orbit satellites) and other emerging communication technologies.

In our spectrum work, our commitment to continuous improvement and building trust includes examining current and emerging spectrum management issues with industry experts and spectrum users. We use a variety of mechanisms such as hosting spectrum tune-ups and opening 'reply-to-comment' periods in consultations, where we learn from industry feedback on submissions.

Our response to the significant and growing threat of scams requires us to remain at the forefront of technology. Recognising the evolving sophistication of scams, often perpetrated by criminal syndicates using advanced technologies such as AI, we have intensified our efforts to protect Australians, including by strengthening our regulatory frameworks and collaborating with key stakeholders to address system vulnerabilities that scammers exploit.

As part of the Australian Government's Fighting Scams initiative, we began developing a phone scams awareness campaign. This included working with First Nations providers to develop culturally meaningful material for use in First Nations communities.

In addressing the complexities of the digital landscape, we have also focused on maintaining a robust and adaptable regulatory environment to support media diversity and sustain public interest journalism. Our ongoing engagement with the community and industry stakeholders has facilitated informed regulatory decisions that align with changing audience preferences and economic pressures.

Our commitment to continuous improvement is evident in our approach to online gambling and the associated social harms. While the prevalence of online gambling has remained relatively stable, we have prioritised addressing community concerns by reviewing and striving to enhance existing restrictions to better protect Australians from financial distress and other negative impacts of online gambling.

Through these initiatives we are not only improving our regulatory effectiveness but also building trust with the Australian public by transparently addressing emerging threats and adapting to the dynamic media and communications landscape. Our collaborative efforts with government, industry, and international partners underscore our commitment to safeguarding the interests of all stakeholders, reinforcing our role as a reliable and responsive regulatory body.

Risk-based and data-driven

The ACMA has an established risk-management framework which we apply to our work. This includes taking a strategic risk-based approach to our compliance and enforcement activity. This approach recognises that breaches of the rules established by the Acts and instruments for which we have regulatory responsibility will be dealt with effectively and efficiently. It also recognises the role of co-regulation set out in the legislation it administers and of engaging with the regulated community to promote voluntary compliance. We seek to:

- foster industry compliance with, and contribution to, the regulatory framework without imposing undue financial or administrative burdens
- encourage a compliance culture within the communications and media sector and adherence to regulatory obligations
- promote a communications and media sector that is respectful of community standards and diligent in responding to community complaints.

Building our data and analytics capability is key to delivering our purpose: to contribute to maximising the economic and social benefits of communications and media for Australia.

The ACMA is committed to being a risk-based and data-driven agency. We have a clear vision for leveraging data to enhance our understanding of the communications and media sectors. By focusing on key enablers such as people, governance and technology, we ensure that our regulatory decisions are informed by high-quality data, effective analytics and evidence-based insights.

We've seen significant growth in our data analytics capability across the agency, reflected in the increased number of Data Action Projects (DAPs) developed for both internal and external use during the reporting period. DAPs have significantly improved certain functions by enhancing efficiency, accuracy and decision-making processes. Our unsolicited communications dashboard, for example, has streamlined our ability to monitor and respond to some telemarketing, spam and scams activities through faster access to data and deeper analysis. Our electromagnetic energy (EME) Checker is a publicly available self-service tool that provides in-depth analysis of EME emissions from mobile phone towers against the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) safety standards. This tool fosters public trust, assists with regulatory compliance and supports informed decision-making for tower operations across the country. We have developed other analytics tools to further support our functions, including for interactive gambling and broadcast licensing. Through these and other projects, we address complex business problems and improve our compliance, regulatory and operational functions.

We have also continued to deliver a range of data literacy training programs to promote a data-driven culture within the organisation and empower staff to effectively access and use data. We are also building our data science capability, using advanced analytics to support high-value use cases and enhance our overall performance.

So that our regulatory approaches remain current with evolving technology, industry practices and community expectations, we conduct targeted research aligned with our annual compliance priorities. Our annual consumer survey provides critical data on consumer behaviour, media and communication service adoption, and the effectiveness of regulatory interventions, which assists us to make informed, evidence-based decisions that enhance our regulatory effectiveness.

Collaboration and engagement

Our commitment to collaboration and engagement is integral to our regulatory role, as we strive to achieve outcomes in the long-term interests of all our stakeholders. This encompasses the millions of Australians who depend on communications and media networks, and devices and services, as well as the businesses and industries that supply them. Additionally, our work supports essential services such as defence, security, emergency, and law enforcement in their use of spectrum.

External cooperation and partnerships

We actively engage with government, industry, and international colleagues to foster cooperation and achieve regulatory outcomes. Our collaborative approach includes:

- **Working with government**: we maintain close relationships with various government agencies to improve the regulatory framework within which we operate. This includes our collaboration with the ACCC through cross-appointment arrangements, which enhance decision-making and serve the broader stakeholder base.
- **Industry and consumer advocacy**: we engage with industry bodies and consumer advocacy groups to ensure our regulatory efforts align with industry needs and consumer protection.
- **Law enforcement and security**: our collaboration with the Australian Cyber Security Centre (ACSC) focuses on technological solutions to protect consumers from communication and media-related harms.

- **International collaboration**: We recognise the importance of global cooperation to deliver the best results for Australians and the communications industry. Our international collaboration efforts include:
  - **Global forums and partnerships**: we participate in international spectrum management forums, such as the Asia-Pacific Telecommunity and the ITU to provide technical expertise and support Australian engagement in international consultative frameworks.
  - **Indo-Pacific relationships**: we focus on strengthening relationships within the Indo-Pacific region and supporting broader government policies and activities through information exchange programs and spectrum regulation meetings with neighbouring countries.
  - **International MoUs**: we continue to establish MoUs with international regulators, including the Info-Communications Media Development of Singapore and the US Federal Communications Commission, to enhance cooperation and address global regulatory challenges.
- **Domestic collaboration**, including:
  - **Memorandums of Understanding**: our MoUs with several domestic organisations, such as the Office of the Australian Information Commissioner (OAIC) and the Australian Securities and Investments Commission (ASIC, facilitate information sharing and collaborative efforts to promote industry compliance and consumer protection.
  - **Scam Telco Action Taskforce**: this ACMA-led forum coordinates scam prevention activities and regulatory responses, showcasing our proactive approach to tackling telecommunications harms.
  - **Digital Platform Regulators Forum (DP-REG)**: as a member of DP-REG, we collaborate with other government regulators to address cross-cutting issues and improve coordination on digital platform regulation.

As part of our efforts to support First Nations communities, we worked with First Nations providers to develop resources that increase awareness about the assistance available to telco customers struggling with phone and internet payments. We are working to better represent the views of First Nations Australians on telecommunications issues through our Consumer Consultative Forum, with our 2023–24 meeting attended by the First Nations Digital Inclusion Advisory Group. We also engaged with the First Nations Digital Inclusion Advisory Group and First Nations Media Australia to raise awareness among First Nations people about the strengthened consumer protections in the recently made Financial Hardship Standard.

Through these collaborative efforts, our regulatory approaches are informed, effective and responsive to the needs of our stakeholders, building trust and supporting continuous improvement in our work.

Formal consultation processes

We engage and consult with industry and the public to help us make informed decisions. We employ various consultation processes to obtain feedback from stakeholders, and actively seek opportunities for collaboration and engagements. Through these efforts, we aim to foster productive relationships, enhance transparency, and achieve outcomes that benefit all. For example, when preparing our *Five-year spectrum outlook 2023–28* (FYSO), consultation on the draft FYSO was a key part of our engagement with industry and the community. It enabled transparency about our spectrum work program, provided predictability for spectrum users about our planning allocation and licensing regulatory activities and helped inform our activities.

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.

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

Measure description

The ACMA is responsible for managing the radiofrequency spectrum in accordance with the *Radiocommunications Act 1992*. Spectrum management activities include:

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

Measure composition

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 – 1 measures the efficiency of activities, 2 measure the outputs of activities, and 2 measure the effectiveness of activities.

Targets		Result
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.	✓

Corporate plan and PBS links

Corporate plan 2023–24, p. 22–26.

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

Regulator performance principles

Collaboration and engagement, continuous improvement and building trust.

Target 1.1.1: The spectrum management work program is informed by ACMA's consultation with spectrum users, industry and government

Our spectrum management activities are informed by extensive and varied stakeholder engagement. This includes undertaking formal public consultations and meetings, establishing Technical Liaison Groups with external experts for complex projects, and engaging with spectrum users and industry through spectrum tune-ups.

Spectrum tune-ups are forums where we discuss current and emerging spectrum management issues in Australia with industry experts and spectrum users and canvas regulatory challenges and opportunities. During the reporting period, we held 2 tune-ups. In October 2023, our tune-up explored satellite direct-to-mobile services; and in February 2024, we focused on planning options for the upper 6 GHz band (6425–7125 MHz).

The FYSO is a flagship publication that outlines our spectrum management priorities for the next 5 years. It considers developments in the environment that affect future spectrum demand and includes our detailed spectrum work plan for the coming year. The FYSO is updated annually, in consultation with government, industry and the public.

Consistent with paragraph 28F(1)(a) of the Radiocommunications Act, we also consulted with the Minister for Communications on the FYSO, our spectrum management priorities and proposed 2023–24 work program.

In October, we published the FYSO 2023–28, which included the spectrum work program for 2023–28. The work program reflected changes in response to consultation feedback. These included adjusting the work program to add a new section on satellite direct-to-mobile services and committing to continue reviewing these regulatory arrangements, adding a commitment to consider arrangements to support E-band (71–76/81–86 GHz) satellite services on a coordinated basis with point-to-point links, and a commitment to update the *Our approach to radiocommunications licensing and allocation* information paper in response to requests for greater clarity on our approach to spectrum management.

Submissions received to the draft FYSO and our detailed response to submissions were published in October 2023.

In March 2024, we opened a 6-week consultation on the draft FYSO 2024–29, seeking views on the proposed spectrum work program and inviting comments on specific issues, such as mid-band allocations, advancing 2 bands in the planning process and expiring spectrum licences. The public consultation was promoted through our website, social media channels and e-bulletins targeted to specific industry sectors. Submissions from industry, peak bodies, government agencies and the public provided feedback about priorities and suggestions for additional activities in the work program.

The ACMA's expiring spectrum licences (ESL) work forms a significant part of our spectrum management work program and is a key priority for our stakeholders. Our design and delivery of the ESL project is consultative, and we have sought and received submissions from spectrum users, industry and government, and separately engaged with these stakeholder groups.

We consulted on the design of the ESL process from May to August 2023. We conducted an information-gathering exercise from March to June 2024 and sought views on uses of ESL spectrum and certain licensing conditions. A supplementary 'reply-to-comment' period was also offered, which allowed stakeholders to comment on other submissions and provided us with important insights. The finalised ESL framework was published in December 2023 and incorporated the communications policy priorities set out by the minister in the Radiocommunications (Ministerial Policy Statement – Expiring Spectrum Licences) Instrument 2024. As per section 28C of the Radiocommunications Act, in performing our spectrum management functions, and exercising our spectrum management powers, we must have regard to any relevant Ministerial policy statements.

Target 1.1.2: The progress of delivering the spectrum management work program is published every 6 months

We track our progress against our annual spectrum work plan and publish a 6-month progress report and an annual progress report. These reports indicate whether delivery of the work program is on track and provide reasons for any deviations from the established timelines. Publication of the FYSO and its regular progress reports promotes greater transparency about the ACMA's spectrum work program and provides predictability for spectrum users about our planning allocation and licensing regulatory activities.

The 6-month progress report for the 2023–24 spectrum work program was published in January 2024 and the annual progress report was published in July 2024.

Target 1.1.3: Apparatus licensing issue and renewal decisions meet the statutory requirements

Apparatus licences authorise the operation of radiocommunications devices at specific locations or areas and on specified frequencies. There are currently over 171,500 apparatus licences on issue, representing 98% of all licences issued.

SPECTRA is our radiocommunications licensing system used to issue and renew apparatus licences under Divisions 2 and 7 of Part 3.3 of the Radiocommunications Act. We allow certain qualified people ('accredited persons') to help with licence applications, undertake frequency coordination and assignment in line with ACMA's technical assignment rules and, based on their analysis, submit licence applications directly into SPECTRA on behalf of applicants.

In the reporting period, 16,483 licences were issued or varied in accordance with statutory requirements. We employed a variety of checks and technical assessments to ensure the quality of our apparatus licensing met statutory requirements. These included:

- conducting technical checks on the information entered into SPECTRA
- identifying out-of-policy applications and confirming that the technical assessment was appropriately documented and attached to the licence application in SPECTRA
- reviewing the documentation to ensure it met the statutory requirements for the licence issued
- checking that SPECTRA processes remain consistent with statutory requirements after system updates are made, such as when implementing new assignment policies in Radiocommunications Assignment and Licensing Instructions (RALIs).

During 2023–24, the checks and assessments performed did not identify any licensing issue or renewal decisions that did not meet the statutory requirements, indicating spectrum users have been provided with a reliable and well-managed framework for their operations.

Table 1.3: ACMA apparatus licensing activities

Licensing activities	Number issued in 2023–24	Decisions made in accordance with requirements
Apparatus licensing activities		
Issuing apparatus licences under section 100 of the Radiocommunications Act (including out-of-policy assessments)	13,343	100%
Changes to licence conditions under section 111 of the Radiocommunications Act	3,140	100%
Renewing apparatus licences under section 130 of the Radiocommunications Act	165,270	100%
SPECTRA maintenance activities		
Number of RALI updates		4
Number of system outages that compromised licensing activities[1]		15

Target 1.1.4: The ACMA's communications infrastructure compliance activities are informed by a risk-based assessment of harm

We employ a risk-based assessment of harm so our communications infrastructure compliance activities effectively target and address potential risks, prioritise the mitigation of such risks to safeguard public safety, and uphold the integrity of communication networks.

During 2023–24, we analysed compliance data and consulted with industry and the community to identify infrastructure issues that may cause harms or have a negative impact on the community. Our infrastructure compliance focus areas and the activities undertaken follow.

Tackling online supply of dodgy devices

As Australians increasingly make more purchases online, we have seen a rise in complaints about non-compliant radiocommunications devices purchased and/or advertised online.

Non-compliant radiocommunications devices, and devices with an interim or a permanent ban, can cause harm when operated. Unauthorised mobile repeaters and jammers can cause significant interference to mobile networks and, in worst case scenarios, can endanger lives if they disrupt access to emergency call or health monitoring services.

In 2023–24, we made non-compliant devices an ACMA compliance priority. We focused on supplier compliance with equipment rules, worked with online platforms to proactively remove ads for non-compliant devices and educated Australians about the risks of buying non-compliant devices online. We:

- audited 8 selected online platforms
- engaged with online platforms and suppliers to remove over 2,200 advertisements for non-compliant devices
- ran an advertising campaign across online selling platforms from November 2023 to June 2024 to educate and inform consumers about the dangers of non-compliant devices
- conducted research on purchasers of non-compliant devices to inform our compliance and education programs.

A final report on this work will be available in the next reporting period.

[1] These outages did not affect achievement of the target.

Low power open narrowcasting compliance

Low power open narrowcasting (LPON) is used for niche radio broadcasting services.

LPON licensees are required to meet a range of licence conditions such as power and coverage limitations, anti-hoarding provisions and record keeping requirements. Failure to comply with licence conditions can increase interference risks, deny spectrum to other users, or degrade services to listeners. Non-compliance undermines the integrity of the ACMA's planning and licensing frameworks.

During 2023–24, we conducted audits to assess whether the levels of non-compliance we found in 2022–23, where over 98% of a sample of licensees were non-compliant, is representative of the wider LPON community.

We conducted 142 desktop audits and 57 field audits of a random sample of LPON licensees from October 2023 to April 2024. Of those audited, 83% were found to be non-compliant with at least one licence condition, reflecting the high levels of non-compliance found in the previous audits. We will release a report on findings in the next reporting period. We will also undertake compliance activities with the non-compliant licensees and release additional guidance for LPON licensees to help them comply with licence conditions.

Following an investigation in July 2023, the ACMA initiated court proceedings against Phaze FM for breaching its LPON licence by operating radiocommunications transmitters from an unlicensed address in Ballarat, Victoria.

In May 2024, Phaze was found to have contravened the Radiocommunications Act and was required to forfeit 3 radiocommunications transmitters. It was issued with an injunction preventing it from carrying out further contraventions and fined $8,000.

Electromagnetic energy (EME) measurement program

The ACMA regulates whether licensed communications transmitters and devices comply with the general public exposure limits in the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Standard. This year's program focused on measurements at mmWave frequencies and in-building EME measurements.

We took measurements at 90 mmWave-enabled 5G mobile base stations and found that:

- the maximum beamformed EME measured was 0.11% of the ARPANSA standard
- at 81% of sites measured, mmWave beamformed EME emissions were more than 10 times lower than mid-band beamformed EME emissions
- in all sites, mmWave EME emissions were less than mid-band EME.

We also measured EME at 18 in-building locations used by the public, such as sporting stadiums, shopping centres, schools, residential homes and airports, and found the highest average EME measured in a building was 0.48% of the ARPANSA standard.

Full details of our findings will be released in the second half of 2024, and our EME measurement data can be accessed via our EME Checker.

Communications infrastructure compliance investigations

Our decisions to investigate infrastructure compliance matters take into account the potential harms of non-compliance, including interference to emergency services, endangering public safety and a decrease in public confidence in communications and media services.

During 2023–24, we conducted 98 communications infrastructure compliance investigations, which resulted in the following types and numbers of enforcement activities:

- remedial directions issued under the Radiocommunications Act: 1
- court proceedings under the Radiocommunications Act: 1 civil and 1 criminal. Both resulted in successful outcomes for the ACMA
- court-issued forfeiture orders: 2
- court-issued fines: 1
- forfeiture notices under the Radiocommunications Act: 5
- warnings given under the Radiocommunications Act: 201.

No warrants were executed, enforceable undertakings accepted, or infringement notices issued under the Radiocommunications Act during this period. No formal warnings were issued in relation to communications infrastructure under the Telecommunications Act during this period.

For all compliance priorities, project plans were developed and subsequently reviewed to ensure each project has been informed by a risk-based assessment of harm.

Target 1.1.5 Major spectrum allocations are held effectively

We develop legislative and administrative arrangements for conducting major spectrum auctions utilising extensive consultation and considering the legislative context and policy objectives for the allocation.

During 2023–24, we held a 3.4/3.7 GHz allocation process. It consisted of 3 separate, consecutive allocations:

- direct allocation of specified parts of the spectrum (specified 2.5 MHz 'leftover lots') in the 3.4 GHz band
- 3.7 GHz auction
- 3.4 GHz auction (including the allocation of leftover lots not directly allocated).

Following preparatory work for the 3.4/3.7 GHz auction undertaken in previous periods, including making the Radiocommunications (Spectrum Licence Allocation—3.4/3.7 GHz Bands) Determination 2023 the Radiocommunications Spectrum Marketing Plan (3.4/3.7 GHz Bands) 2023, related technical instruments and other administrative arrangements to conduct the auction, on 5 July 2023, we:

- released an outcomes paper summarising submissions and our responses to consultation on the draft allocation and technical instruments and outlining the legislative and policy objectives, including references to the object of the Act, the Radiocommunications (Ministerial Policy Statement – 3.4-4.0 GHz) Instrument 2022 and the Minister's December 2022 Statement of Expectations to the Australian Communications and Media Authority. It was noted in the outcomes paper that 'The spectrum licence allocation process – and the considerations on allocation limits – intends to support digital connectivity and investment in regional Australia and promote competitive markets.'[2]
- opened applications for the allocation process and published the Applicant Information Package.

On 5 October 2023, the ACMA also approved a supplementary Explanatory Statement for the 3.4/3.7 GHz bands allocation determination to provide additional explanation regarding the delegation of the auction manager's functions and powers.

Outcome of 3.4/3.7 GHz allocation process

The 3.7 GHz auction commenced on 24 October 2023, and the 3.4 GHz auction finished on 21 November 2023. The allocation realised total revenue of $721,766,300.

All leftover lots were directly allocated immediately after the eligibility deadline for $481,400, except for 2 leftover lots, which were allocated during the assignment stage of the 3.4 GHz auction.

In the 3.7 GHz band auction, 253 of 260 lots were sold, with a total revenue of $695,910,000. This was equivalent to $0.2887/MHz/pop (excluding unsold lots).

In the 3.4 GHz band auction, 293 of 300 lots were sold. The total revenue, excluding the direct allocation of leftover lots, was $25,374,900. This was equivalent to $0.0673/MHz/pop (excluding unsold lots).

On 23 November 2023, we announced the outcome of 3.4/3.7 GHz bands spectrum allocation process, including announcing the winning bidders Mobile JV Pty Ltd, NBN Co Pty Ltd, Optus Mobile Pty Ltd and Telstra Ltd. The announcement also noted that 'the outcomes of the allocation process align strongly with our objectives'

[2] Australian Communications and Media Authority (ACMA), *Allocation and technical instruments for the 3.4/3.7 GHz bands allocation process: Outcomes paper*, ACMA, Australian Government, 2023, p 3, accessed 24 September 2024.

The timing of the auction was consistent with the timing outlined in the FYSO progress report at the start of 2023.

Payments of the winning bids were made and all relevant spectrum licences were issued in January 2024.

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

Measure description

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.

Measure composition

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 – 1 measures the effectiveness of the activities in achieving an impact while the other measures the outputs of activities.

Targets		Result
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-R and regional meetings support Australia's interests.	✓

Corporate plan and PBS links

Corporate plan 2023–24, p. 27–28.

Outcome 1, Program 1.1 Communications regulation, planning and licensing.

Regulator performance principles

Collaboration and engagement.

Target 1.2.1: Australia's international engagement activities are informed by the ACMA's consultation with industry and government

Engagement in international spectrum forums assists us to adopt the best spectrum arrangements for Australia to promote the long-term public interest derived from the use of spectrum.

The ACMA leads Australia's engagement in technical radiocommunication forums, including the:

- International Telecommunication Union (ITU) radiocommunication sector study groups, working parties and task groups
- Australian radiocommunications study groups (ARSGs)
- Asia-Pacific Telecommunity Wireless Group (AWG)
- Australian Preparatory Group for AWG (PG AWG).

To ensure that Australia's domestic interests are properly represented, we develop Australia's positions and contributions in consultation with industry and government, and provide expert advice for domestic and international technical and policy negotiations.

We engaged with stakeholders through our domestic preparatory processes (including PGs and ARSGs) throughout the reporting period. These consultative measures included group meetings (usually held twice per year aligned with international meetings), developing draft meeting briefs that are then consulted on with stakeholders, 'on the ground' discussions with delegation members during the actual meetings and collaboratively developing meeting reports summarising meeting outcomes. Similar processes are used when contributions to meetings are developed. Our international engagement activities for 2023–24 are shown in Table 1.4.

Table 1.4: ACMA international engagement, 2023–24

Meeting	Date
ITU-R Study Group 4 and Working Party 4A, 4B, 4C	21 June–7 July 2023
ITU-R Working Party 5B	10–21 July 2023
Sixth meeting of the APG (APG 23-6)	14–19 August 2023
ITU-R Study Group 5 and Working Party 5A	13–26 September 2023
Radiocommunications Assembly 2023 (RA-23)	13–17 November 2023
World Radiocommunication Conference (WRC-23)	20 November – 15 December 2023
First Session of the Conference Preparatory Meeting for WRC-27 (CPM 27-1)	18–19 December 2023
ITU-R Working Party 5D	31 January – 7 February 2024
PG AWG 32	4–8 March 2024
ITU-R Study Group 4 and Working Party 4A, 4B, 4C	23 April – 10 May 2024
ITU-R Study Group 5 and Working Party 5A, 5B, 5C	13–24 May 2024
APT Conference Preparatory Group for WRC-27 (APG27-1)	3–6 June 2024
ITU-R Working Party 5D	25 June – 2 July 2024

Our consultation activity has been consistent with the following internal guidelines:

- *Participation in Australia's domestic and international radiocommunications groups: Guidelines*
- *Australian Radiocommunications Study Group (ARSG) and Preparatory Group for the Asia-Pacific Telecommunity Wireless Group (PG AWG) Handbook*.

All Australian positions and contributions to international meetings were informed by consultation with industry and government.

Target 1.2.2: The ACMA's international engagement activities at ITU-R and regional meetings support Australia's interests

We lead Australia's involvement in the ITU's Radiocommunication Sector (ITU-R) Study Groups via the Australian Radiocommunication Study Groups (ARSGs). The ARSGs play a crucial role in creating the technical groundwork for resolutions made at WRCs and establishing international standards. The ARSGs organise and convey input from stakeholders and specialists to the department and ACMA on pertinent issues to help shape Australia's positions and contributions for Australian delegations at relevant ITU-R meetings.

Delegations at relevant ITU-R meetings must support Australia's policy positions and objectives. Negotiators are expected to prosecute Australia's positions, speak on behalf of Australia and react to developing discussions with the support of the Head and Deputy Head of Delegation.

We have met our target for 2023–24 by actively leading and participating in international engagement activities as outlined in Table 1.4, ensuring that Australia's interests are well presented through extensive stakeholder engagement and collaboration in developing technical and policy positions.

We measure success in achieving this target using the case study below about Australia's engagement with ITU Study Group 4A.

Case study

Management of the domestic preparatory process for ITU-Study Group meetings

Study Group 4 (SG 4) examines questions on satellite services allocated to it by the International Telecommunication Union (ITU) Radiocommunication Assembly (RA) and the Director of the Radiocommunication Bureau (BR), and additional questions arising from ITU World Radiocommunication Conference (WRC) decisions or approved by correspondence. Working Party 4A (WP 4A) deals with efficient orbit/spectrum utilisation for the fixed satellite service and the broadcasting satellite service.

WP 4A meets several times during the ITU WRC cycle, typically twice a year.

The ACMA led Australia's engagement to the May 2024 meeting of WP4A by providing the Head of Delegation, Delegation Brief and Delegation Report. The delegation had 12 members and provided expertise to cover the meeting subject matter. Before the meeting, ACMA staff, in consultation with the Department and industry representatives, produced the Delegation Brief, which outlines issues of interest to Australia and provides direction to the delegation on how to engage on these issues during the meeting.

In accordance with the *Participation in Australia's domestic and international radiocommunications groups: Guidelines* (the Guidelines), delegates are bound to protect Australia's interests, as published in the Delegation Brief.

At the May 2024 meeting of WP 4A, delegates spoke on behalf of Australia and provided expert advice in line with the Australian Brief. Industry representatives participated appropriately as advisors, providing support as directed. As a result of this engagement, the delegation was able to successfully influence discussions and ensure that the meeting outcomes were consistent with Australia's interests and positions as outlined in the Delegation Brief.

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

Measure description

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 licenses, 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.

Measure composition

This performance measure directly aligns to and measures the effectiveness of infrastructure providers being appropriately authorised and enabled to provide communication services. This measure will be assessed through 3 evenly weighted targets – 2 measure the effectiveness of activities in achieving an impact and 1 measures the output of the activities.

Targets		Result
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.	✓

Corporate plan and PBS links

Corporate plan 2023–24, p. 30–32.

Outcome 1, Program 1.1 Communications regulation, planning and licensing.

Regulator performance principles

Risk-based and data-driven, continuous improvement and building trust.

Target 1.3.1: Telecommunications carrier licensing and submarine cable permit activities meet statutory requirements

The ACMA regulates telecommunications carrier licensees and submarine cable permit holders under the Telecommunications Act.

We ensure that our telecommunications carrier licensing and submarine cable permit activities are effective by making our decisions in accordance with the statutory requirements. These requirements encompass timing, consultation with relevant stakeholders, and assessing the information provided in the application. This allows us to assure licensed carriers and permit holders that they are authorised and enabled to provide communications services.

During 2023–24, we finalised 29 requests relating to our telecommunications carrier licence and submarine cable permit activities, all in accordance with the statutory requirements (see Table 1.5).

Table 1.5: ACMA carrier licensing and submarine cable permit activities

Statutory activities	2023–24 decisions	Example of statutory requirements	Decisions made in accordance with requirements
Telecommunications carrier licence activities			
Carrier licences issued	12	Generally, carrier licence applications are assessed within 20 business days of starting consultation with the Communications Access Coordinator (CAC) (subsections 53A(2) and 59(2) of the Telecommunications Act). However, when further information is requested, or the CAC provides a notice under section 56A of the Telecommunications Act, the 20-business-day timeframe may be extended (section 59 of the Telecommunications Act).	100%
Nominated carrier declarations issued	7	The ACMA may grant a nominated carrier declaration after considering an application from a carrier (section 81 of the Telecommunications Act). There is no statutory prescribed timeframe for the making of a decision to grant a nominated carrier declaration.	100%
Carrier licences cancelled	4	The ACMA may cancel a carrier licence in some circumstances (subsections 72(1)-(4) of the Telecommunications Act). The ACMA must provide at least 7 days' notice before cancelling a carrier licence unless the carrier licence is deemed to be cancelled in accordance subsection 72(5) of the Telecommunications Act.	n/a
Nominated carrier declarations revoked	4	A carrier or owner of the network units may request the ACMA to revoke a nominated carrier declaration (subsection 83(2) of the Telecommunications Act). Alternatively, the ACMA may elect to revoke a nominated carrier declaration in some circumstances (subsection 83(1) of the Telecommunications Act).	100%
Carrier licence formal warnings or remedial directions (issued under Part 3 of the Telecommunications Act)	0	The ACMA may issue a remedial direction or a formal warning if a carrier has breached or is contravening a condition of their carrier licence (section 69 and section 70 of the Telecommunications Act).	n/a

Statutory activities	2023–24 decisions	Example of statutory requirements	Decisions made in accordance with requirements
Submarine cable activities			
Submarine cable installation permit issued – protection zone	1	Generally, the ACMA assesses submarine cable permit applications (in a protection zone) in 25 business days (clause 58 of Schedule 3A to the Telecommunications Act). However, if further information is requested or the ACMA is given a notice by the Attorney-General or the Home Affairs Secretary, the 25-business day timeframe can be extended.	100%
Submarine cable installation permit issued: non-protection zone	1	Generally, the ACMA assesses submarine cable permit applications (not inside a protection zone) in 60 business days (clause 73 of Schedule 3A to the Telecommunications Act). However, if further information is requested or the ACMA is given a notice by the Attorney-General or the Home Affairs Secretary, the 60-business day timeframe can be extended.	100%
Submarine cable installation permit extension	0	A submarine cable installation permit is in force for 18 months from the day it was issued (clauses 59 and 74 of Schedule 3A to the Telecommunications Act). Applicants can apply to the ACMA before the permit expires for a further 180-day extension (clauses 61 and 76 of Schedule 3A to the Telecommunications Act).	n/a
Submarine cable installation permit suspension or cancellation	0	The ACMA may suspend or cancel a submarine cable installation permit (clauses 62 and 77 of Schedule 3A to the Telecommunications Act). The ACMA must give the holder of the permit 30 days' notice before suspending or cancelling a permit.	n/a
Submarine cable protection zones declared	0	The ACMA may declare a submarine cable protection zone (Division 2 of Part 2 of Schedule 3A to the Telecommunications Act). The ACMA can be requested to declare a protection zone or we may, of our own initiative, elect to declare a protection zone.	n/a

Target 1.3.2: Equipment regulation appropriately mitigates the risk of harm to communications networks and people using or working on those networks

We impose obligations on suppliers when they supply certain telecommunications, radiocommunications and electrical/electronic equipment to the Australian market. These obligations include:

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

During the reporting period, we continued our program of regulatory reform and review of mandatory technical standards so that our equipment regulation appropriately mitigates the risk of harm to communications networks and people using or working on those networks.

During 2023–24, we:

- consulted publicly on the electromagnetic compatibility (EMC) regulatory arrangements, including with the relevant state and territory electrical safety regulators
- reviewed and remade the Telecommunications (Types of Cabling Work) Declaration 2013, which was due to sunset on 1 April 2024
- started our review of the Telecommunications Cabling Provider Rules 2014, which are due to sunset on 1 April 2025
- began our review of 8 ACMA telecommunications technical standards and the Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015, which are due to sunset on 1 April 2025.

By maintaining appropriate and effective mandatory technical standards, we minimise the risk of harm to telecommunications infrastructure and networks so that providers have confidence that they are appropriately authorised and enabled to provide communications services.

Target 1.3.3: Numbering services are available 99% of the time and 99.9% of numbering transactions are processed within 5 seconds

The ACMA is responsible for the administration, allocation, and regulation of Australian telephone numbers. Our automated numbering system provides a reliable and intuitive system for the allocation, transfer and surrender of telephone numbers to carriage service providers (CSPs).

We outsource the management of the allocation, transfer and surrender of telephone numbers, including the sale and allocation of 'smartnumbers' (13, 1300, and 1800 numbers), and closely monitor the service levels and KPIs set out in the contract. Contractual service levels for the availability of the ACMA's numbering service to industry, and the performance result in 2023–24 are shown in Table 1.6.

Table 1.6: Performance achieved against contractual service levels for the ACMA's numbering system

Service level	Target	2022–23 result	2023–24 result
% of time the numbering service was available	99%	100%	100%
% of numbering transactions processed within 5 seconds	99.9%	99.9%	100%

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

We undertake compliance with and enforcement of rules relating to communications content and services. This regulation helps the delivery of communication content and services and contributes to consumer confidence in industry's performance.

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

Measure description

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 and industry codes and standards, and in licences
- conducting research, performance analysis and reporting relating to 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 relating to media content and service providers.

Measure composition

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 – 1 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.

Targets		Result
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.	✓

Corporate plan and PBS links

Corporate plan 2023–24, p. 34–38.

Outcome 1, Program 1.2 Consumer safeguards, education and information.

Regulator performance principles

Risk-based and data-driven, continuous improvement and building trust.

Target 2.1.1: 80% or more of surveyed consumers report having confidence in the content and services available to them

We conduct our annual consumer survey to gain valuable information about consumer behaviour, attitudes towards media and communication services, and adoption rates. The survey also evaluates the effectiveness of regulatory interventions. This research is an essential part of the ACMA's research program, which provides evidence-based decision-making and keeps us informed about market developments and consumer trends.

For 2023–24, the survey was conducted to determine the level of trust that consumers had in the content and services that were available to them. This was the second reporting period for which this measure has been implemented.

At July 2024, the net results were:

- 56% of Australian adults who watched free-to-air TV in the survey period reported they were confident or very confident that what is shown on TV meets community expectations
- 59% of Australian adults who listened to any form of broadcast radio (FM/AM/DAB+) in the survey period were confident that what is broadcast on radio meets community expectations
- 64% of Australian adults were confident that their telco services would work as promised
- 53% of Australian adults were confident that they will receive an appropriate level of customer service from their telecommunications provider.

To measure our performance for this target, the lowest result of 53% is assessed. This result does not meet the target of 80%, nor the partially-met target of 60–80%, and is therefore rated as not met.

There are a number of factors outside of the ACMA's remit that have likely contributed to the low level of confidence reported among Australian consumers. Factors may include scams perpetrated over telephone and internet networks, the shift to online news sources that disrupt the traditional news and public interest journalism model, the spread of mis- and disinformation, and concerns about the increased use of generative AI technology that may impact consumer trust in the content and services available to them.

Target 2.1.2: The NSER data-checking service is available to the wagering industry 99.95% or more of the time for the year

BetStop – the National Self-exclusion Register™ enables individuals to exclude themselves from all interactive wagering services licensed in Australia in a single process. The NSER was launched on 21 August 2023, although the data checking service was available for industry to use for testing purposes before that date. During the reporting period, the NSER data checking service was available 100% of the time, exceeding the 99.95% target.

There have been no outages for the service since it went live; we continue to closely monitor the service levels set out in the contract with the register operator.

Target 2.1.3: The DNCR is available to the Australian public 99.5% or more of the time

The Do Not Call Register (DNCR) is a consumer safeguard to prevent unwanted telemarketing. The DNCR is a free service that allows people to securely register their home, mobile or fax numbers to reduce unsolicited telemarketing calls and faxes. The DNCR service centre and website are provided under outsourced contract. Table 1.7 shows the contracted service levels achieved during the reporting period.

Table 1.7: Performance achieved against contractual service levels for the DNCR

Service level	Target	2022–23 result	2023–24 result
Service centre availability	99.5%	99.9%	100%
Washing service availability*	99.5%	99.9%	99.93%
Website availability	99.5%	100%	100%

**Telemarketers and fax marketers 'wash' their calling lists against the DNCR to enable them to remove any registered numbers from their calling lists.*

Target 2.1.4: 95% or more of investigations undertaken are completed within 6 months of the investigation being opened

We are responsible for investigating communications content and services and enforcing compliance with statutory requirements.

Conducting investigations in a timely manner allows us to promptly address concerns about an entity's compliance with its obligations and help them to remedy it if required. It also helps maintain public confidence in the adequacy and enforceability of relevant protections and maintains the integrity of the regulator.

In 2023–24, we completed 116 investigations. Of these:

- 4 investigations assessed compliance with rules to safeguard consumers against the intrusion of unsolicited e-marketing. Breaches included commercial emails and text messages sent without consent, without an unsubscribe function and/or without the inclusion of the necessary sender contact details.
- 1 investigation assessed compliance with anti-fraud rules requiring customer ID authentication to be used by telcos before conducting high-risk transactions with their customers such as SIM swaps and password changes. The breach included failure to comply with multi-factor ID rules to prevent unauthorised access to customer's services.
- 9 investigations assessed compliance with rules to reduce phone scams, which can lead to significant consumer harms including identity theft and financial loss. Breaches included failure to comply with rules to identify and block scam calls and scam SMS. In some cases, the non-compliance created gaps that scammers used to send large scale SMS impersonating well-known brands to Australians.
- 8 investigations assessed alleged non-compliance with IPND obligations relating to the provision and accessing of data in the IPND. Data in the IPND supports law enforcement and emergency services and can be used for public number directories and permitted research. Breaches included failure to provide and/or update customer details in the IPND and failing to comply with conditions of an authorisation.
- 1 investigation assessed compliance with carrier licence conditions after the disclosure and use of unlisted numbers.
- 25 investigations assessed compliance with consumer protection rules. Breaches included failure to comply with complaints handling rules, wrongly charging customers for services, and not updating financial hardship policies to meet requirements under the Financial Hardship Standard. We also found non-compliance with other essential consumer safeguards, including responsible selling training requirements, and consumer information and advertising rules.
- 2 investigations assessed alleged non-compliance with the interception and access rules, which protect the confidentiality of personally identifiable information from unauthorised interference or access.
- 13 investigations across the commercial, narrowcasting and community broadcasting sectors assessed compliance with television and radio codes of practice (including privacy, decency and accuracy rules), captioning obligations and licence conditions.
- 8 investigations assessed compliance against gambling advertising rules during live sport broadcast or streamed online by online content service providers.
- 50 investigations assessed compliance with interactive gambling rules. Breaches included the provision and advertising of prohibited and unlicensed regulated interactive gambling services to Australians.[3]

A total of 88% of investigations (102) were completed within 6 months, meaning this target was partially met. This was due to the complexity of some investigations, particularly those with a significant volume of associated data and, at times, the need to prioritise resources to complete other regulatory work within statutory timeframes.

[3] Some investigations assessed compliance across multiple regulations, therefore the number of investigations outlined in the summary above will not equal the total number of investigations (116) that were completed in the reporting period.

Target 2.1.5: The ACMA's compliance priorities concerning media and content services are on track or implemented on time

Our media and content compliance priorities guide our efforts to build consumer trust in the use of communications content and services, and contribute to Australian consumers having confidence in the content and services available to them.

In 2023–24, one of our compliance priorities focused on supporting Australians to access and benefit from protections designed to help those at risk of, or who are experiencing, gambling harm. To accomplish this, we monitored and enforced compliance with gambling advertising rules and supported Australians to self-exclude from online wagering through BetStop – the National Self-Exclusion Register™.

The following case study demonstrates our performance against this target. It shows the actions we took during the FIFA Women's World Cup against illegal offshore wagering providers targeting Australians, reducing the risk of harm to the community.

Case study

Taking action against illegal offshore wagering providers targeting Australians during the FIFA Women's World Cup

The FIFA Women's World Cup took place in Australia and New Zealand between 20 July and 20 August 2023. In the lead-up to, and during the event, we reviewed over 200 offshore wagering services.

These offshore services appeared to provide wagering on sporting events, including the FIFA Women's World Cup, to Australians without an appropriate licence issued by an Australian state or territory.

We identified these services through complaints received, intelligence provided by our stakeholders including state and territory regulators, responsible gambling bodies and licensed wagering operators, and via online news and publications.

During the FIFA Women's World Cup, we analysed website traffic to each of the services and prioritised those with the most Australian traffic for investigation. We identified 21 services to investigate under the *Interactive Gambling Act 2001*.

The majority of these services also provided casino-style games and/or online in-play betting, both of which are prohibited under the Interactive Gambling Act. These services cannot be licensed in Australia.

Of the 21 services we investigated, we found 18 services (86%) breached interactive gambling rules. After being notified of our preliminary finding, 3 of the 18 services restricted access to Australian end-users. We issued the remaining 15 services with formal warnings. When they continued to breach the rules, we requested participating ISPs to block access to their websites. The investigations and disruption action were completed during the reporting period.

We continue to investigate and take action against illegal offshore wagering providers targeting Australians.

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

Measure description

We are responsible for compliance with and enforcement of rules around media content and services. If a regulated entity does not comply with the rules set out in licences, legislation, industry codes and standards, we can use range of enforcement tools, 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.

Measure composition

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 – 1 measures the effectiveness of the activities in achieving the impact and 3 measure the efficiency of the activities.

Targets		Result
2.2.1	Enforcement decisions to accept or give agreed measures, enforceable undertakings, 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.	✓

Corporate plan and PBS links

Corporate plan 2023–24, p. 40–43.

Outcome 1, Program 1.2 Consumer safeguards, education and information.

Regulator performance principles

Collaboration and engagement, continuous improvement and building trust.

Target 2.2.1: Enforcement decisions to accept or give agreed measures, enforceable undertakings, remedial directions or injunctions deliver improved compliance by the relevant regulated entity

We adopt a graduated and strategic risk-based approach to enforcement, recognising that the primary focus in enforcement action is to help regulated entities achieve ongoing compliance with their obligations.

We evaluate our effectiveness in supporting behavioural change in non-compliant entities by assessing whether entities complied with the obligations set out in agreed measures, enforceable undertakings, remedial directions, or injunctions. Those obligations will have been designed to contribute to improved compliance over time by the entity. We also measure subsequent incidences of non-compliance.

During 2023–24, 97% of deadlines were met in the reporting period, exceeding our target of 90%.

Table 1.8: Summary of agreed measures, enforceable undertakings, remedial directions and injunctions 2023–24

Enforcement decisions	Number of deadlines	Number of deadlines met	Number of subsequent findings of non-compliance	Overall % compliance result
Agreed measures	7	6	0	86%
Enforceable undertakings	41	40	1	98%
Remedial directions	21	21	0	100%
Injunctions	n/a	n/a	n/a	n/a

There were 69 reporting deadlines, of which 2 were not met by the regulated entities – 1 entity did not provide the required report by the due date and 1 entity did not provide the required information in their report.

There were an additional 7 reporting deadlines that were not met; however, this was because the agreed measures or enforceable undertaking ceased to have effect.

In the reporting period, only 1 of the entities subject to enforcement outcomes had subsequent findings of non-compliance for the same obligation, which may indicate that the enforcement action is improving compliance.

Under the *Broadcasting Services Act 1992* (BSA) and industry codes of practice, we accepted agreed measures that required reporting to the ACMA from 1 entity and 2 enforceable undertakings from 2 entities.

Under the *Interactive Gambling Act 2001*, we continued civil penalty proceedings against 4 respondents that commenced in the Federal Court in April 2022. In the reporting period, a judgement was made against one of the respondents.

We continued to monitor 2 remedial directions and 6 enforceable undertakings accepted in the previous reporting period.

Target 2.2.2: Community broadcasting licence renewal decisions are made within the statutory timeframes

Community broadcasting is an important sector in Australia's media content and services industry. Community groups that provide community broadcasting services operate under a community radio or television licence on a not-for-profit basis and provide specific services identified for the local community. Community radio and television licences are generally considered for renewal every 5 years.

We make a renewal decision about a licence in line with our statutory obligations under the BSA. For applications that are not late (that is, they are made more than 26 weeks before the licence expires), the ACMA must make the decision before the licence expiry date, otherwise the licence expires. For 'late' applications (that is, applications made within 26 weeks of the licence expiring), the licence expires if we do not make a renewal decision within 26 weeks of the application being made.

When we assess renewal applications, we generally take into account the extent to which the service meets the community's current and future needs, the nature and diversity of interests in the community, the extent to which the service provides material that is significant to the local community, other broadcasting services in the same licence area, and whether the applicant is able to provide the proposed service.

During 2023–24, 100% of community broadcasting licence renewal decisions were made within the statutory timeframe.

In March 2024, the Parliament passed legislation to enable Channel 31 in Melbourne and Channel 44 in Adelaide to continue beyond the previous legislated end date of 30 June 2024. Following this change, we made the necessary regulatory changes so that Channel 31 and Channel 44 could continue to broadcast after 30 June 2024.

Table 1.9: Community broadcasting licence renewals, 2023–24

Licence	Number of renewal applications processed	Number of renewal applications processed within statutory timeframes	Overall % of renewal applications processed within statutory timeframes
Community television (CTV) broadcasting	0	0	n/a
Community radio broadcasting	33	33	100%
Total	**33**	**33**	**100%**

Target 2.2.3: Media control notifications and caption order applications are processed within statutory timeframes

During 2023–24, we processed all media control notifications and captioning order applications within statutory timeframes set out under the BSA. These activities support Australian consumer's access to diverse media content and services.

Media control notifications

We maintain a public register of media assets in Australia, known as the Register of Controlled Media Groups (RCMG). This register provides information about the ownership and control of media companies operating in Australia, including commercial television broadcasters, commercial radio broadcasters, newspapers, and online news services.

No media control notifications affecting the RCMG were lodged with the ACMA in the reporting period.

Captioning order applications

Captioning is a vital service that helps Australians who are deaf or hard-of-hearing to have meaningful access to free-to-air and subscription television programs. Under the BSA, broadcasters are required to provide a captioning service for their programs, unless they are wholly in a language other than English or consist wholly of music. Broadcasters may submit a captioning order application to the ACMA to seek a reduction in their captioning target (a target reduction order) or an exemption from their annual captioning obligations for a set period (an exemption order).

We are responsible for processing all captioning order applications within the specified statutory timeframes. We must, within 50 days of receiving an application for a captioning order, publish the draft order and invite submissions within 30 days of publication, before making a captioning order. If we do not decide on a captioning order within 90 days of receiving an application, the ACMA is taken to have refused to make the captioning order.

In 2023–24, 100% of captioning order applications were processed within statutory timeframes.

Table 1.10: Applications completed within statutory timeframes

Application	Number of applications received	Number of applications processed within statutory timeframes	Overall % of applications processed within statutory timeframes
Media control notifications			
Changes to the RCMG	0	n/a	n/a
Captioning order applications			
Target reduction order	6	6	100%
Exemption order	0	n/a	n/a
Total	**6**	**6**	**100%**

Target 2.2.4: Annual compliance results for Australian content and captioning reporting are finalised within 6 months of reports being received

Free-to-air broadcasters and subscription TV licensees must meet minimum targets for captioning and the broadcast of Australian content. Industry provides compliance reports to the ACMA annually and we use this information to assess whether each licensee met its regulatory obligations in the previous reporting period. Annual compliance reports allow us to identify any non-compliance so that appropriate enforcement action may be taken.

Captioning reporting results

Free-to-air broadcasters and subscription TV licensees are required to provide annual captioning compliance reports to the ACMA within 90 days after the end of each financial year. This helps us to assess compliance with the captioning obligations under the BSA.

We assessed 100% of all free-to-air and subscription TV annual captioning reports within 6 months of the reports being received.

Australian content reporting results

Commercial television licensees are required to meet minimum standards for broadcasting Australian content and must provide compliance reports to the ACMA by 31 March for the previous calendar year. Licensees report on quotas for Australian content transmission and for first-release Australian content.

We assessed 100% of all annual compliance results for Australian content on commercial television in 2022 within 6 months of the reports being received.

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

Measure description

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.

Measure composition

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 – 1 measures the effectiveness of the activities in achieving the impact and 1 is a proxy measure for the efficiency of the activities.

Targets		Result
2.3.1	2023–24 compliance priorities concerning telecommunications services are on track or implemented on time.	✓
2.3.2	Enforcement decisions to accept or give agreed measures, enforceable undertakings, remedial directions or injunctions deliver improved compliance by the relevant regulated entity.	✓

Corporate plan and PBS links
Corporate plan 2023–24, p. 44–45.
Outcome 1, Program 1.2 Consumer safeguards, education and information.

Regulator performance principles
Risk based, and data driven, collaboration and engagement.

Target 2.3.1: 2023–24 compliance priorities concerning telecommunications services are on track or implemented on time

Our telecommunications compliance priorities guide our efforts to build consumer trust in the use of communications content and services and contribute to Australians' access to a competitive telecommunications market. In 2023–24, we focused on protecting telco customers experiencing financial hardship, supporting telco customers experiencing domestic and family violence, enforcing e-marketing unsubscribe rules and combatting SMS scams.

Protecting telco customers experiencing financial hardship

The focus was ensuring telcos comply with obligations to support customers experiencing financial hardship, including monitoring debit and responsible selling practices.

In February 2024, the Telecommunications (Financial Hardship) Industry Standard 2024 was introduced, coming into effect on March 29, 2024. The new standard enhances safeguards by requiring telcos to establish and promote financial hardship policies, proactively identify customers in need, offer stronger support options, and prioritize keeping customers connected to services. The ACMA was granted expanded enforcement powers, such as issuing formal warnings and financial penalties for non-compliance.

Compliance audits of 48 telcos revealed that 10 had not met the new requirements, leading to formal warnings being issued.

The ACMA also published guidance for the industry and continues to promote consumer education campaigns to raise awareness of telco financial hardship programs and protections, ensuring Australians can maintain continued access to their services.

Combatting SMS scams

Efforts to combat SMS scams focused on preventing scam messages from reaching Australians by enforcing existing rules, collaborating with partners, and exploring new methods to stop messages that impersonate legitimate brands or organisations.

Audits of 41 telcos involved in sending bulk SMS revealed significant non-compliance with rules requiring verification of legitimate sender IDs. Following 12 investigations, enforcement actions included 11 directions to comply and 1 formal warning, with evidence showing that non-compliance allowed scammers to send brand impersonation scams in 10 cases.

Engagement with the industry involved sharing de-identified complaint data, monitoring scam traffic tracing, providing intelligence on emerging threats, and supporting the use of AI or machine learning to improve scam detection and disruption.

Between July 2022, when new rules to identify and block scam text messages started, and June 30 2024, telcos reported blocking over 660 million scam messages. An SMS Sender ID Register pilot was launched in December 2023 to protect the sender IDs of registered brands and government agencies from being impersonated by scammers.

Enforcing e-marketing unsubscribe rules

The focus was on businesses failing to act on opt-out requests for e-marketing, particularly in areas like gambling, alcohol, and 'buy now, pay later' offers, which pose significant harm.

Strong enforcement actions were taken following investigations into non-compliance with SMS and email unsubscribe rules. As a result, over $8.5 million in infringement notices were issued, and 6 court-enforceable undertakings were accepted, including from large, established organisations that failed to provide a compliant unsubscribe facility.

By June 2024, 2,497 businesses identified as potentially breaching unsubscribe rules received compliance alerts and tailored information, reminding them of their obligations and the consequences of non-compliance.

The following case study provides an overview of the other priority we focused on under this measure during the year: supporting telco customers experiencing domestic and family violence.

Case study

Supporting telco customers experiencing domestic and family violence

The telco industry plays an important role in supporting Australians experiencing (or trying to escape) domestic and family violence. Helping these customers stay connected and maintain access to important services and support is essential.

Our focus

We announced our 2023–24 compliance priorities on 30 June 2023, including a priority focused on assessing how telcos assist customers experiencing domestic and family violence, and taking action against telcos that may not follow the rules.

Under the Telecommunications Consumer Protections (TCP) Code, telcos are required to make sure their sales reps and public-facing staff can interact with disadvantaged or vulnerable customers appropriately, including customers experiencing domestic and family violence.

What we did

In July 2023, we used powers under section 522 of the Telecommunications Act 1997 to obtain TIO complaints data about telcos' management of matters involving customers affected by domestic or family violence between 1 July 2022 and 30 June 2023.

We also engaged with industry and community advocacy groups to better understand the telco-related issues that people affected by domestic and family violence were facing.

We also wanted to identify any failures or regulatory gaps in the current telco consumer protection framework that could inform the 2024 review of the TCP Code.

Key outcomes

By October 2023, we had completed our assessment of TIO complaints data. Of the 258 TIO complaints analysed, 59 raised concerns about how some telcos had interacted with or responded to a customer experiencing domestic and family violence.

From this, we opened 3 investigations into whether the telcos had complied with the TCP Code and sought information about:

- the domestic and family violence policies and procedures the telcos had to enable their front-of-house staff to identify, appropriately interact with and support consumers affected by domestic and family violence
- how relevant staff handled the identified complaints (such as reviewing system notes, call or webchat recordings)
- whether relevant staff received training to appropriately interact with customers affected by domestic or family violence.

Due to their complexity, these investigations are on track, although expected to be completed very early in the next reporting period.

Benefits and impact

Our work identified potential gaps in the current consumer protections framework for telco customers affected by domestic or family violence, which we can now move to strengthen and clarify.

Target 2.3.2: Enforcement decisions to accept or give agreed measures, enforceable undertakings, remedial directions or injunctions deliver improved compliance by the relevant regulated entity

We adopt a graduated and strategic risk-based approach to enforcement, recognising that the primary focus of enforcement action is to motivate regulated entities to achieve ongoing compliance with their obligations. We evaluate our effectiveness in supporting behavioural change in non-compliant entities by assessing whether entities complied with the obligations (including, in some cases, obligations to report to the ACMA within specified timeframes) set out in agreed measures, enforceable undertakings, remedial directions, or injunctions. Those obligations have been designed to contribute to improved compliance over time by the entity.

During 2023–24, there were 31 reporting deadlines. 100% of deadlines were met in the reporting period, exceeding our target of 90%.

Table 1.11: Summary of agreed measures, enforceable undertakings, remedial directions and injunctions and subsequent compliance, 2023–24

Enforcement decisions	Number of deadlines	Number of deadlines met	Number of subsequent findings of non-compliance	Overall % compliance result
Agreed measures	n/a	n/a	n/a	n/a
Enforceable undertakings	27	27	0	100%
Remedial directions	4	4	0	100%
Injunctions	n/a	n/a	n/a	n/a

None of the entities subject to enforcement outcomes have had subsequent findings of non-compliance for the same obligations. As these types of enforcement actions are designed to drive improvements in behaviour by the relevant entity, this can be considered an indicator that the enforcement action is improving compliance.

Under the Telecommunications Act, the *Telecommunications (Consumer Protection and Service Standards) Act 1999* and various industry codes, we accepted 3 enforceable undertakings, issued 1 remedial direction and initiated civil penalty proceedings against 1 respondent in the Federal Court.

We continued to monitor a further 2 remedial directions and 1 enforceable undertaking that we accepted in previous reporting periods.

Management and accountability

This section details governance, staffing arrangements, and financial and property management.

It applies to both the ACMA and eSafety, unless specified. For eSafety's specific governance and administrative information, refer to page 219 in *Part 2: eSafety Commissioner annual report 2023–24*.

Under the *Online Safety Act 2021*, the ACMA makes staff available to assist the eSafety Commissioner to perform its functions and exercise its powers. All Australian Public Service staff employed to assist the eSafety Commissioner are staff of the ACMA employed under the *Public Service Act 1999* and are covered by all ACMA entitlements, protections, and obligations.

Governance

The ACMA is a non-corporate Commonwealth entity under the *Public Governance, Performance and Accountability Act 2013* (the PGPA Act). The ACMA Chair is the accountable authority under the PGPA Act and the agency head for the purpose of the Public Service Act.

The Authority is a collegiate decision-making body of between 3 and 9 members, including the ACMA Chair and Deputy Chair. Members are appointed by the Governor-General and associate members are appointed by the respective minister of the ACMA. Associate members include 2 appointed under cross-appointment arrangements with the Australian Competition and Consumer Commission (ACCC) to support collaboration between the sectoral and economic regulators. The *Code of Conduct for Authority members* and associate members sets out the Authority's strategic intent, approach to business, duties, responsibilities, and the culture and values that guide its work.

The Executive Management Committee (EMC) meets regularly to assist the ACMA Chair in the role of accountable authority. The EMC advises on strategic matters and issues of significance, and oversees finance, resource management, risk, compliance, and information technology areas.

The EMC comprises the ACMA Chair, Deputy Chair and the 5 Senior Executive Service (SES) Band 2 general managers.

The EMC is supported by the Enterprise Project Group (EPG), which was established in 2020 to provide oversight of major projects to ensure they align with the ACMA's strategic direction and deliver agreed outcomes and benefits efficiently and effectively. The EPG meets monthly and is chaired by the Deputy Chair/CEO.

Corporate planning

Our *Corporate plan 2023–24* outlined the strategic approach to achieving our purpose by setting out our medium- to long-term priorities over 4 years.

During 2023–24, the EMC reviewed the agency's progress in achieving our performance measures and targets outlined in the PBS and corporate plan. Our success in achieving our purpose, outcomes and the alignment of our activities in relation to the regulator performance principles is reported in our Annual Performance Statement.

Risk management and fraud and corruption control

We maintain systems of risk management and fraud and corruption control in accordance with the PGPA Act, the Public Governance, Performance and Accountability Rule 2014 (PGPA Rule) and Commonwealth policies.

The ACMA Risk Management Framework provides guidance to staff on their risk management responsibilities, including making risk-aware decisions, utilising risk management tools to prioritise activities and communicating risks to stakeholders.

To ensure comprehensive risk management, the EMC holds quarterly risk management sessions. These involve reviewing relevant risk registers, identifying contributing risk factors, evaluating existing controls, and allocating resources to mitigate identified risks.

The revised Commonwealth Risk Management Policy came into effect on 1 January 2023. We reviewed the ACMA Risk Management Framework to address the requirements of the revised policy. Work is ongoing to strengthen the effectiveness of our risk controls and enhance measures to identify, manage and escalate emerging risks.

The ACMA Fraud and Corruption Control Policy outlines control arrangements, including designated responsibilities and ongoing strategies for risk mitigation to protect public money, property, and information. To strengthen our internal controls and governance arrangements, we conduct fraud and corruption risk assessments, implement fraud and corruption prevention measures, raise awareness among staff about fraud and corruption risks, establish clear reporting mechanisms and respond to allegations of fraud or corruption. All instances of suspected fraud and corruption and all investigations are recorded in the Fraud and Corruption Register and reported to the Audit and Risk Committee (ARC).

The establishment of the National Anti-Corruption Commission (NACC) by the Australian Government on 1 July 2023 and the commencement of the Commonwealth Fraud and Corruption Control Framework on 1 July 2024 are also relevant to our fraud and corruption control efforts. The updated ACMA Fraud and Corruption Control Policy covers new requirements resulting from the establishment of the NACC and the Commonwealth Fraud and Corruption Control Framework. We also released a dedicated integrity framework that provides support and guidance to all staff and promotes a pro-integrity culture.

Audit

We regularly review our governance and assurance systems, as well as our performance frameworks, and take steps to improve our existing strong foundations. The ARC and internal auditors provide expert advice to the ACMA that informs continual improvement activities.

During 2023–24, the ARC met 6 times and considered key corporate and regulatory processes. The ARC reviewed all internal and relevant external audit activity and reported on performance against its charter. Key areas of focus for the ARC included arrangements to enhance joint ACMA and eSafety governance and performance reporting, the Australian Cyber Security Centre's Essential Eight implementation, mitigation strategies to address increasing cybersecurity risks, and audit coverage of ACMA and eSafety programs.

Over the reporting period, our internal audit services were provided by RSM Australia. Five internal audits, and one management-initiated review were completed and accepted by the ARC. The ARC monitors all audit recommendations and reviews a selection of closed recommendations to confirm implementation over the longer term.

Details of the ARC, including a link to its charter, are included in Appendix 1.1.

External scrutiny

During 2023–24, there were:

- no decisions of administrative tribunals or decisions of the Australian Information Commissioner that had or may have a significant impact on the operations of the ACMA
- no reports on the operations of the ACMA by parliamentary committee or the Commonwealth Ombudsman
- no capability reviews of the ACMA released.

Judicial decisions

The ACMA was involved in a number of judicial proceedings in 2023–24. While decisions were made in some of the proceedings to which the ACMA was a party, the decisions were not of a kind that had, or may have, a significant impact on the operations of the ACMA. Examples of judicial decisions involving the ACMA in 2023–24 are:

- *Axicom Inbuilding Solutions Pty Ltd v Australian Communications and Media Authority* [2023] FCA 1069
- *Australian Communications and Media Authority v Phaze Broadcasting Pty Ltd* [2024] FCA 473
- *Australian Communications and Media Authority v V Marketing Australia Pty Ltd (in liq)* (No 2) [2024] FCA 34.

Australian National Audit Office performance audits

The ACMA underwent a performance audit of compliance with gifts, benefits and hospitality requirements by the Auditor-General, which was tabled on 25 June 2024.[4]

The audit found the ACMA's management and control of risks associated with giving and receiving gifts, benefits and hospitality in accordance with the Australian Public Service Commission (APSC) Guidance and the ACMA's policy requirements was partly effective; and management arrangements, policies and controls for complying with gifts, benefits and hospitality within the ACMA were largely effective. It found some deficiencies in enforcing compliance requirements for gifts, benefits and hospitality and subsequently made 3 recommendations to the ACMA to improve its risk management policies and enforcement of policy requirements in this area. We agreed to all recommendations and have started implementing them, along with some improvement opportunities also identified in the audit.

Legal

Freedom of information

The ACMA is subject to the *Freedom of Information Act 1982* (the FOI Act), which requires agencies to publish information as part of the Information Publication Scheme (IPS), under Part II of the FOI Act. Information on the ACMA's IPS, including our agency plan, is available on our website at acma.gov.au.

The agency plan provides a description of, and links to, the categories of information that we are required to publish, as well as information on other material that we voluntarily publish. Further information can be obtained using the contact details provided in the agency plan.

FOI details relating to the eSafety Commissioner can be found on page 221 in Part 2: *eSafety Commissioner annual report 2023–24.*

[4] Australian National Audit Office (ANAO), Compliance with Gifts, Benefits and Hospitality Requirements in the Australian Communications and Media Authority, ANAO website, 2024, accessed 16 September 2024.

Sunsetting

During 2023–24, we continued the work that flows from the 'sunsetting' regime in the *Legislation Act 2003*. Under the sunsetting provisions of the Legislation Act, most of the legislative instruments made by Commonwealth entities such as the ACMA 'sunset' (are automatically repealed) 10 years after they are first registered as law.

In the reporting period, 11 instruments were due to sunset. Of those, 10 were revoked and replaced by a new instrument to similar effect, and 1 instrument was revoked without being replaced, as we determined that no replacement instrument was necessary.

Directions and instruments

- Section 57 of the ACMA Act requires copies of certain directions and instruments to be included in the ACMA's annual report, including directions given to us by the Minister under section 14 of the ACMA Act, and instruments (directions) given by us to a carrier or carriage service provider under section 581 of the Telecommunications Act during the financial year.
- Additionally, section 67 of the ACMA Act requires us to maintain a register of all directions given to us under that Act or any other Act. The register is published on the ACMA website.
- In 2023–24, the Minister did not give the ACMA any directions under section 14 of the ACMA Act. The ACMA did not give any directions under section 581 of the Telecommunications Act during the reporting period.

Corporate support services provided by the ACMA to eSafety

The ACMA provides a range of corporate support services to the eSafety Commissioner and their office under a Memorandum of Understanding, including:

- financial support
- procurement
- accommodation and facilities, including security and reception
- information and communications technology (ICT)
- human resource management and support.

Financial performance and management

The ACMA's financial management activities ensure that we appropriately resource and support our business areas to deliver our key activities. During 2023–24, we improved access to quality financial information for internal and external stakeholders. We also met all statutory budgeting and reporting requirements, and deadlines set by the Department of Finance and Treasury.

In accordance with paragraph 17AG(2)(d) of the PGPA Rule, no instances of non-compliance with the finance law were reported to the portfolio minister or the Minister for Finance during the reporting period.

The ACMA's financial statements for 2023–24 were prepared in accordance with section 42 of the PGPA Act. The Australian National Audit Office was given full access to all records and premises to enable it to perform its role and issue an unmodified audit opinion on the ACMA's 2023–24 financial statements and notes (see Appendix 1.14 of this report).

Activities administered on behalf of government

The ACMA collects income on behalf of the Australian Government through broadcasting, radiocommunications and telecommunications taxes, levies, fees and charges. We also administer non-regular income from spectrum auctions. All administered income collected by the ACMA, including through cost recovery, is returned to consolidated revenue.

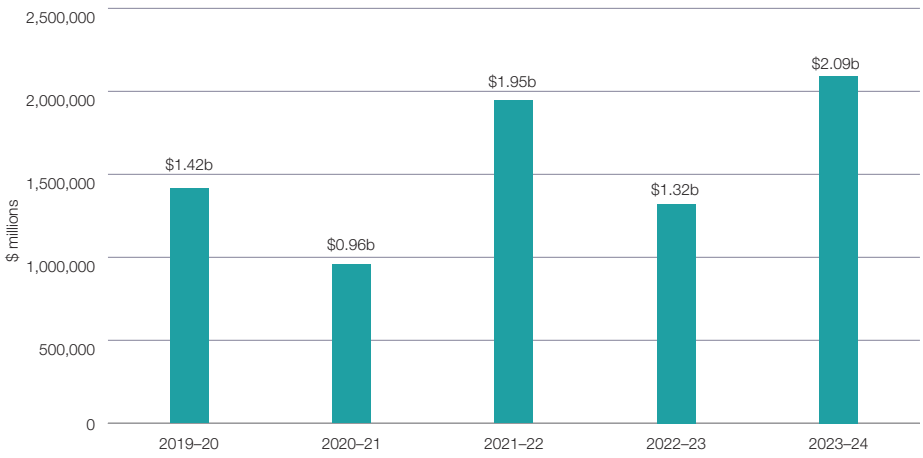
The ACMA collected income of $2,090.7 million on behalf of government in 2023–24. This was primarily made up of:

- the Regional Broadband Scheme (RBS) charge: $836.5 million
- the revenue recognition of the 3.4/3.7 GHz band spectrum licences: $721.8 million
- the Telecommunications Industry Levy (TIL): $209.0 million
- radiocommunications taxes (including apparatus licence tax): $152.8 million
- telecommunication numbering charges: $60.0 million
- broadcasting apparatus licence taxes (commercial broadcasting tax): $40.4 million
- the Annual Carrier Licence Charge (ACLC): $31.4 million
- fines and penalties revenue following the outcome of a number of investigations: $15.3 million.

The ACMA's administered expenses totalled $6.5 million and primarily comprised eSafety supplier costs ($3.8 million), grant expenditure ($2.3 million) related to eSafety's Preventing Tech-based Abuse of Women Grants Program, and impairment losses ($0.4 million) related to receivables for radiocommunications taxes and telecommunication numbering charges.

As at 30 June 2024, the ACMA held $1.116 million in administered assets, primarily related to the RBS charge, the lease receivables for the 26 GHz spectrum licences, and the ACLC receivables. The ACMA also held $2.141 million in administered liabilities for unearned revenue related to radiocommunications licences paid in advance.

Figure 1.3: Administered income

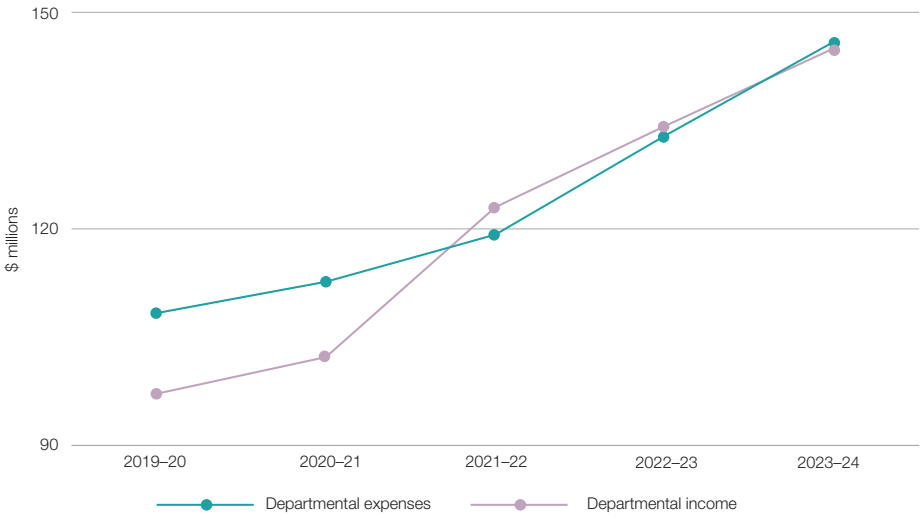


Departmental activities

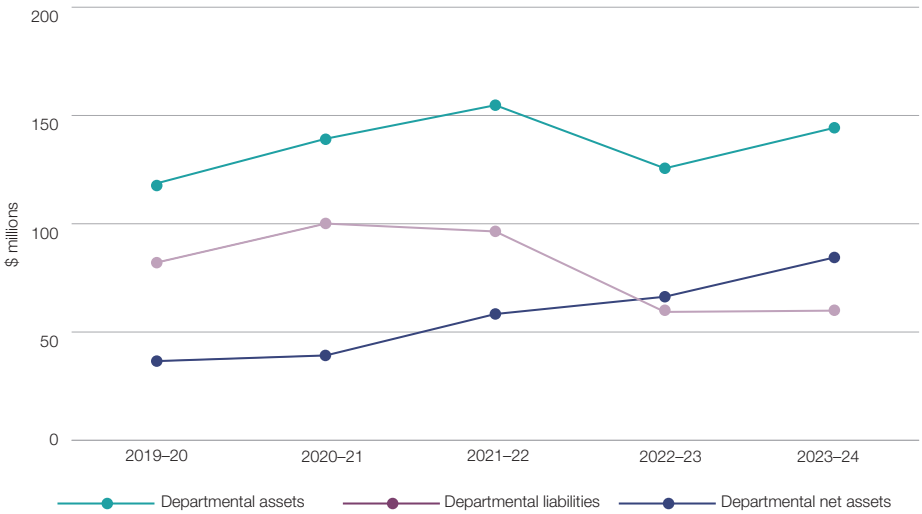
The ACMA reported an operating loss of $0.8 million. Departmental expenses totalled $146.0 million, primarily made up of staffing and supplier expenditure, and depreciation charges. Departmental income totalled $145.0 million (including revenue from government), comprising sale of goods, rendering of services, resources received free-of-charge and gains on assets.

As at 30 June 2024, the ACMA had a positive net asset position of $84.4 million. Assets totalled $144.3 million, with liabilities totalling $59.9 million, including lease liabilities, employee provisions and supplier accruals.

Figure 1.4: Analysis of departmental activities



Note: Departmental expenses include depreciation and amortisation charges, which are not funded by departmental income.



Note: 2019–20 reflects the revised treatment of leases under AASB 16 Leases, which increases both assets and liabilities

Resource taxes and charges

Industry use of Australian resources by industry attracts various taxes and charges.

Our administration of taxes, levies, fees and charges plays a key role in the planning, allocation and effective use of public resources. Table 1.12 lists these revenue items administered on behalf of government.

Table 1.12: Resource taxes and charges

Description	Revenue in 2022–23 ($m)	Revenue in 2023–24 ($m)
Regional Broadband Scheme charge	799.1	836.5
Telecommunications Industry Levy	219.7	209.0
Apparatus licence tax	135.5	152.8
Commercial broadcasting tax	44.2	40.4
Annual numbering charge	60.0	60.0
Other taxes and charges	17.5	16.6
Total taxes	**1,276.1**	**1,315.3**

Regional Broadband Scheme

The Regional Broadband Scheme (RBS) was established to provide long-term sustainable funding arrangements to deliver essential broadband services to regional, rural and remote Australians. Under the RBS, for the 2023–24 reporting period, a carrier or declared nominated carrier is required to pay $8.26 per month for each eligible premise on their telecommunication network with an active fixed line that provides a designated broadband service. Carriers with fewer than 2,000 premises in a month are exempt from paying the charge for that month.

In 2023–24, the ACMA recognised the revenue related to the RBS charge to NBN Co based on an estimate of their eligible premises from 1 July 2023 to 30 June 2024. The RBS charge for other carriers recognised in 2023–24 is based on their actual assessed charge for the 2022–23 reporting period.

Telecommunications Industry Levy

Industry contributions to the Telecommunications Industry Levy (TIL) are assessed through the process set out in Division 6 of Part 2 of the TCPSS Act. A combination of funds raised under the TIL and dedicated government funding continues to be used to meet the costs of service contracts to deliver universal service obligations, the National Relay Service, emergency call services and other public policy telecommunications outcomes. The contracts and grants are administered by the portfolio department.

The portfolio department establishes the overall levy target each year. Participants contribute proportionally to the levy based on our assessment of their eligible revenue.

Apparatus licence taxes

The ACMA imposes a tax on behalf of the government for issuing radiocommunications apparatus licences to support the efficient use of spectrum and recover the indirect costs of spectrum management. The tax is calculated by a formula that makes fees consistent, equitable and transparent. The formula encourages efficiency by making taxes higher in congested locations and spectrum bands (so taxes are proportional to the bandwidth) and giving discounts for low power.

During 2023–24, we applied the first round of annual apparatus licence tax updates using our new geography-specific population-based methodology (instead of the CPI). We also continued our reforms in response to the implementation of the Spectrum Pricing Review, such as reducing television outside broadcast network apparatus licence taxes. The overall increase in apparatus licence taxes collected is primarily due to the increased uptake of apparatus licences. Details of the apparatus licence taxes and charging arrangements are in the *Apparatus licence fee schedule, April 2024*, available on the ACMA website.

Commercial broadcasting tax

The commercial broadcasting transmitter licence tax arrangements involve taxes being assessed on commercial radio and commercial television transmitter licences that are associated with a broadcast service licence. The amount of tax assessed for each transmitter licence is based on the frequency band, location and power emissions of the transmitter.

Some commercial broadcasting licensees were eligible for rebates in 2022–23 and 2023–24 under the Commercial Broadcasting (Tax) (Transmitter Licence Tax Rebate) Rules 2022 (the Rebate Rules 2022). The Rebate Rules 2022 were replaced by the Commercial Broadcasting (Tax) (Transmitter Licence Tax Rebate) Rules 2024 (the Rebate Rules 2024), which were made by the minister during 2023–24 and increased rebate amounts. The first rebate period under the Rebate Rules 2024 started on 9 June 2024.

The decrease in commercial broadcasting transmitter licence tax collected by the ACMA in 2023–24 is due to approximately $7.2 million in taxes imposed late in the financial year being assessed in July 2024.

Annual numbering charges

On behalf of the government, the ACMA collects an annual numbering charge (ANC), set at $60 million per annum, from carriage service providers (CSPs) that hold telephone numbers. CSPs are liable for the charges based on the numbers they hold on a specified census date, which in 2023–24 was 7 April 2024.

In 2023–24, the base number charge for a 10-digit number was $0.59476. Using the opportunity-cost methodology applied in previous years, 9-digit numbers were charged at $5.9476, 8-digit numbers at $59.476 and so on. Numbers used for incoming-only international services; internal network services and testing services have a reduced rate. Geographic numbers (numbers starting with area codes such as 02, 03, 07 and 08) allocated to a CSP to provide a standard telephone service to a customer are exempt from the charge.

Other taxes and charges

Other taxes and charges mainly consist of spectrum licence taxes of $2.6 million, which decreased from 2022–23 due to a reduction in the total annual EME Component, instalments of the spectrum access charges for the conversion of apparatus licences to spectrum licences ($5.7 million) and spectrum licence renewals ($6.6 million).

Cost recovery charges

In accordance with the Australian Government's Charging Framework, we recover the costs of regulating the telecommunications industry. Revenue raised by the ACMA from cost recovery is shown in Table 1.13.

Table 1.13: Cost recovery charges

Description	Revenue in 2022–23 ($m)	Revenue in 2023–24 ($m)
Annual Carrier Licence Charge	29.2	31.4
Other cost recovery	4.4	3.7
Total charges	**33.6**	**35.1**

The Annual Carrier Licence Charge (ACLC) is imposed under the *Telecommunications (Carrier Licence Charges) Act 1997* on participating carriers. It recovers the cost incurred by the ACMA, the ACCC, and the Department for regulating entities within the telecommunications industry. Costs arising from activities on national telecommunications interest issues such as coordinating engagement with the International Telecommunication Union, telecommunications industry body or association developing industry codes under Part 6 of the Telco Act and financial assistance grants to support consumer representation in the telecommunication sector, are also cost-recovered through the ACLC. The total charge is allocated using the same eligible revenue assessments utilised for the TIL.

Other administered revenue

The revenue identified in Table 1.14 mainly consists of fees and fines that primarily relate to infringement notices issued following our investigations. Our investigation and enforcement activities are discussed in the Annual Performance Statement.

Table 1.14: Other administered revenue

Description	Revenue in 2022–23 ($m)	Revenue in 2023–24 ($m)
Fines and penalties	8.7	15.3
Total charges	**8.7**	**15.3**

Administered gains

The current-year gains identified in Table 1.15 for 2023–24 consisted of income related to the proceeds from the sale of 3.4/3.7 GHz spectrum access licences as a gain at the commencement of the licence under AASB 138 Intangible Assets, and subsequently as a finance lease under AASB 16 Leases.

Table 1.15: Administered gains

Description	Gain in 2022–23 ($m)	Gain in 2023–24 ($m)
Resources received free of charge (spectrum licences)	0.0	721.8
Reversal of write-downs and impairment	0.1	0.7
Total charges	**0.1**	**722.5**

Procurement and contract management

Our approach to procurement activity is driven by the core principles of the Commonwealth's financial management framework. The framework encourages competition, value for money, transparency and accountability, as well as the efficient, effective, ethical and economical use of Commonwealth resources.

Our policy for procuring goods and services is in accordance with the Commonwealth Procurement Rules (CPRs) and is based on the core principle of achieving value for money. We continue to update our resource materials to accommodate legislative changes in Commonwealth procurement policy. Our procurement and contract management capability continues to be enhanced with our use of training packages provided by the Department of Finance, which contribute to the ACMA complying with the requirements of the CPRs for all procurements and contract management.

During 2023–24, the ACMA and eSafety incurred a total consultancy contract expenditure of $3,330,190 and total non-consultancy contract expenditure of $48,762,079. Organisations that received the 5 largest shares or organisations that received more than 5% of the total expenditure for each category of contract for the ACMA and eSafety are shown in tables 1.19 and 1.22.

Annual reports contain information about actual expenditure on reportable consultancy and non-consultancy contracts. Information on the value of reportable consultancy and non-consultancy contracts is available on the AusTender website.

Consultants

The ACMA and eSafety engage consultants to provide specialised services when the capability or capacity to perform these in-house is not available, or where there is a requirement for independent advice or the development of intellectual output to assist with decision making. The majority of consultants were engaged following an open approach to market and use of panel arrangements. The main categories for consultancies in 2023–24 were research and general advice.

During 2023–24, 19 new reportable consultancy contracts were entered into for the ACMA and eSafety, involving total actual expenditure of $1,719,045 (Table 1.16). In addition, 25 ongoing reportable consultancy contracts were active during the period for the ACMA and eSafety, involving total actual expenditure of $1,611,145 (Table 1.17).

Table 1.16: Number and expenditure on new consultancy contracts, 2023–24

	Number of contracts	Expenditure $ (GST inc.)
ACMA	14	1,502,229
eSafety	5	216,816
Total	**19**	**1,719,045**

This table includes both administered and departmental expenditure on consultancies.

Table 1.17: Number and expenditure on ongoing consultancy contracts, 2023–24

	Number of contracts	Expenditure $ (GST inc.)
ACMA	17	1,051,957
eSafety	8	559,188
Total	**25**	**1,611,145**

This table includes both administered and departmental expenditure on consultancies.

Table 1.18: Total expenditure on consultancy contracts, 2021–22 to 2023–24

Year	New consultancies $ (GST inc.)	Continued consultancies $ (GST inc.)
2021–22	2,390,157	1,434,342
2022–23	2,524,785	1,958,055
2023–24	1,719,045	1,611,145

Table 1.19: Organisations receiving a share of reportable consultancy contract expenditure, 2023–24

Name of organisation*	Expenditure $ (GST inc.)
Power Auctions LLC	449,200
The Social Research Centre Pty Ltd	395,717
Moonshot CVE Ltd	379,307
KPMG	353,042
SEC Newgate Pty Ltd	236,796

**Contracts have been grouped and total accumulated expenditure has been reported on per supplier.*
This table includes both administered and departmental expenditure on contractors.

Non-consultants

The ACMA and eSafety procure goods and services to deliver agency outcomes. During 2023–24, 172 new reportable non-consultant contracts were entered into for the ACMA and eSafety involving total actual expenditure of $7,702,459. In addition, 223 ongoing reportable non-consultant contracts were active during the period for the ACMA and eSafety, involving total actual expenditure of $41,059,619.

Table 1.20: Number and expenditure on new non-consultancy contracts, 2023–24

	Number of contracts	Expenditure $ (GST inc.)
ACMA	91	3,596,522
eSafety	81	4,105,937
Total	**172**	**7,702,459**

This table includes both administered and departmental expenditure on contractors.

Table 1.21: Number and expenditure on ongoing non-consultancy contracts, 2023–24

	Number of contracts	Expenditure $ (GST inc.)
ACMA	111	26,921,920
eSafety	112	14,137,699
Total	**223**	**41,059,619**

This table includes both administered and departmental expenditure on contractors.

Table 1.22: Organisations receiving a share of reportable non-consultancy contract expenditure, 2023–24

Name of organisation*	Expenditure $ (GST inc.)
Evolve FM Pty Ltd Facilities Trust Payment (ABN 52 805 472 580)	11,097,893
Talent International (ACT) Pty Ltd (ABN 95 121 819 305)	4,357,403
IVE Group Australia Pty Ltd (ABN 29 090 618 278)	2,398,535
Data #3 Limited (ABN 31 010 545 267)	1,993,619
LS Telcom Australia Pty Ltd (ABN 31 634 294 732)	1,750,705

**Contracts have been grouped and total accumulated expenditure has been reported on per supplier.*
This table includes both administered and departmental expenditure on contractors.

Contractors

The ACMA and eSafety engage contractors to perform specialised duties under their direction and supervision. The policy for selecting and engaging contractors, including the use of standing panel arrangements, is in accordance with the CPRs and based on the core principle of achieving value for money.

Table 1.23: Total expenditure on contractors, 2021–22 to 2023–24

Year	ACMA $ (GST inc.)	eSafety $ (GST inc.)	Total $ (GST inc.)
2021–22	6,682,225	15,658,681	22,340,906
2022–23	3,001,567	20,405,951	23,407,518
2023–24	2,380,369	18,243,636	20,624,005

This table includes both administered and departmental expenditure on contractors. Contractor expenditure reported in this table is included in total non-consultancy expenditure in the above section.

Procurement initiatives to support small business

The ACMA supports small business participation in the Commonwealth Government procurement market, consistent with the CPRs. Small and medium enterprises (SMEs), and Indigenous participation statistics are available on the Department of Finance's website.

We are Pan-European Public Procurement On-Line (PEPPOL) enabled, and support and adhere to the Payment Times Procurement Connected Policy by ensuring all business types are paid on time within 5 business days for PEPPOL-compliant e-invoices and within 20 calendar days or less for all other invoices.

Our procurement practices support SMEs, consistent with paragraphs 5.5 to 5.8 of the CPRs by adopting initiatives and practices including:

- using the Commonwealth Contracting Suite for procurements under $200,000
- considering the Australian Industry Participation Plans in whole-of-government procurement, where applicable
- adopting Small Business Engagement Principles (outlined in the government's Industry Innovation and Competitiveness Agenda), such as communicating in clear, simple language and presenting information in an accessible format
- using electronic systems or other processes to facilitate on-time payment performance, including the use of payment cards.

Competitive tendering

No contracts have been let for the delivery of government activities previously performed by a Commonwealth agency.

Access by Auditor-General

No contracts have been let that prevent access by the Auditor-General.

Exemptions from reporting of Commonwealth contracts

No exemptions have been sought or granted for the non-reporting of Commonwealth contracts on AusTender.

Asset management

Our asset management procedures and policies reflect relevant legislation and best practice. Major asset categories include land, buildings, leasehold improvements, plant, equipment and intangibles, such as software that is either developed in-house or bought from third-party vendors. Assets are valued at fair value, with their carrying values and useful lives reviewed annually. Under recent revisions to the accounting standard on leases, AASB 16 *Leases*, the ACMA also recognises a right-of-use asset for its major office leases.

At the end of 2023–24, the ACMA had a total value of $76.4 million in net non-financial assets (excluding pre-payments).

Property management

Our Property Management Plan enables us to continue to proactively meet our core business objectives and provide cost effective and fit-for-purpose office accommodation.

Ecologically sustainable development and environmental performance

Integrating energy-efficiency practices allows us to reduce our energy costs and decrease the overall consumption of resources.

In 2023–24, we continued to mitigate the effects of our impact on the environment through:

- reducing our Canberra office footprint by 30% by occupying a new office space from November 2023
- using electronic document management systems and web-based information-sharing tools to reduce or eliminate the need to print and retain paper copies
- using videoconferencing to reduce the need for local and interstate travel
- identifying and implementing ways to improve the energy efficiency of our facilities
- ensuring new leases comply with the Australian Government's energy policy
- procuring energy-efficiency equipment and lighting, including smart lighting systems that activate only when work areas are occupied
- supplying recycling facilities in all work areas
- using 100% recycled copy paper
- producing environmentally sustainable communications products, including using alternatives to paper products and forms whenever possible.

APS Net Zero 2030

APS Net Zero 2030 is the government's policy for the Australian Public Service to reduce its greenhouse gas emissions to net zero by 2030.

In 2023–24, the ACMA was accountable for total carbon emissions measured at 768,178 kilograms of CO2 equivalent. Energy consumption represented approximately 62% of our total emissions, with air travel and vehicle fleet management at 25% and 6%, respectively, contributing to the balance of greenhouse gas emissions.

Our strategic implementation of renewable energy sources and the acquisition of certified green power offers viable solutions to lower our overall carbon-footprint. These eco-friendly alternatives present a sustainable pathway to the future reduction of our carbon emissions originating from electricity consumption. Additionally, we also acknowledge that adopting alternative modes of travel and options for our vehicle fleet, such as low emission vehicles, or leveraging off new technology for virtual meetings will significantly curb carbon emissions associated with business air and land travel.

Table 1.24: 2023–24 greenhouse gas emissions inventory – location-based method

Emission source	Scope 1 t CO2-e	Scope 2 t CO2-e	Scope 3 t CO2-e	Total t CO2-e
Electricity (location-based approach)	n/a	479,444	39,922	519,366
Natural gas	–	n/a	–	–
Solid waste*	n/a	n/a	–	–
Refrigerants*†	–	n/a	n/a	-
Fleet and other vehicles	44,241	n/a	10,870	55,111
Domestic commercial flights	n/a	n/a	190,940	190,940
Domestic hire car*	n/a	n/a	2,761	2,761
Domestic travel accommodation*	n/a	n/a	–	–
Other energy	–	n/a	–	–
Total kg CO2-e	**44,241**	**479,444**	**244,493**	**768,178**

Note: the table above presents emissions related to electricity use using the location-based accounting method. CO2-e = carbon dioxide equivalent.
**Indicates emission sources collected for the first time in 2023–24. The quality of data is expected to improve over time as emissions reporting matures.*
†Indicates optional emission source for 2023–24 emissions reporting.

Table 1.25: 2023–24 electricity greenhouse gas emissions

Emission source	Scope 2 t CO2-e	Scope 3 t CO2-e	Total t CO2-e	% of electricity use
Electricity (location-based approach)	479,444	39,922	519,366	100%
Market-based electricity emissions	330,039	40,746	370,785	57.68%
Total renewable electricity	–	–	–	42.32%
Mandatory renewables[1]	–	–	–	*18.72%*
Voluntary renewables[2]	–	–	–	*23.60%*
Total kg CO2-e				

Note: the table above presents emissions related to electricity use using both the location-based and the market-based accounting methods. CO2-e = carbon dioxide equivalent.
1 Mandatory renewables are the portion of electricity consumed from the grid that is generated by renewable sources. This includes the renewable power percentage.
2 Voluntary renewables reflect the eligible carbon credit units surrendered by the entity. This may include purchased large-scale generation certificates, power purchasing agreements, GreenPower and the jurisdictional renewable power percentage (ACT only).

Waste management

We are committed to protecting the environment through implementing efficient and effective waste management programs, including segregated waste streams and comingled recycling. Our aim is to increase the amount of recycled waste as a proportion of total waste. The increase in digital record-keeping has reduced office paper consumption and the amount of paper waste sent for recycling.

Additional recycling efforts include recycling printer and toner cartridges, batteries and mobile phones to ensure these items are diverted from landfill and used in sustainable programs. We also have a partnership that provides secure IT asset disposal and e-waste management services. Our partner is an accredited e-waste recycler (AS/NZS 5377) that holds relevant ISO certifications in safety (OHSAS 18001, AS/NZS 4801), information security (ISO 27001), quality (ISO 9001) and environmental management (ISO 14001).

Security

All statutory reporting requirements were met in 2023–24, including mandatory participation in the Protective Security Policy Framework compliance reporting conducted by the Attorney-General's Department.

Our people

The ACMA had 610 APS staff, 170 of whom work in eSafety. Staff were located mainly in our central offices in Canberra, Melbourne and Sydney. We encourage our people to work flexibility, including arrangements to work both in the office and from home.

During 2023–24, we focused on APS-wide enterprise bargaining that saw a host of common conditions being applied across the service in an effort to reduce disparity, better align salaries through addressing pay fragmentation, promote flexibility and enhance leave provisions for all APS employees.

Workforce initiatives

Over the reporting period, we continued our focus on developing a talented, driven, innovative and committed workforce who work cohesively to achieve a common goal, embody integrity and fairness, and ensure accountability and transparency.

Throughout 2023–24, we implemented the actions outlined in our HR initiatives, including our Reconciliation Action Plan (RAP), Health and Wellbeing Strategy and our Capability Development Framework. The reporting period also saw the launch of our Diversity and Inclusion Framework, Integrity Framework and a focused approach to leadership development for our Executive Level employees. This, along with other HR initiatives aims to create a workforce and workplace to which ACMA staff want to belong. In 2023–24, we continued to build the foundations, particularly for our HR data and systems, to support workforce management and planning to ensure we have the necessary workforce to deliver on our objectives for the longer term.

Entry-level programs

Our entry-level programs target university graduates and junior-level employees embarking on their APS careers by developing their skills and capabilities through various roles and rotations across the organisation. During the reporting period, we welcomed graduates sourced through the Australian Government Graduate Program and school leavers participating in the Indigenous Apprenticeship Program (IAP).

Capability development

In 2023–24, we continued to implement our *Organisational Development Strategy 2022–24*, including providing capability development activities under the Organisational Capability Framework. Capability activities included training, mentoring and coaching in data governance, a tailored investigations program and implementing a leadership program to be delivered in the next reporting period that will build the capacity of future senior leaders. Senior and Executive Level staff also participated in externally provided intensive leadership training.

The ACMA's net expenditure in 2023–24 for employee learning and development (for both eSafety and ACMA employees) was $1,247,500 (excluding GST), which included attendance at general training, conferences and seminars, and study assistance. Staff attended a range of learning and development activities, from public service writing, cultural competency and emotional intelligence courses to industry-related conferences.

During the year, 18 employees were supported under our studies assistance program to undertake tertiary qualifications in specialised fields such as law, business, social work, human resources and public policy.

We have processes to ensure that each employee's performance and development is managed to achieve the agency's objectives. This includes establishing an annual performance development plan that directly relates to divisional and branch plans and the corporate plan, regularly providing feedback, identifying development areas and strategies to address them, and annually assessing each employee's performance against their performance development plan.

Workplace diversity and inclusion

We are committed to providing a supportive and respectful work environment that recognises, values, and accommodates the diversity of our employees and represents the Australian community we serve. In the reporting period we launched the ACMA and eSafety inaugural Diversity and Inclusion Strategy 2024–26. The strategy sets out the goals and actions required to build on our commitment to being a diverse and inclusive workforce. It aims to build a strong foundation of diversity and inclusion within the ACMA and eSafety by articulating clear actions under the following themes:

- we are purposeful and take deliberate action to enhance the diversity and inclusion of our workforce
- we are curious and questioning and want to value the individual differences between each of us and use these to drive innovative design and delivery of our services
- we are collaborative and want to use our difference to work better together and contribute to the broader APS initiatives to improve diversity and inclusion.

We promoted diversity by recognising and celebrating a range of significant events such as National Reconciliation Week, International Day of People with Disability and Ramadan, and we remain committed to deploying the actions outlined in our Reconciliation Action Plan. In 2023–24, the ACMA and eSafety supported 2 employees to participate in the Jawun program – one undertook an in-place secondment in North-East Arnhem Land and one was virtually seconded to work with Indigenous organisations on the Central Coast of NSW.

Workplace agreements and conditions

The *ACMA Enterprise Agreement 2024–27* sets out the terms and conditions of employment for non-SES employees. Following APS-wide enterprise bargaining, ACMA employees received an 11.2% salary increase spread across the life of the agreement. Pay fragmentation was also addressed to narrow the disparity between certain classifications across the service. Flexibility is now a formalised key consideration of how and where we work, along with enhanced leave entitlements and access to support mechanisms for all employees. In specific circumstances, terms and conditions are supplemented under individual flexibility agreements (see Appendix 1.2). There are no provisions for performance pay under the ACMA's current enterprise agreement.

ACMA employees are provided with a range of non-monetary benefits, including salary packaging, purchased leave, airline club membership for frequent travellers, reimbursing loss or damage to clothing or personal effects and some costs associated with vacation childcare. We also provide a range of benefits to support professional development and health and wellbeing. These include flexible working arrangements, reimbursement of relevant professional association membership fees and annual flu immunisation costs.

Terms and conditions for the ACMA's SES employees are contained in determinations made under subsection 24(1) of the Public Service Act. There are currently 21 SES employees within the ACMA, 7 of whom are assigned to the eSafety Commissioner. Salary ranges for SES employees are in Appendix 1.2 of this report.

Non-salary benefits for SES employees may include a mobile phone, airline club membership, reimbursement of professional fees and allocated parking.

Consultation and workplace relations

Staff consultative forums are established under the ACMA Enterprise Agreement.

The National Work Health and Safety (WHS) Committee provides a consultative forum to consider WHS issues that concern the ACMA at an organisational level.

The National Consultative Forum (NCF) deals primarily with key strategic and change issues that affect ACMA staff. Convened by the ACMA Chair, the NCF comprises management, union and employee representatives. The NCF met 3 times during the reporting period. Minutes of each meeting were made available to staff via the intranet.

We participate in the Australian Public Service Commission's Employee Census, which enables us to collect employee feedback to help develop strategies to address specific workforce issues. We had a participation rate of 89% for the 2024 APS census.

Disability reporting

Australia's *Disability Strategy 2021–2031* is the overarching framework for inclusive policies, programs and infrastructure that will support people with disability to participate in all areas of Australian life. The strategy sets out where practical changes will be made to improve the lives of people with disability in Australia. It acts to ensure the principles underpinning the United Nations Convention on the Rights of Persons with Disabilities are incorporated into Australia's policies and programs that affect people with disability, their families and carers. All levels of government have committed to deliver more comprehensive and visible reporting under the strategy. A range of reports on progress of the strategy's actions and outcome areas is available at disabilitygateway.gov.au/ads.

Disability reporting is included the Australian Public Service Commission's State of the Service reports and the APS Statistical Bulletin. These reports are available at apsc.gov.au.

Ethical standards

During the reporting period, we continued to promote the importance of ethical standards through our Accountable Authority Instructions (AAIs), People Management Instructions (PMIs), policies and training programs.

Each year, employees are required to undertake refresher training on important ethical responsibilities. In 2023–24, this training focused on security, health safety and wellbeing, records management, bullying and harassment, and privacy awareness. Trained Harassment Contact Officers were available across the ACMA to provide advice to employees who may be dealing with workplace bullying or harassment.

All new employees are required to undertake online training on the Australian Public Service (APS) Values and Employment Principles as part of their induction. Adherence to the ACMA and APS Values and the APS Code of Conduct is mandatory and included in all performance agreements.

We now have a centralised integrity function to manage the implementation of the new ACMA and eSafety Integrity Framework. Targeted initiatives are designed to ensure staff not only know how to refer matters or concerns to a dedicated team for assessment and review but are encouraged to do so. The team also coordinates conflicts of interest and code of conduct issues.

Health and safety

We are committed to safeguarding the health and safety of our staff, visitors and the public by:

- preventing accidents and ill-health caused by working conditions
- protecting against health hazards that may arise out of their work or the conditions in which it is carried out
- consulting with employees and other duty-holders (for example, the employers of contractors)
- maintaining an occupational environment designed to meet health, safety and wellbeing needs.

Health and safety information is provided to all new staff during induction, and staff are required to complete workplace health and safety (WHS) online training on a regular basis.

We continued to provide the health and well-being initiatives outlined in the ACMA Health and Wellbeing Framework 2022–24. These initiatives delivered programs and assistance to staff including:

- wellness activities and focused information and support
- a 'flu vaccination program with on-site vaccinations and external provider reimbursements
- skin and health checks on-site
- assistance with costs associated with eye-testing and buying glasses for screen-based use
- access to the Employee Assistance Program.

During the reporting period, we undertook the following WHS compliance activities:

- held regular meetings with our National Work Health and Safety Committee to raise health and safety issues to management and share information
- conducted workplace hazard inspections
- undertook first-aid risk assessments of ACMA offices
- refreshed our WHS support contacts to ensure adequate coverage across health and safety representatives, first-aid officers, harassment contact officers and work health and safety champions.

During the reporting period, no notifiable incidents were reported to Comcare, no work health and safety investigations were conducted, and no notices were given to the ACMA under Part 10 of the *Work Health and Safety Act 2011*.

Appendices

Appendix 1.1: Committees, memberships and attendance at meetings

Authority meetings

During 2023–24, the Authority met 45 times.

Table 1.26: Attendance by members at Authority meetings, 2023–24

Authority member	No. of meetings attended
Nerida O'Loughlin, Chair	44
Creina Chapman, Deputy Chair and CEO	36
James Cameron	5
Carolyn Lidgerwood	30
Adam Suckling	38
Samantha Yorke	36
Anita Jacoby (Associate Member)	1
Anna Brakey (Associate Member)	6
Catriona Lowe (Associate Member)	3

For more details about the Authority, refer to page 15.

Executive Management Committee meetings

During 2023–24, the EMC met 12 times.

Table 1.27: Attendance at Executive Management Committee meetings, 2023–24

Member of Executive Management Committee	No. of meetings attended
Nerida O'Loughlin, Chair	10
Creina Chapman, Deputy Chair and CEO	11
Michael Brealey, General Manager, Communications Infrastructure Division	7
Brendan Byrne, General Manager, Legal Services Division	12
Linda Caruso, General Manager, Communications Infrastructure Division	5
Jeremy Fenton, acting General Manager, Consumer Division	5
Autumn Field, General Manager, Content Division	6
Helen Owens, General Manager, Corporate and Research Division	10
Cathy Rainsford, General Manager, Consumer Division	7

Audit and Risk Committee

In its capacity as an advisory committee to the ACMA Chair, the Audit and Risk Committee met 6 times (5 regular meetings and 1 out-of-session) in 2023–24.

Table 1.28: Audit and Risk Committee

Member name	Qualifications, knowledge, skills or experience (include formal and informal as relevant)	No. of meetings attended/ Total no. of meetings	Total annual remuneration $ (GST inc.)	Additional Information (including role on committee)
Ian McPhee AO PSM	Public sector and industry experience including as a company director, audit committee chair/member, chair of various governance reviews, and Auditor-General for Australia 2005–15. B. Bus (Accountancy), BA (Computing Studies), FCPA, FCA, FIPAA, GAICD	6 / 6	32,100	Committee Chair
Karen Michelle	Public sector and industry experience including former Chief Financial Officer in the Commonwealth Government, audit committee member, treasurer of a not-for-profit board, experience in audit, systems of control, finance and risk management, program management, stakeholder management, strategic planning and ICT management. B. Commerce, BSc, FCA	6 / 6	15,931	Committee Member
Mark Ridley	Experience as an independent member and chair of audit and risk committees for several large-sized and medium-sized Commonwealth agencies since 2011 and has also assisted some entities in the oversight of ICT projects. Has held leadership roles in risk advice, internal audit, and ICT project assurance for large financial services companies, other industries and state and federal governments. B. Commerce and Accounting, GAICD, FCA	6 / 6	20,276	Committee Member

The Audit Committee charter is available on the ACMA website at acma.gov.au/compulsory-reporting#audit-risk-and-committee-charter.

ACMA advisory and consultative bodies

Consumer Consultative Forum (CCF)

Consumer representatives

- Standing member: Australian Communications Consumer Action Network

The following consumer representatives were appointed for a 3-year term in September 2021:

- Consumer Action Law Centre
- Consumer Policy Research Centre
- Isolated Children's Parents' Association of Australia
- NSW Business Chamber (Business NSW)
- South Australian Council of Social Services
- WEstjustice

Industry representatives

- Australian Mobile Telecommunications Association
- Communications Alliance

Regulatory, government and ombudsman representatives

- Australian Competition and Consumer Commission
- Department of Infrastructure, Transport, Regional Development Communications and the Arts
- Telecommunications Industry Ombudsman

Numbering Advisory Committee (NAC)

Consumer representatives

- Australian Communications Consumer Action Network

Industry representatives

- Commpete Incorporated
- Communications Alliance Ltd
- SingTel Optus Pty Ltd
- Symbio Networks Pty Ltd (formerly MyNetFone Limited)
- Telstra Corporation Ltd
- TPG Telecom
- Verizon Pty Ltd
- Vocus Group Limited

Regulatory, government and ombudsman representatives

- Australian Competition and Consumer Commission
- Department of Infrastructure, Transport, Regional Development, Communications and the Arts
- Telecommunications Industry Ombudsman Limited

Observers

- Paradigm One Pty Ltd
- ZOAK Pty Ltd

Scam Telecommunications Action Taskforce (STAT)

Industry representatives

- Australian Mobile Telecommunications Association
- Commonwealth Bank of Australia
- Communications Alliance Ltd
- Singtel Optus Pty Ltd
- Pivotel Group Pty Ltd
- Sinch
- Symbio Holdings Pty Ltd
- Telstra Limited
- TPG Telecom Ltd
- Twilio Inc
- Verizon Pty Ltd
- Vocus Group Ltd

Regulatory, government and ombudsman representatives

- Australian Competition and Consumer Commission
- Australian Securities and Investments Commission
- Australian Taxation Office
- Department of Home Affairs
- Department of Infrastructure, Transport, Regional Development, Communications and the Arts
- Office of the Australian Information Commissioner
- Services Australia

Observers

- Australia Post
- Australian Banking Association
- Australian Federal Police
- Australian Financial Crimes Exchange
- Crimestoppers
- IDCare
- NBN Co Ltd
- New Zealand Department of Internal Affairs
- NSW Police

Appendix 1.2: Staffing information

This appendix contains staffing details for the ACMA and eSafety on a headcount basis. Other than the Commissioner, all employees working for eSafety remain employed by the ACMA under the *Public Service Act 1999*.

Table 1.29: All ongoing employees – current report period (2023–24)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			
Location	**Full time**	**Part time**	**Total**	**Full time**	**Part time**	**Total**	**Full time**	**Part time**	**Total**	**Full time**	**Part time**	**Total**	**Full time**	**Part time**	**Total**	**Total**
NSW	71	1	72	99	20	119	0	0	0	0	0	0	0	0	0	191
Qld	3	0	3	1	1	2	0	0	0	0	0	0	0	0	0	5
SA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tas	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Vic	87	3	90	80	23	103	0	0	0	0	0	0	1	0	1	194
WA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ACT	84	4	88	75	18	93	0	0	0	0	0	0	0	0	0	181
NT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
External territories	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**246**	**8**	**254**	**255**	**62**	**317**	**0**	**0**	**0**	**0**	**0**	**0**	**1**	**0**	**1**	**572**

Table 1.30: All ongoing employees – previous report period (2022–23)

Location	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	52	2	54	81	18	99	0	0	0	0	0	0	0	0	0	153
Qld	2	0	2	2	1	3	0	0	0	0	0	0	1	0	1	6
SA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tas	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
Vic	80	2	82	69	22	91	0	1	1	0	0	0	1	0	1	175
WA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ACT	75	4	79	61	15	76	0	1	1	0	0	0	1	0	1	157
NT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
External territories	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**210**	**8**	**218**	**213**	**56**	**269**	**0**	**2**	**2**	**0**	**0**	**0**	**3**	**0**	**3**	**492**

Table 1.31: All non-ongoing employees – current report period (2023–24)

Location	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	1	0	1	7	2	9	0	0	0	0	0	0	0	0	0	10
QLD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vic	4	0	4	10	3	13	0	0	0	0	0	0	0	0	0	17
WA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ACT	4	0	4	5	2	7		0	0	0	0	0	0	0	0	11
NT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
External territories	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**9**	**0**	**9**	**22**	**7**	**29**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**38**

Table 1.32: All non-ongoing employees – previous report period (2022–23)

Location	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
NSW	3	0	3	5	4	9	0	0	0	0	0	0	0	0	0	12
QLD	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vic	5	0	5	6	0	6	0	0	0	0	0	0	0	0	0	11
WA	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ACT	5	0	5	3	2	5	0	0	0	0	0	0	0	0	0	10
NT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
External territories	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Overseas	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**13**	**0**	**13**	**14**	**6**	**20**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**33**

Australian Public Service (APS) classification and gender

Table 1.33: Public Service Act ongoing employees – current report period (2023–24)

Location	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SES 2	3	0	3	4	0	4	0	0	0	0	0	0	0	0	0	7
SES 1	8	1	9	5	0	5	0	0	0	0	0	0	0	0	0	14
EL 2	40	0	40	35	2	37	0	0	0	0	0	0	0	0	0	77
EL 1	96	2	98	101	33	134	0	0	0	0	0	0	0	1	1	233
APS 6	65	4	69	63	23	86	0	0	0	0	0	0	0	0	0	155
APS 5	23	1	24	24	2	26	0	0	0	0	0	0	0	0	0	50
APS 4	10	0	10	18	1	19	0	0	0	0	0	0	0	0	0	29
APS 3	1	9	1	2	1	3	0	0	0	0	0	0	0	0	0	4
APS 2	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	1
APS 1	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0	2
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**246**	**8**	**254**	**255**	**62**	**317**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**	**1**	**572**

Table 1.34: Public Service Act ongoing employees – previous report period (2022–23)

Location	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			Total
	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	
SES 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SES 2	1	0	1	3	0	3	0	0	0	0	0	0	0	0	0	4
SES 1	7	1	8	6	0	6	0	0	0	0	0	0	0	0	0	14
EL 2	37	0	37	30	2	32	0	0	0	0	0	0	0	0	0	69
EL 1	74	4	78	80	30	110	0	1	1	3	0	3	0	0	0	192
APS 6	59	3	62	56	20	76	0	1	1	0	0	0	0	0	0	139
APS 5	24	0	24	20	2	22	0	0	0	0	0	0	0	0	0	46
APS 4	6	0	6	9	1	10	0	0	0	0	0	0	0	0	0	16
APS 3	0	0	0	1	1	2	0	0	0	0	0	0	0	0	0	2
APS 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
APS 1	0	0	0	2	0	2	0	0	0	0	0	0	0	0	0	2
Other*	2	0	2	6	0	6	0	0	0	0	0	0	0	0	0	8
Total	**210**	**8**	**218**	**213**	**56**	**269**	**0**	**2**	**2**	**3**	**0**	**3**	**0**	**0**	**0**	**492**

** In this table, the only staff included in the 'Other' category are ACMA graduates.*

Table 1.35: Public Service Act non-ongoing employees – current report period (2023–24)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			
Location	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Full time	Part time	Total	Total
SES 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SES 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SES 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EL 2	0	0	0	1	1	2	0	0	0	0	0	0	0	0	0	2
EL 1	4	0	4	5	1	6	0	0	0	0	0	0	0	0	0	10
APS 6	4	0	4	11	2	13	0	0	0	0	0	0	0	0	0	17
APS 5	1	0	1	3	1	4	0	0	0	0	0	0	0	0	0	5
APS 4	0	0	0	2	1	3	0	0	0	0	0	0	0	0	0	3
APS 3	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	1
APS 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
APS 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**9**	**0**	**9**	**22**	**7**	**29**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**38**

Table 1.36: Public Service Act non-ongoing employees – previous report period (2022–23)

	Man/Male			Woman/Female			Non-binary			Prefers not to answer			Uses a different term			
Location	**Full time**	**Part time**	**Total**	**Full time**	**Part time**	**Total**	**Full time**	**Part time**	**Total**	**Full time**	**Part time**	**Total**	**Full time**	**Part time**	**Total**	**Total**
SES 3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SES 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SES 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
EL 2	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	2
EL 1	4	0	4	6	0	6	0	0	0	0	0	0	0	0	0	10
APS 6	5	0	5	6	1	7	0	0	0	0	0	0	0	0	0	12
APS 5	1	0	1	0	1	1	0	0	0	0	0	0	0	0	0	2
APS 4	3	0	3	1	2	3	0	0	0	0	0	0	0	0	0	6
APS 3	0	0	0	1	0	1	0	0	0	0	0	0	0	0	0	1
APS 2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
APS 1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	**13**	**0**	**13**	**14**	**6**	**20**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**33**

Employment type by full-time and part-time status

Table 1.37: Public Service Act employees by full-time and part-time status – current report period (2023–24)

	Ongoing			Non-ongoing			
Classification	Full time	Part time	Total	Full time	Part time	Total	Total
SES 3	0	0	0	0	0	0	0
SES 2	7	0	7	0	0	0	7
SES 1	13	1	14	0	0	0	14
EL 2	75	2	77	1	1	2	79
EL 1	197	36	233	9	1	10	243
APS 6	128	27	155	15	2	17	172
APS 5	47	3	50	4	1	5	55
APS 4	28	1	29	2	1	3	32
APS 3	3	1	4	0	1	1	5
APS 2	1	0	1	0	0	0	1
APS 1	2	0	2	0	0	0	2
Other	0	0	0	0	0	0	0
Total	**501**	**71**	**572**	**31**	**7**	**38**	**610**

Table 1.38: Public Service Act employees by full-time and part-time status – previous report period (2022–23)

	Ongoing			Non-ongoing			
Classification	Full time	Part time	Total	Full time	Part time	Total	Total
SES 3	0	0	0	0	0	0	0
SES 2	4	0	4	0	0	0	4
SES 1	13	1	14	0	0	0	14
EL 2	67	2	69	0	2	2	71
EL 1	157	35	192	10	0	10	202
APS 6	115	24	139	11	1	12	151
APS 5	44	2	46	1	1	2	48
APS 4	15	1	16	4	2	6	22
APS 3	1	1	2	1	0	1	3
APS 2	0	0	0	0	0	0	0
APS 1	2	0	2	0	0	0	2
Other*	8	0	8	0	0	0	8
Total	**426**	**66**	**492**	**27**	**6**	**33**	**525**

** In this table, the only staff included in the 'Other' category are ACMA graduates.*

Table 1.39: Public Service Act employment type by location – current reporting period (2023–24)

Location	Ongoing	Non-ongoing	Total
NSW	191	10	201
QLD	5	0	5
SA	0	0	0
Tas	1	0	1
VIC	194	17	211
WA	0	0	0
ACT	181	11	192
NT	0	0	0
External territories	0	0	0
Overseas	0	0	0
Total	**572**	**38**	**610**

Table 1.40: Public Service Act employment type by location – previous reporting period (2022–23)

Location	Ongoing	Non-ongoing	Total
NSW	153	12	165
QLD	6	0	6
SA	0	0	0
Tas	1	0	1
VIC	175	11	186
WA	0	0	0
ACT	157	10	167
NT	0	0	0
External territories	0	0	0
Overseas	0	0	0
Total	**492**	**33**	**525**

Table 1.41: Public Service Act Indigenous employment – current report period (2023–24)

Employment type	Total
Ongoing	3
Non-ongoing	0
Total	**3**

Table 1.42: Public Service Act Indigenous employment – previous report period (2022–23)

Employment type	Total
Ongoing	5
Non-ongoing	1
Total	**6**

Arrangements of SES and non-SES employees

Table 1.43: Public Service Act employment arrangements – current report period (2023–24)

Arrangement	SES	Non-SES	Total
ACMA Enterprise Agreement 2024–2027	0	552	552
Individual Flexibility Agreement*	0	37	37
Subsection 24(1) Determination	21	0	21
Total	**21**	**589**	**610**

**Employees subject to an Individual Flexibility Agreement are also covered by the ACMA Enterprise Agreement 2024-27.*

Salary ranges by classification level

Table 1.44: Public Service Act employment salary ranges by classification level (minimum/maximum) – current report period (2023–24)

Classification level	Minimum salary	Maximum salary
SES 3	0	0
SES 2	301,934	310,104
SES 1	228,102	244,478
EL 2	134,052	162,301*
EL 1	110,807	137,569^
APS 6	91,193	102,985
APS 5	82,739	89,335
APS 4	74,257	80,716
APS 3	66,298	72,097
APS 2	58,340	64,353
APS 1	52,165	57,196
Minimum/maximum range	52,165	310,104

** This is the EL 2.5 classification, which is restricted to employees who were grandfathered from ABA/ACA.*
^ This is the top of the ACMA local designation Senior Lawyer, which is an EL1 equivalent.

Appendix 1.3: Executive remuneration

Table 1.45: Remuneration for key management personnel

		Short-term benefits ($)			Post-employment benefits ($)	Long-term benefits ($)			
Name	Position title	Base salary	Bonuses	Other benefits and allowances	Superannuation contributions	Long service leave	Other long-term benefits	Termination benefits ($)	Total remuneration ($)
Nerida O'Loughlin	Chair	542,799	-	-	74,942	13,169	-	-	630,910
Creina Chapman	Deputy Chair	366,768	-	7,200	59,674	9,826	-	-	443,468
Julie Inman Grant	eSafety Commissioner	419,956	-	-	27,500	10,388	-	-	457,844
Linda Caruso	General Manager	154,104	-	-	32,988	5,145	-	-	192,237
Helen Owens	General Manager	291,344	-	-	56,057	7,728	-	-	355,129
Brendan Byrne	General Manager	303,782	-	-	46,315	7,728	-	-	357,825
Cathy Rainsford	General Manager	219,919	-	-	55,599	7,728	-	-	283,246
Toby Dagg	General Manager	298,589	-	13,970	48,302	7,525	-	-	368,386
Kathryn King	General Manager	258,362	-	8,066	37,638	6,078	-	-	310,144
Jeremy Fenton	Acting General Manager	161,072	-	29,774	29,406	5,009	-	-	225,261
Autumn Field	General Manager	191,586	-	-	34,469	4,920	-	-	230,975
Michael Brealey	General Manager	176,100	-	-	29,549	4,161	-	-	209,810

Notes

This table includes officers in a substantive key management personnel (KMP) role for any period during the financial year and officers acting in KMP roles for periods greater than 3 months. For these officers, the reported amounts reflect remuneration during these periods only.
Base salary includes wages and accrual of recreational leave entitlements. Other benefits and allowances include motor vehicle allowances, allowances for higher duties and other allowances under the relevant staff agreements. Long service leave includes the accrual of entitlements.
For statutory office holders, the total remuneration reported in the above table includes elements outside the Remuneration Tribunal Determination, such as the accrual of recreational and long service leave.

Table 1.46: Remuneration for senior executives

		Short-term benefits ($)			Post-employment benefits ($)	Long-term benefits ($)		Termination benefits ($)	Total remuneration ($)
Total remuneration bands	**No. of senior executives**	**Average base salary**	**Average bonuses**	**Average other benefits and allowances**	**Average superannuation contributions**	**Average long service leave**	**Average other long-term benefits**	**Average termination benefits**	**Average total remuneration**
$0 to $220,000	15	73,140	-	7,464	11,726	2,571	-	-	94,901
$220,001 to $245,000	5	166,035	-	31,966	31,483	4,941	-	-	234,425
$245,001 to $270,000	4	192,367	-	26,065	31,484	5,883	-	-	255,799
$270,001 to $295,000	3	236,135	-	1,504	41,074	6,093	-	-	284,806
$295,001 to $320,000	1	246,122	-	43	44,194	6,093	-	-	296,452

Notes

This table includes officers in a substantive SES role for any period during the financial year and officers acting in SES roles for periods greater than 3 months. For acting roles, the reported amounts reflect remuneration during these periods only.
This table excludes remuneration for officers in a substantive key management personnel (KMP) role for any period during the financial year and officers acting in KMP roles for periods greater than 3 months.
Base salary includes wages and accrual of recreational leave entitlements.
ACMA SES officers are not paid bonuses.
Other benefits and allowances include motor vehicle allowances, allowances for higher duties and other allowances under the relevant staff agreements.
Long service leave includes the accrual of entitlements.

Remuneration for other highly paid staff

For the 2023–24 reporting period, there are no other highly paid staff requiring additional disclosure.

Appendix 1.4: Telecommunications consumer protection compliance and enforcement outcomes

Appendix 1.4 includes information related to the ACMA's annual reporting requirements under paragraphs 57(d) and 57(e) of the *Australian Communications and Media Authority Act 2005*.

Investigations by the ACMA

Table 1.47 reports on the number and types of complaints made to the ACMA under Part 26 of the *Telecommunications Act 1997,* from 1 July 2023 to 30 June 2024. It details investigations arising from complaints received and their results. Note that a single investigation can concern multiple complaints.

Table 1.47: Investigations conducted and enforcement outcomes

Entity/ Entity type	Substance of complaint	Investigation outcome	Enforcement action
Spam Act 2003			
A total of 4 investigations were conducted under the Telecommunications Act from the 8,572 complaints about alleged breaches of the Spam Act. All investigations resulted in the ACMA taking enforcement action			
Pizza Pan Group Pty Ltd	Sending marketing emails and SMS without consent and without a functional unsubscribe facility	Breach of subsection 16(1) – sending or causing to be sent, commercial electronic messages to electronic addresses with an Australian link without consent Breach of subsection 18(1) – sending or causing to be sent, commercial electronic messages without a functional unsubscribe facility	$2,502,500 infringement notice Enforceable undertaking
Luxottica Retail Australia Pty Ltd	Sending marketing emails and SMS without consent and without a functional unsubscribe facility	Breach of subsection 16(1) – sending or causing to be sent, commercial electronic messages to electronic addresses with an Australian link without consent Breach of subsection 18(1) – sending or causing to be sent, commercial electronic messages without a functional unsubscribe facility	$1,512,500 infringement notice Enforceable undertaking
Outdoor Supacentre Pty Ltd (trading as 4WD Supacentre)	Sending marketing emails and SMS without consent, including where consumers had unsubscribed	Breach of subsection 16(1) – sending or causing to be sent, commercial electronic messages to electronic addresses with an Australian link without consent	$302,500 infringement notice Enforceable undertaking
Kmart Australia Limited	Sending marketing emails and SMS without consent after consumers had unsubscribed	Breach of subsection 16(1) – sending or causing to be sent, commercial electronic messages to electronic addresses with an Australian link without consent	$1,303,500 infringement notice Enforceable undertaking

Entity/ Entity type	Substance of complaint	Investigation outcome	Enforcement action
Uber Australia Pty Ltd*	Sending marketing emails and SMS without consent and without a functional unsubscribe facility	Breach of subsection 16(1) – sending or causing to be sent, commercial electronic messages to electronic addresses with an Australian link without consent Breach of subsection 18(1) – sending or causing to be sent, commercial electronic messages without a functional unsubscribe facility	$412,500 infringement notice
Ticketek Pty Ltd*	Sending marketing emails and SMS without consent, including where consumers had unsubscribed	Breach of subsection 16(1) – sending or causing to be sent, commercial electronic messages to electronic addresses with an Australian link without consent	$515,040 infringement notice Enforceable undertaking
DoorDash, Inc*	Sending marketing emails and SMS without consent and without a functional unsubscribe facility	Breach of subsection 16(1) – sending or causing to be sent, commercial electronic messages to electronic addresses with an Australian link without consent Breach of subsection 18(1) – sending or causing to be sent, commercial electronic messages without a functional unsubscribe facility	$2,011,320 infringement notice Enforceable undertaking
Telecommunications Act 1997 and C628:2019 Telecommunications Consumer Protections Code A total of 2 investigations were conducted under the Telecommunications Act from 2 complaints received about alleged breaches of the Telecommunications Consumer Protections Code. One investigation resulted in the ACMA taking no further action and the other resulted in the ACMA making a breach finding			
Telstra Corporate Limited	Additional charges appearing on bill	No breach of clause 5.5.1 – billing accuracy	n/a
Starlink Internet Services Pty Ltd	Limited time special promotion offer advertised on Starlink's website did not have an end date	Breach of clause 4.1.4(b) – failing to communicate important limitations which apply to a special promotion	Direction to comply
***Do Not Call Register Act 2006*, Telecommunications (Telemarketing and Research Calls) Industry Standard 2017 and Fax Marketing Industry Standard 2021** The ACMA did not conduct any formal investigations under the Telecommunications Act from the 17,660 complaints received about alleged non-compliance with the Do Not Call Register Act and the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017, or the Fax Marketing Industry Standard 2021.			

**The investigation was concluded and reported in the ACMA Annual report 2022–23, however enforcement outcomes were finalised in this reporting period.*

ACMA's operations on industry codes and industry standards

The following section includes information related to the operation of Part 6 of the *Telecommunications Act 1997*. During 2023–24, 1 code was developed by Communications Alliance and registered by the ACMA, (replacing 1 code that the ACMA deregistered at the same time). The ACMA also made 2 industry standards.

C647:2023 NBN Access Transfer

The Code was registered by the ACMA on 18 January 2024. It replaced industry code C647:2017 and the NBN Access Transfer – Transfer Validation Trial (G662:2021) Industry Guideline. The Code supports enhancements to NBN Co's access transfer process and should significantly reduce instances of NBN services being inadvertently or incorrectly transferred.

Telecommunications (Financial Hardship) Industry Standard 2024

The Standard was made on 1 February 2024. It requires telecommunications providers to have a payment-assistance policy on their website and provide a range of options to assist consumers having trouble paying their bills.

Telecommunications (Customer Service Guarantee) Standard 2023

The Standard was remade on 28 August 2023. The Customer Service Guarantee (CSG) provides connection, appointment and fault rectification protections for standard telephone service customers. It covers phone services and appointments at a customer's location, including connecting a service, or features such as call waiting and call number display, and repairing a fault or service.

We maintain a register of the industry codes and standards on our website at acma.gov.au/register-telco-industry-codes-and-standards.

Appendix 1.5: Disclosures of information

Customer information provided to telecommunications carriers and CSPs is protected under Part 13 of the *Telecommunications Act 1997*. Carriers and carriage service providers (CSPs) are prohibited from disclosing that information to other parties – except in limited circumstances – and are required to report specific disclosures to the ACMA under section 308 of the Telecommunications Act.

The ACMA is required under paragraph 57(f) of the *Australian Communications and Media Authority Act 2005* to include in its annual report information on disclosures of customer information made by carriers and CSPs during the reporting year. The disclosures made under Part 13 of the Telecommunications Act by carriers and CSPs in 2023–24, are included in reports to the ACMA under section 308 and are set out in Table 1.48.

Table 1.48: Disclosures of telecommunications data, 2023–24

Reason for disclosure	(Sub)section	No. of disclosures, 2023–24
Under the *Telecommunications Act 1997*		
Authorised by or under law	280	5,113
Made as a witness under summons	281	42
To assist the ACMA*	284(1)	543
To assist the eSafety Commissioner	284(1A)	46
To assist the ACCC	284(2)	14
To assist the TIO	284(3)	9,345
Calls to emergency service number	286	8,397
To avert a threat to a person's life or health	287	44,035
Communications for maritime purposes	288	3
With the knowledge or consent of the person concerned	289	21,873,787
In circumstances prescribed in the Telecommunications Regulations	292	0
Under the *Telecommunications (Interception and Access) Act 1979*		
Voluntary disclosure	177	666
Authorisations for access to existing information or documents – enforcement of the criminal law	178	543,208
Authorisations for access to existing information or documents – locating missing persons	178A	10,041
Authorisations for access to existing information or documents – enforcement of a law imposing pecuniary penalty or protection of the public revenue	179	150
Authorisations for access to prospective information or documents	180	198,303
Enforcement of the criminal law of a foreign country (existing information)	180A	136
Enforcement of the criminal law of a foreign country (prospective information)	180B	2
Total		**22,693,831**

** This relates to information provided to the ACMA for investigations under section 510 of the Telecommunications Act.*
Source: Carriers and carriage service providers.

Part 13 of the Telecommunications Act allows information contained in the IPND to be disclosed for the testing and operation of telephone-based emergency warning systems by state and territory governments. The number and type of disclosures made under subsections 295V(1) or 295V(2) of the Telecommunications Act in 2023–24, as reported to the ACMA under section 295ZC of the Telecommunications Act, are set out in Table 1.49.

Table 1.49: Disclosures made under Part 13 of the Telecommunications Act by emergency management persons or telephone-based emergency warning systems, 2023–24

Reason for disclosure	(Sub)section	No. of disclosures, 2023–24
Likely emergency	295V(1)	0
Actual emergency	295V(2)	0
Total		**0**

Appendix 1.6: Lawful disruption of access to online services by government agencies

The *Guidelines for the use of section 313(3) of the* Telecommunications Act 1997 *by government agencies for the lawful disruption of access to online services* require agencies to report to the ACMA on the use of subsection 313(3) to disrupt online services and for this statistical information to be included in the ACMA's annual report.

Three agencies reported using subsection 313(3) of the Telecommunications Act to disrupt access to online services during the reporting period.

Table 1.50: Requests to disrupt online services by agencies under subsection 313(3) of the Telecommunications Act, 2023–24

Reason for requests to disrupt services under subsection 313(3)	(Sub) section	No. of requests, 2023–24
Enforcing the criminal law and laws imposing pecuniary penalties	313(3)(e)	142
Assisting the enforcement of the criminal laws in force in a foreign country	313(3)(ca)	0
Assisting the investigation and prosecution of: (i) crimes within the jurisdiction of the ICC (within the meaning of the *International Criminal Court Act 2002*) (ii) Tribunal offences (within the meaning of the *International War Crimes Tribunals Act 1995*)	313(3)(cb)	0
Protecting the public revenue	313(3)(d)	0
Safeguarding national security	313(3)(e)	0
Total no. of disruption requests		**142**

Source: Government agencies.

Table 1.51: Online services blocked by agencies under subsection 313(3) of the Telecommunications Act, 2023–24

Reason for online services blocked under subsection 313(3)	(Sub) section	No. of services blocked, 2023–24
Enforcing the criminal law and laws imposing pecuniary penalties	313(3)(e)	7,783
Assisting the enforcement of the criminal laws in force in a foreign country	313(3)(ca)	0
Assisting the investigation and prosecution of: (i) crimes within the jurisdiction of the ICC (within the meaning of the *International Criminal Court Act 2002*) (ii) Tribunal offences (within the meaning of the *International War Crimes Tribunals Act 1995*)	313(3)(cb)	0
Protecting the public revenue	313(3)(d)	0
Safeguarding national security	313(3)(e)	0
Total no. of online services blocked		**7,783**

Source: Government agencies.

Appendix 1.7: Advertising expenditure and market research

This appendix contains information for both the ACMA and eSafety.

Advertising

During the reporting period, advertising was placed for a range of purposes, including public notices, legal notices, job vacancies and small-scale campaigns targeted to both consumer and industry audiences.

During 2023–24, the ACMA and eSafety conducted the following advertising campaigns:

- BetStop – The National Self Exclusion Register™ awareness campaign, tranches 1, 2 and 3
- FIFA Women's World Cup offshore gambling awareness campaign
- Dodgy devices awareness campaign
- Financial hardship awareness campaign
- Phone scams awareness campaign, tranche 4
- Offshore gambling campaign
- eSafety Online Safety awareness campaign
- eSafety Youth campaign
- eSafety sport resources campaign
- eSafety Love Is campaign
- eSafety Safer Internet Day campaign.

Further information on those advertising campaigns is available at acma.gov.au and in the reports on Australian Government advertising prepared by the Department of Finance. Those reports are available on the Department of Finance's website at finance.gov.au.

During 2023–24, the ACMA or eSafety did not undertake any individual advertising campaigns with expenditure in excess of $250,000.

Total expenditure on advertising in 2023–24 was $919,438.

Table 1.52: Expenditure on media advertising organisations, ACMA and eSafety, 2023–24

Organisation name	Purpose	Amount of payment ($ GST inc.)
ACMA expenditure		
Universal McCann	Public notices and general advertising	655,531
eSafety expenditure		
Universal McCann	Public Notices and general advertising	263,907
Total		**919,438**

Market research

Table 1.53: Expenditure on market research organisations, ACMA and eSafety, 2023–24

Organisation name	Purpose	Amount of payment ($ GST inc.)
ACMA expenditure		
Orima Research Pty Ltd	ACMA stakeholder survey 2023–25	27,500
SEC Newgate Pty Ltd	Dodgy devices, part 1: survey research	236,796
Behavioural Insights (Australia) Pty Ltd	Dodgy devices, part 2: behavioural study	218,900
Marsden Jacob Associates Pty Ltd	Financial Hardship Standard	27,808
RMIT University	Mobile ethnography	148,974
Beverley Uther Research	Research services in domestic and family violence	5,000
Omnipoll Pty Ltd	Provision of omnibus research services	109,499
The Social Research Centre Pty Ltd	2023 and 2024 annual consumer survey	395,717
Woollcott Research Pty Ltd	ACMA customer satisfaction survey 2023	5,321
ACMA total		**1,175,515**
eSafety expenditure		
Octopus Group Pty Ltd	Online gaming survey fieldwork	18,433
Deakin University	Boys and men project	195,145
KPMG	eSafety user-centred research and service design	353,042
eSafety total		**566,620**
Total		**1,742,135**

Appendix 1.8: Data reported by regulated entities

Data about control of media assets

Notifications by foreign stakeholders

Foreign persons have an ongoing obligation to notify the ACMA if they become, or cease to be, a foreign stakeholder in an Australian media company. These notifications are recorded in the Register of Foreign Owners of Media Assets. Foreign stakeholders have further annual notification obligations, which are required by 30 July each year.

During the reporting period, the ACMA provided the annual report for the 2022–23 financial year to the minister, as required under section 74R of the *Broadcasting Services Act 1992* (the BSA). That report reflected that there were 66 foreign stakeholders holding a company interest of 2.5% or more in Australian media companies as at 30 June 2023.

Notifications of changes in control

Licensees and publishers are obliged to notify the ACMA of changes in control of regulated media assets, namely, commercial radio broadcasting licences, commercial television broadcasting licences and associated newspapers.

The ACMA received notifications of 4 events that affected the control of the 5 (Network Ten) commercial television broadcasting licences and 1 (RSN Racing & Sport) commercial radio broadcasting licence.

The ACMA updated the public register with these new notifications, as well as our public database of regulated media assets and their controllers.

All notifications lodged with the ACMA in the reporting period for change-of-control events were processed within the statutory timeframes, as applicable.

Applications for prior approval

During the reporting period, no applications for prior approval under either subsection 61AJ(1) or 67(4) of the BSA were submitted to the ACMA.

Register of licensed interactive wagering services

In raising awareness of Australian gambling laws to help minimise the supply and use of illegal interactive gambling services, the ACMA is required under the *Interactive Gambling Act 2001* to maintain a register of interactive wagering service providers licensed by an Australian state or territory. At 30 June 2024, there were 157 entries on the register – 86 were TABs, corporate bookmakers and betting exchanges and 71 were on-course bookmakers.

Australian content

All commercial television broadcasting licensees reported meeting transmission quotas for their primary channel (55%) and non-primary channel (1,460 hours) for Australian content in 2023.

The transmission quotas are specified by the BSA and apply to programs televised by free-to-air commercial television broadcasters between 6 am and midnight each calendar year.

The amount of Australian content provided by metropolitan commercial television licensees on their primary channels remained high:

- Seven Network averaged 76.42%
- Nine Network averaged 78.35%
- Network Ten averaged 69.61%.

All 3 metropolitan networks met the 1,460 hours quota for non-primary channels:

- Seven Network averaged 5,427 hours
- Nine Network averaged 2,626 hours
- Network Ten averaged 2,018 hours.

Broadcasting Services (Australian Content and Children's Television) Standards 2020

All metropolitan licensees reported compliance with the annual points quota under the Broadcasting Services (Australian Content and Children's Television) Standards 2020 (ACCTS). Licensees may 'carry over' up to 50 points achieved in excess of the annual points quota from one calendar year to the next calendar year. The carry over provisions were relied on in 2023, meaning the points were:

- Seven Network – 382 points (332 points, with 50 points carried forward from 2022)
- Nine Network – 281 points (244 points, with 37 points carried forward from 2022)
- Network Ten – 435 points (385 points, with 50 points carried forward from 2022).

The average hours of ACCTS first-release commissioned programs and acquired films broadcast by metropolitan licensees in 2023 were:

- Seven Network – 167 hours
- Nine Network – 176 hours
- Ten Network – 118 hours.[5]

Compliance data from regional commercial television licensees is published on the ACMA website.

[5] Figures have been rounded up or down to reflect a whole number.

Regional television local content obligations

Local programming obligations due to a regional television trigger event

The BSA sets out circumstances where a trigger event for a regional commercial television broadcasting licence causes either new local programming obligations to apply to that licence, or, if applicable, increases the local content obligations that already apply to that licence.[6]

There were no trigger events during the reporting period. However, licensees for 8 licences were required to submit an annual compliance report under section 61CZB of the BSA on or before 28 July 2023 for trigger events that affected them on 31 December 2021. The local presence reports for 7 licences were provided within the statutory timeframe.

One licensee did not provide an annual compliance report to the ACMA by the required date and subsequently advised that the service had not been providing local content as required by the BSA. The ACMA accepted an enforceable undertaking from the licensee that it would be compliant with the local content requirements by no later than 4 February 2024 and it would report on its local content compliance within 1 week after the end of each 6-week timing period from that date until 23 June 2024.

Regional radio local content obligations

Local content and presence obligations due to a regional radio trigger event

The BSA sets out circumstances where a trigger event for a regional commercial radio broadcasting licence causes additional obligations to apply to that licence.[7]

There were no trigger events during the reporting period.

[6] A 'trigger event' for a regional commercial television broadcasting licence is defined in section 61CV of the BSA, and occurs if, after a person starts to be in a position to exercise control of a commercial television broadcasting licence, that person is in a position to exercise control of 2 or more commercial television broadcasting licences (including at least 1 regional licence) and the combined licence area populations of the 2 or more licences exceeds 75% of the population of Australia. Note that a trigger event for a regional commercial television broadcasting licence is different to a trigger event for a regional commercial radio broadcasting licence as defined in section 61CB of the BSA.

[7] Subject to certain exceptions, a 'trigger event' for a regional commercial radio broadcasting licence is defined in section 61CB of the BSA and includes: (a) a change in control of a regional commercial radio licence, (b) the formation of a new registrable media group where a regional commercial radio broadcasting licence is in the group or (c) a change in controller of a registrable media group where a regional commercial radio broadcasting licence is in the group. A trigger event for a regional commercial radio broadcasting licence is different to a trigger event for a regional commercial television broadcasting licence, as introduced by the *Broadcasting Legislation Amendment (Broadcasting Reform) Act 2017*.

Appendix 1.9: Spectrum management functions and powers

Appendix 1.9 includes information related to the ACMA's requirements under paragraphs 57(g) and 57(h) of the *Australian Communications and Media Authority Act 2005* (the ACMA Act).

Ministerial policy statements

Paragraph 57(g) of the ACMA Act requires that the ACMA provide a summary outline of the operation of subsection 28C(1) of the *Radiocommunications Act 1992*. That subsection requires the ACMA, in performing its spectrum management functions and exercising its spectrum management powers, to have regard to any relevant ministerial policy statements.

On 1 February 2022, the then Minister for Communications, Urban Infrastructure, Cities and the Arts made the Radiocommunications (Ministerial Policy Statement – 3.4–4.0 GHz) Instrument 2022 (the 3.4–4 GHz MPS).

The 3.4–4 GHz MPS, made under subsection 28B(1) of the Radiocommunications Act, sets out the communications policy objectives of the government in relation to the 3.4–4.0 GHz band. The 4 policy objectives set out in the 3.4–4 GHz MPS are:

- supporting the deployment of new and innovative technology, including 5G
- supporting a range of use cases and users
- supporting digital connectivity and investment in regional Australia
- promoting competitive markets.

We planned the allocation of spectrum in this band to occur in 4 tranches:

- allocation of apparatus licences in 3.4–4.0 GHz in remote areas – applications for this allocation opened on 17 July 2023 and have subsequently re-opened on 24 June 2024 for the remaining spectrum
- auction of spectrum licences in 3.4 GHz and 3.7 GHz bands in metropolitan and regional areas – the 3.7 GHz auction started on 24 October 2023 and the 3.4 GHz auction finished on 21 November 2023
- allocation of apparatus licences in 3.8–3.95 GHz in metropolitan and immediately surrounding areas, and 3.75–3.95 GHz in other regional areas (collectively known as the 3.8 GHz band) – application window opened on 28 March 2024 and closed on 2 May 2024
- allocation of apparatus licences in 3400–3475 MHz (urban excise areas) and 3950–4000 MHz (regional and metropolitan areas) – allocation timing to be determined after consideration of technical and licensing arrangements.

In preparing for the allocation of these licences, including undertaking public consultation, we had regard to the 4 policy objectives set out in the 3.4–4 GHz MPS and considered the allocations have or will generally have advanced the MPS objectives. Details about the auction of spectrum licences is available in the explanatory statement to the Radiocommunications (Spectrum Re-allocation – 3.4 GHz and 3.7 GHz Bands) Declaration 2022 and the outcomes paper from the consultation on draft allocation and technical instruments for the 3.4 3.7 GHz bands auction. Details about the allocation of apparatus licences in the 3.8 GHz band is available in the outcomes paper 2 to the consultation on 3.8 GHz band allocation process.

We will continue to have regard to the MPS as we progress these allocations of spectrum in the 3.4–4.0 GHz band.

In December 2023, the Minister for Communications indicated their intention to repeal the 3.4–4 GHz MPS following the conclusion of our mid-band allocation processes.

Following public consultation, on 23 April 2024, the minister made the Radiocommunications (Ministerial Policy Statement – Expiring Spectrum Licences) Instrument 2024 (the ESL MPS).

The ESL MPS specifies Australian Government communications policy objectives to which the ACMA must have regard in designing and enacting its process to manage the future use of spectrum associated with the expiry of spectrum licences used for mobile and fixed wireless broadband services.

The 5 policy objectives set out in the ESL MPS are:

- supporting service continuity for end users, particularly where no alternative service is available
- facilitating opportunities for new entrants and use cases, including for low earth orbit satellites
- providing connectivity and investment in regional and remote areas to deliver improved services to end users
- promoting competition
- increasing the capacity for sustained investment and innovation.

Before making the ESL MPS, in December 2023 the minister publicly signalled the intention to specify these policy objectives in an MPS, and in December 2023, we set out how we would incorporate these objectives into our finalised ESL policy and decision-making framework. During March to June 2024, as part of an information-gathering exercise and consultation process, incumbent and prospective licensees were asked to make submissions on how their current and proposed uses of ESL spectrum could support the policy objectives contained in the ESL MPS.

We will continue to have regard to the ESL MPS as we move through stages 3 and 4 of the ESL process.

The ACMA's work program

Paragraph 57(h) of the ACMA Act requires us to report on the extent to which our activities during the period gave effect to the work program that was applicable under section 28E of the Radiocommunications Act.

The ACMA's work program for its spectrum management functions and spectrum management powers for the 2023–24 financial year is set out in the *Five-year spectrum outlook 2023–28* (the FYSO). The *FYSO 2023–28 6-month progress report* published in January 2024 and the *FYSO 2023–28 annual progress report* published in July 2024 detail the activities undertaken during the 2023–24 financial year to progress the work program.

Appendix 1.10: Outcome table

This appendix contains information for both the ACMA and eSafety and shows how much was spent (on an accrual basis) on achieving the outcome by funding source.

Outcome 1: A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice	Budget* 2023–24 $'000	Actual expenses 2023-24^ $'000	Variation 2023-24 $'000
	(a)	(b)	(a) – (b)
Program 1.1: Communications regulation, planning and licensing			
Administered expenses			
Ordinary annual services (Appropriation Act No. 1 and 3)	50	-	50
Administered total	**50**	**-**	**50**
Departmental expenses			
Departmental appropriation	48,008	46,208	1,800
Expenses not requiring appropriation in the Budget year†	3,412	7,995	(4,583)
Departmental total	**51,420**	**54,203**	**(2,783)**
Total expenses for Program 1.1	**51,470**	**54,203**	**(2,733)**
Program 1.2: Consumer safeguards, education and information			
Administered expenses			
Ordinary annual services (Appropriation Act No. 1 and 3)	-	397	(397)
Special appropriations	300	-	300
Administered total	**300**	**397**	**(97)**
Departmental expenses			
Departmental appropriation	44,315	42,039	2,276
Expenses not requiring appropriation in the budget year†	3,150	7,995	(4,845)
Departmental total	**47,465**	**50,034**	**(2,569)**
Total expenses for Program 1.2	**47,765**	**50,431**	**(2,666)**
Program 1.3: eSafety Commissioner			
Administered expenses			
Ordinary annual services (Appropriation Act No. 1 and 3)	6,520	6,097	423
Administered total	**6,520**	**6,097**	**423**
Departmental expenses			
Special accounts (Online Safety Special Account – s72 *Enhancing Online Safety Act 2015*)	44,371	41,732	2,639
Expenses not requiring appropriation in the budget year†	290	-	290
Departmental total	**44,661**	**41,732**	**2,929**
Total expenses for Program 1.3	**51,181**	**47,829**	**3,352**
Outcome 1 totals by appropriation type			
Administered expenses			
Ordinary annual services (Appropriation Act No. 1 and 3)	6,570	6,494	76
Special appropriations	300	-	300
Administered total	**6,870**	**6,494**	**376**
Departmental expenses			
Departmental appropriation	92,323	88,247	4,076
Special accounts (Online Safety Special Account – s72 *Enhancing Online Safety Act 2015*)	44,371	41,732	2,639
Expenses not requiring appropriation in the budget year†	6,852	15,990	(9,138)
Departmental total	**143,546**	**145,969**	**(2,423)**
Total expenses for Outcome 1	**150,416**	**152,463**	**(2,047)**
Average staffing level	**602**	**552**	

** Budget represents the original budget per the 2023-24 Portfolio Budget Statements.*
^ Actual appropriations are the total available appropriation in 2023–24, including MYEFO budget adjustments.
† This variance is due to the application of the accounting standard on leases on new leases entered into during the 2023–24 financial year.

Appendix 1.11: Agency resource statement

This appendix contains information for both the ACMA and eSafety.

	Current available appropriation (a)	Payments made (b)	Balance remaining (a)-(b)
	$'000	$'000	$'000
Departmental			
Annual appropriations - ordinary annual services	159,809	108,678	51,131
Prior year appropriations available - ordinary annual services	56,146	53,939	2,207
Annual appropriations - other services - non-operating	2,000	733	1,267
Total departmental annual appropriations **(c)**	217,955	163,350	54,605
Opening balance - special accounts	6,769	-	6,769
Special account receipts	39,752	40,136	(384)
Total special accounts **(d)**	46,521	40,136	6,385
Total departmental resourcing (c+d)	**264,476**	**203,486**	
Administered			
Annual appropriations - ordinary annual services	6,020	5,505	
Total administered annual appropriations **(e)**	6,020	5,505	
Total administered special appropriations **(f)**		19,513	
Opening balance - special accounts	248	-	248
Special account receipts	551	165	386
Total special accounts **(g)**	799	165	634
Total administered resourcing (e+f+g)	**6,819**	**25,183**	
Total resourcing and payments for ACMA and eSafety	**271,295**	**228,669**	

** The eSafety Commissioner's allocated appropriation is included in the Australian Communication and Media Authority's Appropriation Act 1; however, the appropriation is moved to the Online Safety Special Account s72 Enhancing Online Safety Act 2015.*

Appendix 1.12: eSafety financial reporting

This appendix contains financial information on the operation of eSafety, presented in accordance with subsection 57(aa) of the ACMA Act.

	2024 $'000	2023 $'000
Departmental		
Operating expenses		
Employee benefits	23,727	17,635
Supplier expenses		
Consultants	1,071	1,546
Contractors	9,183	13,897
Outsourced services	1,386	7,486
IT and communications services	1,557	1,953
Travel costs	826	751
Other	2,218	1,152
Total supplier expenses	**16,241**	**26,785**
Total operating expenses	**39,968**	**44,420**
Capital purchases		
Internally developed software, leasehold improvement and PPE	730	3,033
Total capital purchases	**730**	**3,033**
Total departmental expenditure	**40,698**	**47,453**
Administered		
Grants expenditure	2,335	2,167
Supplier expenses		
Consultants	14	53
Contractors	2,404	2,359
Outsourced services	590	952
IT and communications services	711	167
Travel costs	11	7
Other	32	504
Total supplier expenses	**3,762**	**4,042**
Total administered expenditure	**6,097**	**6,209**

Appendix 1.13: List of requirements

Requirements under Schedule 2 of the Public Governance, Performance and Accountability Rule 2014

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
17AD(g)	**Letter of transmittal**		
17AI	A copy of the letter of transmittal signed and dated by accountable authority on date final text approved, with statement that the report has been prepared in accordance with section 46 of the Act and any enabling legislation that specifies additional requirements in relation to the annual report	7	n/a
17AD(h)	**Aids to access**		
17AJ(a)	Table of contents	iii–iv	iii–iv
17AJ(b)	Alphabetical index	236–244	236–244
17AJ(c)	Glossary of abbreviations and acronyms	232–235	232–235
17AJ(d)	List of requirements	110–118	110–118
17AJ(e)	Details of contact officer	6	168
17AJ(f)	Entity's website address	2	3
17AJ(g)	Electronic address of report	6	168
17AD(a)	**Review by accountable authority**		
17AD(a)	A review by the accountable authority of the entity	8–11	n/a
17AD(b)	**Overview of the entity**		
17AE(1)(a)(i)	A description of the role and functions of the entity	14	176
17AE(1)(a)(ii)	A description of the organisational structure of the entity	18	178
17AE(1)(a)(iii)	A description of the outcomes and programmes administered by the entity	19, 22	179, 182
17AE(1)(a)(iv)	A description of the purposes of the entity as included in corporate plan	19, 22	179, 182
17AE(1)(aa)(i)	Name of the accountable authority or each member of the accountable authority	17	n/a
17AE(1)(aa)(ii)	Position title of the accountable authority or each member of the accountable authority	15–17	n/a
17AE(1)(aa)(iii)	Period as the accountable authority or member of the accountable authority within the reporting period	15–17	n/a
17AE(1)(b)	An outline of the structure of the portfolio of the entity	n/a	n/a

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
17AE(2)	Where the outcomes and programs administered by the entity differ from any Portfolio Budget Statement, Portfolio Additional Estimates Statement or other portfolio estimates statement that was prepared for the entity for the period, include details of variation and reasons for change	n/a	n/a
17AD(c)	**Report on the performance of the entity**		
	Annual Performance Statement		
17AD(c)(i); 16F	Annual performance statement in accordance with paragraph 39(1)(b) of the Act and section 16F of the Rule	20–54	180–217
17AD(c)(ii)	**Report on financial performance**		
17AF(1)(a)	A discussion and analysis of the entity's financial performance	60–65	60–65, 219
17AF(1)(b)	A table summarising the total resources and total payments of the entity	108	108
17AF(2)	If there may be significant changes in the financial results during or after the previous or current reporting period, information on those changes, including: the cause of any operating loss of the entity; how the entity has responded to the loss and the actions that have been taken in relation to the loss; and any matter or circumstances that it can reasonably be anticipated will have a significant impact on the entity's future operation or financial results	n/a	n/a
17AD(d)	**Management and accountability**		
	Corporate governance		
17AG(2)(a)	Information on compliance with section 10 (fraud systems)	57	220
17AG(2)(b)(i)	A certification by accountable authority that fraud risk assessments and fraud control plans have been prepared	7	7
17AG(2)(b)(ii)	A certification by accountable authority that appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meet the specific needs of the entity are in place	7	7
17AG(2)(b)(iii)	A certification by accountable authority that all reasonable measures have been taken to deal appropriately with fraud relating to the entity	7	7

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
17AG(2)(c)	An outline of structures and processes in place for the entity to implement principles and objectives of corporate governance	56–57	219–220
17AG(2)(d) – (e)	A statement of significant issues reported to Minister under paragraph 19(1)(e) of the Act that relates to non-compliance with Finance law and action taken to remedy non-compliance	60	60
	Audit committee		
17AG(2A)(a)	A direct electronic address of the charter determining the functions of the entity's audit committee	79	79
17AG(2A)(b)	The name of each member of the entity's audit committee	78	78
17AG(2A)(c)	The qualifications, knowledge, skills or experience of each member of the entity's audit committee	78	78
17AG(2A)(d)	Information about the attendance of each member of the entity's audit committee at committee meetings	78	78
17AG(2A)(e)	The remuneration of each member of the entity's audit committee	78	78
	External scrutiny		
17AG(3)	Information on the most significant developments in external scrutiny and the entity's response to the scrutiny	58	220
17AG(3)(a)	Information on judicial decisions and decisions of administrative tribunals and by the Australian Information Commissioner that may have a significant effect on the operations of the entity	58	221
17AG(3)(b)	Information on any reports on operations of the entity by the Auditor-General (other than report under section 43 of the Act), a Parliamentary Committee, or the Commonwealth Ombudsman	58	221
17AG(3)(c)	Information on any capability reviews on the entity that were released during the period	n/a	n/a
	Management of human resources		
17AG(4)(a)	An assessment of the entity's effectiveness in managing and developing employees to achieve entity objectives	72	72

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
17AG(4)(aa)	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: (a) statistics on full-time employees (b) statistics on part-time employees (c) statistics on gender (d) statistics on staff location	81–90	81–90
17AG(4)(b)	Statistics on the entity's APS employees on an ongoing and non-ongoing basis; including the following: • statistics on staffing classification level • statistics on full-time employees • statistics on part-time employees • statistics on gender • statistics on staff location • statistics on employees who identify as Indigenous	81–90	81–90
17AG(4)(c)	Information on any enterprise agreements, individual flexibility arrangements, Australian workplace agreements, common law contracts and determinations under subsection 24(1) of the *Public Service Act 1999*	73, 91	71, 91
17AG(4)(c)(i)	Information on the number of SES and non-SES employees covered by agreements etc identified in paragraph 17AG(4)(c)	91	91
17AG(4)(c)(ii)	The salary ranges available for APS employees by classification level	91	91
17AG(4)(c)(iii)	A description of non-salary benefits provided to employees	73	73
6817AG(4)(d)(i)	Information on the number of employees at each classification level who received performance pay	n/a	n/a
17AG(4)(d)(ii)	Information on aggregate amounts of performance pay at each classification level	n/a	n/a
17AG(4)(d)(iii)	Information on the average amount of performance payment, and range of such payments, at each classification level	n/a	n/a
17AG(4)(d)(iv)	Information on aggregate amount of performance payments	n/a	n/a
	Assets management		
17AG(5)	An assessment of effectiveness of assets management where asset management is a significant part of the entity's activities	68	68

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
	Purchasing		
17AG(6)	An assessment of entity performance against the *Commonwealth Procurement Rules*	65–66	65–66
	Reportable consultancy contracts		
17AG(7)(a)	A summary statement detailing the number of new reportable consultancy contracts entered into during the period; the total actual expenditure on all such contracts (inclusive of GST); the number of ongoing reportable consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting period on those ongoing contracts (inclusive of GST)	66	66
17AG(7)(b)	A statement that '*During [reporting period], [specified number] new reportable consultancy contracts were entered into involving total actual expenditure of $[specified million]. In addition, [specified number] ongoing reportable consultancy contracts were active during the period, involving total actual expenditure of $[specified million]*.'	66	66
17AG(7)(c)	A summary of the policies and procedures for selecting and engaging consultants and the main categories of purposes for which consultants were selected and engaged	66	66
17AG(7)(d)	A statement that '*Annual reports contain information about actual expenditure on reportable consultancy contracts. Information on the value of reportable consultancy contracts is available on the AusTender website.*'	65–66	65–66
	Reportable non-consultancy contracts		
17AG(7A)(a)	A summary statement detailing the number of new reportable non-consultancy contracts entered into during the period; the total actual expenditure on such contracts (inclusive of GST); the number of ongoing reportable non-consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting period on those ongoing contracts (inclusive of GST)	67	67

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
17AG(7A)(b)	A statement that '*Annual reports contain information about actual expenditure on reportable non-consultancy contracts. Information on the value of reportable non-consultancy contracts is available on the AusTender website.*'	65–66	65–66
17AD(daa)	**Additional information about organisations receiving amounts under reportable consultancy contracts or reportable non-consultancy contracts**		
17AGA	Additional information, in accordance with section 17AGA, about organisations receiving amounts under reportable consultancy contracts or reportable non-consultancy contracts	65–67	65–67
	Australian National Audit Office Access Clauses		
17AG(8)	If an entity entered into a contract with a value of more than $100 000 (inclusive of GST) and the contract did not provide the Auditor-General with access to the contractor's premises, the report must include the name of the contractor, purpose and value of the contract, and the reason why a clause allowing access was not included in the contract	68	68
	Exempt contracts		
17AG(9)	If an entity entered into a contract or there is a standing offer with a value greater than $10 000 (inclusive of GST) which has been exempted from being published in AusTender because it would disclose exempt matters under the FOI Act, the annual report must include a statement that the contract or standing offer has been exempted, and the value of the contract or standing offer, to the extent that doing so does not disclose the exempt matters	68	68
	Small business		
17AG(10)(a)	A statement that '*[Name of entity] supports small business participation in the Commonwealth Government procurement market. Small and Medium Enterprises (SME) and Small Enterprise participation statistics are available on the Department of Finance's website.*'	68	68
6417AG(10)(b)	An outline of the ways in which the procurement practices of the entity support small and medium enterprises	68	68

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
17AG(10)(c)	If the entity is considered by the Department administered by the finance minister as material in nature – a statement that '*[Name of entity] recognises the importance of ensuring that small businesses are paid on time. The results of the Survey of Australian Government Payments to Small Business are available on the Treasury's website*.'	68	68
	Financial statements		
17AD(e)	Inclusion of the annual financial statements in accordance with subsection 43(4) of the Act	119–165	n/a
	Executive remuneration		
17AD(da)	Information about executive remuneration in accordance with Subdivision C of Division 3A of Part 2–3 of the Rule	92–93	92–93
17AD(f)	**Other mandatory information**		
17AH(1)(a)(i)	If the entity conducted advertising campaigns, a statement that *'During [reporting period], the [name of entity] conducted the following advertising campaigns: [name of advertising campaigns undertaken]. Further information on those advertising campaigns is available at [address of entity's website] and in the reports on Australian Government advertising prepared by the Department of Finance. Those reports are available on the Department of Finance's website.'*	100	100
17AH(1)(a)(ii)	If the entity did not conduct advertising campaigns, a statement to that effect	100	100
17AH(1)(b)	A statement that *'Information on grants awarded by [name of entity] during [reporting period] is available at [address of entity's website].'*	60	219
17AH(1)(c)	Outline of mechanisms of disability reporting, including reference to website for further information	74	74
17AH(1)(d)	Website reference to where the entity's Information Publication Scheme statement pursuant to Part II of FOI Act can be found	58	221
17AH(1)(e)	Correction of material errors in previous annual report	n/a	n/a
17AH(2)	Information required by other legislation	See tables below	223–228

Requirements in section 57 of Part 6 of the Australian Communications and Media Authority Act 2005

ACMA Act reference	Requirement	Page reference
57(a)	A copy of each direction given to the ACMA under section 14 during the period	No new Ministerial directions were given in the reporting period
57(aa)	A report on the following matters: remuneration, and other employment-related costs and expenses, in respect of APS employees whose duties relate to the performance of the eSafety Commissioner's functions or the exercise of the eSafety Commissioner's powers any other costs, expenses and other obligations incurred by the Commonwealth in connection with the performance of the eSafety Commissioner's functions or the exercise of the eSafety Commissioner's powers	107, 109
57(b), (c)	A copy, or extract, of each instrument given to a carrier or to a carriage service provider under section 581 of the *Telecommunications Act 1997* during the financial year	59
57(d)	A report on the number and types of complaints made under Part 26 of the *Telecommunications Act 1997*. A report on the investigations conducted as a result of complaints made under Part 26. The results of those investigations	94–95
57(e)	A report on the operation of Part 6 of the *Telecommunications Act 1997*	96
57(f)	A report setting out statistical information relating to information or documents disclosed under Division 3 of Part 13 of the *Telecommunications Act 1997*	97–98
57(g)	A summary outline of the operation of subsection 28C(1) of the *Radiocommunications Act 1992* during the period	105–106
57(h)	If a work program was applicable to the period under section 28E of the *Radiocommunications Act 1992* – a report on the extent to which the ACMA's activities during the period gave effect to the work program	106

Requirements under the Broadcasting Services Act 1992 (BSA)

BSA reference	Requirement	Page reference
205ZL	Reporting on information about the recipients of grants in accordance with section 46 of the *Public Governance, Performance and Accountability Act 2013*	Not applicable for the 2023–24 financial year
74R	Requires the ACMA to prepare a report about the company interests in Australian media companies that were held by foreign stakeholders at the end of the financial year	102

Other information required to be included by an Act or instrument

Requirement	Page reference
Reporting on work health and safety under Schedule 2, Part 4 of the *Work Health and Safety Act 2011*	74–75
Advertising and market research reporting requirements in section 311A of the *Commonwealth Electoral Act 1918*	100–101
Ecologically sustainable development and environmental performance (section 516A of the *Environment Protection and Biodiversity Conservation Act 1999*	69
Reporting requirements under the Guidelines for the use of section 313(3) of the *Telecommunications Act 1997*	99

Appendix 1.14: Financial statements

For the period ended 30 June 2024.

Australian National Audit Office

INDEPENDENT AUDITOR'S REPORT

To the Minister for Communications

Opinion

In my opinion, the financial statements of the Australian Communications and Media Authority (the Entity) for the year ended 30 June 2024:

(a) comply with Australian Accounting Standards – Simplified Disclosures and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and

(b) present fairly the financial position of the Entity as at 30 June 2024 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following as at 30 June 2024 and for the year then ended:

- Statement by the Chair and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Statement of Cashflows;
- Administered Schedule of Comprehensive Income;
- Administered Schedule of Assets and Liabilities;
- Administered Reconciliation Schedule;
- Administered Cash Flow Statement; and
- Notes to and forming part of the financial statements, comprising material accounting policy information and other explanatory information.

Basis for opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Entity in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and their delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Accountable Authority's responsibility for the financial statements

As the Accountable Authority of the Entity, the Chair is responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Simplified Disclosures and the rules made under the Act. The Chair is also responsible for such internal control as the Chair determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Chair is responsible for assessing the ability of the Entity to continue as a going concern, taking into account whether the Entity's operations will cease as a result of an administrative restructure or for any other reason. The Chair is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting, unless the assessment indicates that it is not appropriate.

GPO Box 707, Canberra ACT 2601
38 Sydney Avenue, Forrest ACT 2603
Phone (02) 6203 7300

Auditor's responsibilities for the audit of the financial statements

My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accountable Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office

Fiona Sheppard
Executive Director

Delegate of the Auditor-General

Canberra
23 September 2024

Australian Communications and Media Authority

STATEMENT BY THE CHAIR AND CHIEF FINANCIAL OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2024 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the Australian Communications and Media Authority will be able to pay its debts as and when they fall due.

Signed……

Nerida O'Loughlin PSM

Chair and Agency Head

20 September 2024

Sam MacCready

Sam MacCready

Chief Financial Officer

20 September 2024

1

Australian Communications and Media Authority
STATEMENT OF COMPREHENSIVE INCOME
for the period ended 30 June 2024

	Notes	2024 $'000	2023 $'000	Original Budget 2024 $'000
NET COST OF SERVICES				
Expenses				
Employee benefits	1.1A	**81,881**	71,424	94,341
Suppliers	1.1B	**47,450**	48,099	33,433
Depreciation and amortisation	3.2A	**15,990**	13,036	15,296
Finance costs	1.1C	**437**	332	476
Impairment loss on financial instruments	1.1D	**50**	13	-
Write-down and impairment of assets	1.1E	**163**	-	-
Total expenses		**145,971**	132,904	143,546
Own-Source Income				
Own-source revenue				
Revenue from contracts with customers	1.2A	**2,324**	3,301	100
Other revenue		**216**	75	-
Total own-source revenue		**2,540**	3,376	100
Gains				
Other gains	1.2B	**81**	81	-
Total gains		**81**	81	-
Total own-source income		**2,621**	3,457	100
Net cost of services		**(143,350)**	(129,447)	(143,446)
Revenue from Government	5.1A	**142,422**	130,788	137,223
Surplus/(Deficit) attributable to the Australian Government		**(928)**	1,341	(6,223)
OTHER COMPREHENSIVE INCOME				
Items not subject to subsequent reclassification to net cost of services				
Changes in asset revaluation reserve	3.2A	**92**	751	-
Total comprehensive income/(loss)		**(836)**	2,092	(6,223)

The above statement should be read in conjunction with the accompanying notes.

Budget Variances Commentary

Employee benefits are lower than the Original Budget due to lower than expected staffing levels experienced during the year due to delays in projects and recruitment delays. Suppliers are higher than the Original Budget due to an increase in contractor costs related to IT projects, and higher than expected legal costs. Additionally, depreciation is higher than budgeted due to the completion of some large computer IT software projects.

Revenue from contracts with customers is higher than the Original Budget which is predominantly due to arrangements with other Government agencies, where some of these arrangements were not in place at the time the Budget was developed.

2

Australian Communications and Media Authority
STATEMENT OF FINANCIAL POSITION
as at 30 June 2024

	Notes	2024 $'000	2023 $'000	Original Budget 2024 $'000
ASSETS				
Financial Assets				
Cash and cash equivalents	3.1A	**9,027**	7,339	13,161
Trade and other receivables	3.1B	**54,048**	54,559	49,329
Total financial assets		**63,075**	61,898	62,490
Non-Financial Assets				
Land and buildings	3.2A	**33,828**	26,008	50,210
Plant and equipment	3.2A	**3,563**	3,871	2,590
Intangibles	3.2A	**39,003**	29,391	30,957
Prepayments		**4,844**	4,426	3,973
Total non-financial assets		**81,238**	63,696	87,730
Total assets		**144,313**	125,594	150,220
LIABILITIES				
Payables				
Suppliers	3.3A	**7,017**	5,214	5,554
Other payables	3.3B	**2,171**	2,682	2,773
Total payables		**9,188**	7,896	8,327
Interest Bearing Liabilities				
Leases	3.4A	**25,564**	25,778	46,637
Total interest bearing liabilities		**25,564**	25,778	46,637
Provisions				
Employee provisions	6.1A	**23,662**	22,723	20,900
Make good provisions	3.5	**1,462**	2,890	2,758
Total provisions		**25,124**	25,613	23,658
Total liabilities		**59,876**	59,287	78,622
Net assets		**84,437**	66,307	71,598
EQUITY				
Contributed equity		**184,556**	165,590	182,617
Reserves		**3,018**	2,926	2,175
Accumulated deficit		**(103,137)**	(102,209)	(113,194)
Total equity		**84,437**	66,307	71,598

The above statement should be read in conjunction with the accompanying notes.

Budget Variances Commentary

Cash and cash equivalents are lower than the Original Budget primarily related to a decreased balance in the eSafety special account due to the utilisation of prior year funding. Trade and other receivables are higher than the Original Budget predominantly due to increased appropriation reserves caused by delays in capital and other operating expenditure related to projects.

Land and Buildings are lower than the Original Budget mainly attributable to a lower than anticipated capital spend on the Canberra office refurbishment and delays in the refurbishment of the Sydney office. Intangibles are higher than the Original Budget due to increased capital investment into the development of computer software.

Liabilities are lower than Original Budget due to the derecognition of the Canberra lease options at the now vacated 6 Chan St. building.

3

Australian Communications and Media Authority
STATEMENT OF CHANGES IN EQUITY
for the period ended 30 June 2024

	Notes	2024 $'000	2023 $'000	Original budget 2024 $'000
CONTRIBUTED EQUITY/CAPITAL				
Opening balance				
Balance carried forward from previous period		**165,590**	157,488	165,126
Adjusted opening balance		**165,590**	157,488	165,126
Contributions by owners				
Equity injections - Appropriations	5.1A	**2,000**	-	2,000
Departmental capital budget	5.1A	**16,966**	8,102	15,491
Total transactions with owners		**18,966**	8,102	17,491
Closing balance as at 30 June		**184,556**	165,590	182,617
RETAINED EARNINGS				
Opening balance				
Balance carried forward from previous period		**(102,209)**	(101,343)	(106,971)
Adjusted opening balance		**(102,209)**	(101,343)	(106,971)
Comprehensive income				
Other movements[1]		**-**	(2,207)	-
Surplus/(Deficit) for the period		**(928)**	1,341	(6,223)
Total comprehensive income		**(928)**	(866)	(6,223)
Closing balance as at 30 June		**(103,137)**	(102,209)	(113,194)
ASSET REVALUATION RESERVE				
Opening balance				
Balance carried forward from previous period		**2,926**	2,175	2,175
Adjusted opening balance		**2,926**	2,175	2,175
Comprehensive income				
Revaluation increment on non-financial assets	3.2A	**92**	751	-
Total comprehensive income		**92**	751	-
Closing balance as at 30 June		**3,018**	2,926	2,175

[1] Other movements represents a Section 51 permanent quarantine imposed against Appropriation Act (No. 1) 2022-23 of $2.207m.

4

Australian Communications and Media Authority
STATEMENT OF CHANGES IN EQUITY
for the period ended 30 June 2024

		2024	2023	Original budget 2024
		$'000	$'000	$'000
TOTAL EQUITY				
Opening balance				
Balance carried forward from previous period		**66,307**	58,320	60,330
Adjusted opening balance		**66,307**	58,320	60,330
Comprehensive income				
Other movements[1]		**-**	(2,207)	-
Revaluation increment on non-financial assets	3.2A	**92**	751	-
Surplus/(Deficit) for the period		**(928)**	1,341	(6,223)
Total comprehensive income		**(836)**	(115)	(6,223)
Contributions by owners				
Equity injections - Appropriations	5.1A	**2,000**	-	2,000
Departmental capital budget	5.1A	**16,966**	8,102	15,491
Total transactions with owners		**18,966**	8,102	17,491
Closing balance as at 30 June		**84,437**	66,307	71,598

[1] Other movements represents a Section 51 permanent quarantine imposed against *Appropriation Act (No. 1) 2022-23* of $2.207m.

Accounting Policy

Equity Injections
Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) and Departmental Capital Budgets (DCBs) are recognised directly in contributed equity in that year.

Budget Variances Commentary

Total equity is higher than the Original Budget due to total Comprehensive Income being higher than originally expected. This was driven by lower-than-expected staffing levels, delays in the build completion, and capitalisation of assets.

5

Australian Communications and Media Authority
STATEMENT OF CASHFLOWS
for the period ended 30 June 2024

	Notes	2024 $'000	2023 $'000	Original Budget 2024 $'000
OPERATING ACTIVITIES				
Cash received				
Sale of goods and rendering of services		**1,766**	2,813	100
Appropriations		**140,094**	119,033	137,223
GST received		**7,808**	6,333	3,169
Other		**214**	73	-
Total cash received		**149,882**	128,252	140,492
Cash used				
Employees		**81,943**	67,612	94,341
Suppliers		**56,865**	56,677	36,602
Section 74 receipts transferred to OPA		**421**	635	-
Interest payments on lease liabilities		**411**	200	476
Total cash used		**139,640**	125,124	131,419
Net cash from operating activities		**10,242**	3,128	9,073
INVESTING ACTIVITIES				
Cash used				
Purchase of property, plant and equipment		**9,513**	1,185	7,235
Purchase of intangibles		**13,484**	11,804	10,256
Total cash used		**22,997**	12,989	17,491
Net cash used by investing activities		**(22,997)**	(12,989)	(17,491)
FINANCING ACTIVITIES				
Cash received				
Equity injections		**733**	-	2,000
Departmental capital budget		**22,264**	12,989	15,491
Total cash received		**22,997**	12,989	17,491
Cash used				
Principal payments of lease liabilities		**8,554**	8,494	9,073
Total cash used		**8,554**	8,494	9,073
Net cash from financing activities		**14,443**	4,495	8,418
Net increase/(decrease) in cash held		**1,688**	(5,366)	-
Cash and cash equivalents at the beginning of the reporting period		**7,339**	12,705	13,161
Cash and cash equivalents at the end of the reporting period	3.1A	**9,027**	7,339	13,161

The above statement should be read in conjunction with the accompanying notes.

6

Australian Communications and Media Authority
STATEMENT OF CASHFLOWS
for the period ended 30 June 2024

Budget Variances Commentary

Net cash from operating activities – The increase from Original Budget was attributable to an increase in sales of goods and services. The variance was mainly due to arrangements put in place with other Government agencies subsequent to the Budget. As well as additional funding received for the National Self-Exclusion Register, the Supporting Connectivity, Media and Communications and Supporting Australian Communities measure announced in the 2023-24 Mid-Year Economic Fiscal Outlook, and an increase in GST refunded from supplier expenditure to the ACMA. This has been partially offset by lower than anticipated staffing levels. The variance in cash used for Employees and Suppliers, reflects the lower staffing costs, offset by the increase in suppliers and legal costs.

Net cash used by investing activities – The increase from the Original Budget is due to growth in capital expenditure on internally generated software, and leasehold improvement projects for the Canberra office.

Net cash from financing activities – The increase from the Original Budget is related to Departmental Capital Budget carried forward from the previous financial year and utilised in the current year to fund the delivery of capital projects.

7

Australian Communications and Media Authority
ADMINISTERED SCHEDULE OF COMPREHENSIVE INCOME
for the period ended 30 June 2024

	Notes	2024 $'000	2023 $'000	Original Budget 2024 $'000
NET COST OF SERVICES				
EXPENSES				
Suppliers	2.1A	**3,761**	4,043	4,320
Grants	2.1B	**2,335**	2,174	2,500
Impairment loss on financial instruments	2.1C	**397**	2,103	-
Total expenses		**6,493**	8,320	6,820
INCOME				
Revenue				
Taxation revenue				
Other taxes	2.2A	**1,315,288**	1,276,081	1,284,881
Total taxation revenue		**1,315,288**	1,276,081	1,284,881
Non-taxation revenue				
Revenue from contracts with customers	2.2B	**5,111**	5,755	17,804
Fees, fines, and penalties	2.2C	**46,701**	37,983	37,413
Other revenue	2.2D	**1,179**	1,570	1,179
Total non-taxation revenue		**52,991**	45,308	56,396
Total revenue		**1,368,279**	1,321,389	1,341,277
Gains				
Resources received free of charge	2.2E	**721,766**	-	-
Reversal of impairment of receivables		**664**	149	-
Total gains		**722,430**	149	-
Total income		**2,090,709**	1,321,538	1,341,277
Net contribution by services		**2,084,216**	1,313,218	1,334,457

The above schedule should be read in conjunction with the accompanying notes.

Budget Variances Commentary

Expenses – Total expenses were lower than budget, due mainly to a decrease in the eSafety's supplier expenses as a result of delays in projects. Impairment losses on financial instruments are not included in the Original Budget and are related to the movement of expected credit losses on Taxation Receivables.

Revenues – The approximately $30m increase in Taxation revenue from the Original Budget is due mainly to the impact of the CPI increase on the RBS charge, slightly offset by lower than anticipated collection of the commercial broadcasting taxes due to approximately $7.2m in taxes imposed late in the financial year not assessed until July 2024. Revenue from contracts with customers is lower than the Original Budget due to the delayed implementation of cost recovery for BetStop – the National Self-Exclusion Register, as well as a decrease in the demand for Numbering services. Fees, fines and penalties revenue is higher than the original budget due to an increase in receipts from payment by providers of infringement notices following the outcomes of a number of investigations. The Reversal of impairment of receivables relates to the movement in the expected credit loss on Trade and other receivables, which was not included in the Original Budget.

Australian Communications and Media Authority
ADMINISTERED SCHEDULE OF ASSETS AND LIABILITIES
as at 30 June 2024

	Notes	2024 $'000	2023 $'000	Original Budget 2024 $'000
ASSETS				
Financial Assets				
Cash and cash equivalents	4.1A	**941**	742	618
Taxation receivables	4.1B	**821,407**	783,062	813,705
Trade and other receivables	4.1C	**293,225**	421,150	367,873
Other financial assets	4.1D	**-**	21	23
Total financial assets		**1,115,573**	1,204,975	1,182,219
Total assets administered on behalf of Government		**1,115,573**	1,204,975	1,182,219
LIABILITIES				
Payables				
Unearned revenue	4.2A	**2,139,766**	123,682	2,190,524
Other payables	4.2A	**769**	690	-
Total payables		**2,140,535**	124,372	2,190,524
Total liabilities administered on behalf of Government		**2,140,535**	124,372	2,190,524
Net assets		**(1,024,962)**	1,080,603	(1,008,305)

The above schedule should be read in conjunction with the accompanying notes.

Budget Variances Commentary

The Net assets have declined in comparison to the Original Budget as a result of a decrease in Trade and other receivables due to the reduction in the lease receivables for the 26GHz spectrum auction, and are slightly offset by an increase in Taxation receivables due to an increase in the annual accrual of the RBS revenue. The Unearned revenue relates to the sale of 850/900MHz with the cash being received in advance of the licence commencing in July 2024.

9

Australian Communications and Media Authority
ADMINISTERED RECONCILIATION SCHEDULE
for the period ended 30 June 2024

	2024 $'000	2023 $'000
Opening assets less liabilities as at 1 July	**1,080,603**	1,228,686
Income	**2,090,709**	1,321,538
Expenses	**(6,493)**	(8,320)
Transfers (to)/from Australian Government		
Appropriation transfers from the OPA	**26,062**	25,212
Transfers to the OPA	**(3,203,976)**	(531,277)
Transfers to the OPA (collected on behalf on another entity)[1, 2]	**(234,275)**	(240,940)
Regional Broadband Scheme Charge NBN[3]	**(777,592)**	(714,296)
Closing assets less liabilities as at 30 June	**(1,024,962)**	1,080,603

[1] Relates to the Telecommunications Industry Levy collected on behalf of the Department of Infrastructure, Transport, Regional Development, Communications and the Arts Public Interest Telecommunications Services Special Account.

[2] Relates to the collection of the Regional Broadband Scheme Charge collected on behalf of the Department of Infrastructure, Transport, Regional Development, Communications and the Arts Regional Broadband Scheme Special Account.

[3] Relates to revenue from the full year recognition of Regional Broadband Scheme Charge revenue from NBN recognised in 2022-23, where the cash was not collected due to a reciprocal grant paid by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

Accounting Policy

Administered Cash Transfers to and from the OPA

Revenue collected by the ACMA for use by the Australian Government rather than the ACMA is Administered revenue. Collections are transferred to the OPA maintained by the Department of Finance. Conversely, cash is drawn from the OPA to make payments under Parliamentary appropriation on behalf of the Australian Government. These transfers to and from the OPA are adjustments to the Administered cash held by the ACMA on behalf of the Australian Government and reported as such in the Administered Cash Flow Statement and in the Administered Reconciliation Schedule.

Australian Communications and Media Authority
ADMINISTERED CASH FLOW STATEMENT
for the period ended 30 June 2024

	Notes	2024 $'000	2023 $'000
OPERATING ACTIVITIES			
Cash received			
Sale of goods and rendering of services		**5,115**	5,755
Taxes[1]		**423,423**	544,737
Rental income[2]		**2,944,985**	131,601
Fees		**29,601**	62,559
Fines		**15,293**	8,742
GST received		**684**	707
Total cash received		**3,419,101**	754,101
Cash used			
Grants		**2,613**	2,384
Suppliers		**4,099**	4,588
Total cash used		**6,712**	6,972
Net cash from operating activities		**3,412,389**	747,129
Net increase in cash held		**3,412,389**	747,129
Cash from the Official Public Account			
Appropriations		**26,062**	25,212
Total cash from the Official Public Account		**26,062**	25,212
Cash to the Official Public Account			
Administered revenue		**(3,203,977)**	(531,277)
Transfer to other entities (collected on behalf of another entity)		**(234,275)**	(240,940)
Total cash to the Official Public Account		**(3,438,252)**	(772,217)
Cash and cash equivalents at the beginning of the reporting period		**742**	618
Cash and cash equivalents at the end of the reporting period	4.1A	**941**	742

The above schedule should be read in conjunction with the accompanying notes.

[1] Cash received for Taxes is lower than revenue, predominantly due to the accounting treatment of the Regional Broadband Scheme charge, where revenue from NBN is recognised, but cash is not collected due to a reciprocal notional grant paid by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts.

[2] Cash received for Rental income is significantly higher than the prior year due to the collection of cash for the sale of licences for the 3.4/3.7 GHz and 850/900 MHz spectrum bands.

11

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Overview 13

1. Financial Performance 15
   1.1 Expenses 15
   1.2 Own-Source Revenue and Gains 17

2. Income and Expenses Administered on Behalf of Government 19
   2.1 Administered – Expenses 19
   2.2 Administered – Income 20

3. Financial Position 22
   3.1 Financial Assets 22
   3.2 Non-Financial Assets 23
   3.3 Payables 27
   3.4 Leases 27
   3.5 Other Provisions 28

4. Assets and Liabilities Administered on Behalf of Government 29
   4.1 Administered – Financial Assets 29
   4.2 Administered – Payables 30

5. Funding 31
   5.1 Appropriations 31
   5.2 Special Accounts 33
   5.3 Regulatory Charging Summary 34
   5.4 Net Cash Appropriation Arrangement 34

6. People and Relationships 35
   6.1 Employee Provisions 35
   6.2 Key Management Personnel Remuneration 36
   6.3 Related Party Disclosures 36

7. Managing Uncertainties 37
   7.1 Contingent Assets and Liabilities 37
   7.2 Financial Instruments 38
   7.3 Administered Financial Instruments 38
   7.4 Fair Value Measurement 40

8. Other Items 41
   8.1 Current/non-current distinction for assets and liabilities 41

9. Disaggregation of eSafety balances in the statements of comprehensive income 43

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Overview

ACMA is responsible for regulating in accordance with legislation related to broadcasting, radiocommunications, telecommunications and online content. ACMA works with all stakeholders to maximise the public benefit, including the extent to which the regulatory framework addresses the broad concerns of the community, meets the needs of industry, and maintains community and national interest safeguards.

ACMA conducts the following administered activities on behalf of the Government:

- Revenue collection for broadcasting and radio communications licences
- Grant programs under the Online Safety Grants Program
- Grant programs under the Preventing Tech-based Abuse of Women Grants Program
- Revenue collection for the Regional Broadband Scheme Charge
- Charging arrangements related to the Annual Carrier Licence Charge and Numbering charges
- Other programs of work classified as administered activities

Basis of Preparation

The financial statements are required by section 42 of the *Public Governance, Performance and Accountability Act 2013*.

The financial statements have been prepared in accordance with the:

a) *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015* (FRR); and
b) Australian Accounting Standards and Interpretations – including simplified disclosures for Tier 2 Entities under AASB 1060 issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position. The financial statements are presented in Australian dollars.

New Accounting Standards

All new Accounting Standards that were issued prior to the sign-off date and are applicable to the current reporting period did not have a material effect on ACMA's financial statements.

Reporting of Administered activities

Administered revenues, expenses, assets, liabilities, and cash flows are disclosed in the Administered schedules and related notes.

Except where stated below, Administered items are accounted for on the same basis and using the same policies as for departmental items, including the application of Australian Accounting Standards.

eSafety Commissioner

The eSafety Commissioner is an independent statutory officer and is governed by the *Online Safety Act 2021*. Under this Act, the ACMA makes staff available to assist the eSafety Commissioner to perform their functions and exercise their powers. As eSafety is not a separate Commonwealth entity under the PGPA Act, the ACMA consolidates eSafety's financial transactions into the ACMA's financial statements. A disaggregation of these transactions is provided in Note 9.

Taxation

The ACMA is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Significant Accounting Judgements and Estimates

Departmental

In the process of applying the accounting policies listed in this note, the ACMA has made a judgement for the provision for long service leave which has been estimated using present value techniques, which take into account attrition rates and pay increases through promotion and inflation.

Administered
An estimate of the NBN Co's charge for the Regional Broadband Scheme was accrued in Note 2.2 Other Taxes with a corresponding receivable recorded in Note 4.1B Taxation Receivables. This estimate was calculated using the methodology detailed in the *Telecommunications (Regional Broadband Scheme) Charge Act 2020*, and the connection data made publicly available by NBN Co in their Weekly Progress Report.

Events after the reporting period
Departmental
There are no known events occurring after the reporting period that could impact on the financial statements.

Administered
There are no known events occurring after the reporting period that could impact on the financial statements.

1. Financial Performance

This section analyses the financial performance of the ACMA for the year ended 30 June 2024.

1.1 Expenses

	2024 $'000	2023 $'000
Note 1.1A: Employee Benefits		
Wages and salaries	**60,260**	50,676
Superannuation		
Defined contribution plans	**8,506**	6,221
Defined benefit plans	**2,235**	3,943
Leave and other entitlements	**10,748**	10,584
Separation and redundancies	**132**	-
Total employee benefits	**81,881**	71,424

Accounting Policy

For accounting policies on employee related expenses please refer to Section 6, People and Relationships.

Note 1.1B: Suppliers		
Goods and services supplied or rendered		
Contractors	**17,338**	21,627
IT and communications services	**12,299**	9,879
Outsourced services	**5,164**	4,918
Consultants	**3,437**	3,873
Travel costs	**2,117**	1,805
Occupancy costs	**1,578**	1,427
Other	**2,071**	1,963
Stationery and publications	**445**	437
Legal costs	**1,891**	1,449
Total goods and services supplied or rendered	**46,340**	47,378
Goods supplied	**1,067**	570
Services rendered	**45,273**	46,808
Total goods and services supplied or rendered	**46,340**	47,378
Other suppliers		
Low value leases	**722**	484
Workers compensation expenses	**388**	237
Total other suppliers	**1,110**	721
Total suppliers	**47,450**	48,099

The ACMA has no short-term lease commitments as at 30 June 2024.

The above lease disclosures should be read in conjunction with the accompanying notes 1.1C, 3.2A and 3.4A.

Accounting Policy

Short-term leases and leases of low-value assets

The ACMA has elected not to recognise right-of-use assets and lease liabilities for short-term leases of assets that have a lease term of 12 months or less and low value leases (less than $10,000). The ACMA recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

	2024 $'000	2023 $'000
Note 1.1C: Finance Costs		
Unwinding of discount	**26**	132
Interest on lease liabilities	**411**	200
Total finance costs	**437**	332

The above lease disclosures should be read in conjunction with the accompanying notes 1.1B, 3.2A and 3.4A.

Note 1.1D: Impairment Loss on Financial Instruments		
Impairment on trade and other receivables	**50**	13
Total impairment loss on financial instruments	**50**	13

Note 1.1E: Write-Down and Impairment of Other Assets		
Write-down of property, plant and equipment	**163**	-
Total write-down and impairment of assets	**163**	-

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

1.2 Own-Source Revenue and Gains

Own-Source Revenue	2024 $'000	2023 $'000
Note 1.2A: Revenue from Contract with Customers		
Sale of goods	**21**	14
Rendering of services	**2,303**	3,287
Total revenue from contract with customers	**2,324**	3,301
Disaggregation of revenue from contracts with customers		
Major product / service line:		
Service delivery	**2,303**	3,287
Sales of low value plant and equipment	**21**	14
	2,324	3,301
Type of customer:		
Australian Government entities (related parties)	**2,088**	3,096
Non-government entities	**236**	205
	2,324	3,301
Timing of transfer of goods and services:		
Over time	**2,303**	3,287
Point in time	**21**	14
	2,324	3,301

Accounting Policy

Revenue from the sale of goods is recognised by the ACMA when all of the following conditions have been satisfied:

a. the entity has transferred to the buyer the significant risks and rewards of ownership of the goods;
b. the entity retains neither continuing managerial involvement to the degree usually associated with ownership nor effective control over the goods sold;
c. the amount of revenue can be measured reliably;
d. it is probable that the economic benefits associated with the transaction will flow to the entity; and
e. the costs incurred or to be incurred in respect of the transaction can be measured reliably.

Revenue from a transaction involving the rendering of services shall be recognised by reference to the stage of completion of the transaction at the end of the reporting period. The outcome of a transaction can be estimated reliably when all of the following conditions are satisfied:

a. the amount of revenue can be measured reliably;
b. it is probable that the economic benefits associated with the transaction will flow to the entity;
c. the stage of completion of the transaction at the end of the reporting period can be measured reliably; and
d. the costs incurred for the transaction and the costs to complete the transaction can be measured reliably.

When the outcome of a transaction involving the rendering of services cannot be estimated reliably, revenue is recognised only to the extent of the expenses recognised that are recoverable.

For the ACMA, in general, sale of goods is recognised at a point in time when control is transferred to the buyer, and rendering of services is recognised over time as performance obligations are met. Each contract is assessed at inception against AASB 15, or AASB 1058 where AASB 15 does not apply, and determines whether the ACMA will recognise the revenue over time or at a point in time.

The following is a description of principal activities from which the ACMA generates its departmental revenue: sale of minor assets (generally point in time), service arrangements with other Australian Government entities (generally over time), and cost recovery income received for work completed for satellite co-ordination charges collected by the ACMA, Emergency Position Indicating Radio Beacon triangulation (EPIRB) and police investigation assistance (generally over time).

The transaction price is the total amount of consideration to which the ACMA expects to be entitled in exchange for transferring promised goods or services to a customer. The consideration promised in a contract with a customer may include fixed amounts, variable amounts, or both.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at end of the reporting period. Allowances are made when collectability of the debt is no longer probable.

Note 1.2B: Other Gains

Resources received free of charge		
Remuneration of auditors	**81**	81
Total other gains	**81**	81

Accounting Policy

Resources Received Free of Charge
Resources received free of charge are recognised as revenue when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources are recognised as an expense. Resources received free of charge are recorded as either revenue or gains depending on their nature. The value of income represents the services provided free of charge by the Australian National Audit Office.

2. Income and Expenses Administered on Behalf of Government

This section analyses the activities that the ACMA does not control but administers on behalf of the Government. Unless otherwise noted, the accounting policies adopted are consistent with those applied for departmental reporting.

2.1 Administered – Expenses

	2024	2023
	$'000	$'000
Note 2.1A: Suppliers		
Goods and services supplied or rendered		
Contractors	**2,994**	3,759
IT and communications services	**711**	167
Consultants	**14**	53
Travel	**10**	7
Other	**32**	57
Total goods and services supplied or rendered	**3,761**	4,043
Goods supplied	**-**	-
Services rendered	**3,761**	4,043
Total goods and services supplied or rendered	**3,761**	4,043
Note 2.1B: Grants		
Private sector		
Commercial entities	**2,335**	2,174
Total grants	**2,335**	2,174
Note 2.1C: Impairment Loss on Financial Instruments		
Impairment on taxation receivables	**397**	2,103
Total impairment loss on financial instruments	**397**	2,103

Accounting Policy

Grants

The ACMA administers a number of grants on behalf of the Australian Government. Grant liabilities are recognised to the extent that (i) the services required to be performed by the grantee have been performed; or (ii) the grant eligibility criteria have been satisfied, but payments due have not been made. Where grant monies are paid in advance of performance or eligibility, a prepayment is recognised.

2.2 Administered – Income

	2024	2023
	$'000	$'000
Taxation Revenue		
Note 2.2A: Other Taxes		
Broadcasting licence charges	**39,947**	44,188
Radio communications taxes	**169,846**	153,045
Regional Broadband Scheme charge	**836,461**	799,117
Telecommunication numbering charges	**60,000**	60,000
Industry contributions	**209,034**	219,731
Total other taxes	**1,315,288**	1,276,081
Non-Taxation Revenue		
Note 2.2B: Revenue from Contract with Customers		
Rendering of services	**5,111**	5,755
Total revenue from contract with customers	**5,111**	5,755
Note 2.2C: Fees and Fines		
Licence fees	**31,408**	29,241
Fines and penalties	**15,293**	8,742
Total fees and fines	**46,701**	37,983
Note 2.2D: Other Revenue		
Unwinding of discount on lease receivable	**1,179**	1,570
Total other revenue	**1,179**	1,570

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

	2024 $'000	2023 $'000
Note 2.2E: Resources received free of charge		
Spectrum licences[1]	721,766	-
Total Resources received free of charge	721,766	-

[1] The sale of 3.4/3.7 GHz spectrum access licences is initially recognised as a resource received free of charge on commencement of the licence. Subsequent treatment of the licences is made under AASB 16 Leases, recognising a lease receivable on the statement of financial position, with the ACMA as the lessor, which decreases as instalment payments are received. Cash received from instalment payments for the licences are recognised as Rental Income in the Administered Cash Flow Statement in the period they are received.

Accounting Policy

Revenue
All Administered revenues relate to the ordinary activities performed by the ACMA on behalf of the Australian Government. Contributions from industries in the form of taxes, industry levies and fines are recognised as revenue when the economic activity giving rise to the Australian Government's right to the contribution has taken place and the liability to contribution can be reliably measured.

The following is a description of principal activities from which the ACMA generates its Administered revenue:

a. Collection of taxes associated with broadcasting licences, radio communications, telecommunication charges and contributions from the industry;
b. Collection of charges associated with the Regional Broadband Scheme;
c. Revenue from contracts with customers; and
d. Collection of fees and fines levied within the communications and media industry.

Revenue from broadcasting licence charges is recognised over time, however all other taxes, fees and fines are recognised as at a point in time. Other revenue from contracts with customers are recognised in accordance with the relevant accounting standard after assessing the characteristics of the contract.

Gains
Resources received free of charge for Spectrum are recognised under AASB 138 *Intangible Assets* at the commencement of the related Spectrum Access Charge licence. This reflects the fair value of the spectrum to the ACMA, when the consideration paid for the asset is significantly less than the fair value. At the commencement of the licence, the ACMA recognised a finance lease under AASB 16 Leases, with derecognition of the related spectrum asset and a receivable raised for the 'net investment in the lease'.

21

3. Financial Position

This section analyses the ACMA's assets used to conduct is operations and the operating liabilities incurred as a result. Employee related information is disclosed in the People and Relationships section.

3.1 Financial Assets

	2024	2023
	$'000	$'000
Note 3.1A: Cash and Cash Equivalents		
Cash in special accounts[1]	**6,474**	7,222
Cash on hand or on deposit	**2,469**	16
Cash held for external parties	**84**	101
Total cash and cash equivalents	**9,027**	7,339

[1] See Note 5.2A for additional detail on cash in special accounts held in the Official Public Account and ACMA's bank account.

Accounting Policy

Cash is recognised at its nominal amount. Cash and cash equivalents includes:
a) cash on hand;
b) demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value; and
c) cash in special accounts.

Note 3.1B: Trade and Other Receivables		
Appropriations receivables		
For existing outputs	**52,398**	53,681
Total appropriations receivable	**52,398**	53,681
Other receivables		
GST receivable from the Australian Taxation Office	**534**	845
Other	**1,275**	142
Total other receivables	**1,809**	987
Total trade and other receivables (gross)	**54,207**	54,668
Less impairment loss allowance	**159**	109
Total trade and other receivables (net)	**54,048**	54,559

Accounting Policy

Financial assets
Trade receivables, loans and other receivables that are held for the purpose of collecting the contractual cash flows where the cash flows are solely payments of principal and interest, that are not provided at below-market interest rates, are subsequently measured at amortised cost using the effective interest method adjusted for any loss allowance.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

3.2 Non-Financial Assets

Note 3.2A: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment and Intangibles for 2024

	Land $'000	Buildings $'000	Leasehold improvements $'000	Plant and equipment $'000	Computer software $'000	Total $'000
As at 1 July 2023						
Gross book value	-	-	-	-	51,306	51,306
Fair value	1,595	194	57,630	5,413	-	64,832
Work in progress (WIP)	-	-	677	606	18,461	19,744
Accumulated depreciation and amortisation	-	(34)	(34,054)	(2,148)	(40,376)	(76,612)
Total as at 1 July 2023	1,595	160	24,253	3,871	29,391	59,270
Additions						
By purchase	-	-	-	1,578	8,670	10,248
Movement in WIP	-	-	8,363	(425)	6,659	14,597
Right-of-use assets	-	-	8,340	-	-	8,340
Revaluations and impairments recognised in other comprehensive income	-	-	-	92	-	92
Depreciation and amortisation	-	(16)	(1,141)	(1,390)	(5,717)	(8,264)
Depreciation on right-of-use assets	-	-	(7,726)	-	-	(7,726)
Disposals other	-	-	-	(163)	-	(163)
Total as at 30 June 2024	1,595	144	32,089	3,563	39,003	76,394

	Land $'000	Buildings $'000	Leasehold improvements $'000	Plant and equipment $'000	Computer software $'000	Total $'000
Total as at 30 June 2024 represented by:						
Gross book value	-	-	-	-	59,049	59,049
Fair value	1,595	194	52,946	4,101	-	70,300
Work in progress	-	-	9,040	181	25,120	34,341
Accumulated depreciation and amortisation	-	(50)	(29,897)	(719)	(45,166)	(88,315)
Total as at 30 June 2024	1,595	144	32,089	3,563	39,003	76,394
Carrying amount of right-of-use assets	-	-	22,007	-	-	22,007

Revaluation of non-financial and intangible assets
All revaluations are conducted in accordance with the revaluation policy stated at Note 7.4.

Contractual commitments for the acquisition of property, plant and equipment and intangible assets
The ACMA has no commitments for the acquisition of non-financial assets.

Accounting Policy

Acquisition of Assets
Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate. Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor's accounts immediately prior to the restructuring.

Asset Recognition Threshold
Purchases of property, plant and equipment are recognised initially at cost in the Statement of Financial Position, except for purchases costing less than the thresholds outlined below, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total). The asset thresholds have not been changed during the current financial year. The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the ACMA where there exists an obligation to restore the property to its original condition. These costs are included in the value of the ACMA's leasehold improvements with a corresponding provision for the 'make good' recognised.

Asset Class	Threshold
Buildings	$50,000
Leasehold improvements	$10,000
Plant and equipment	$5,000
Software	$10,000

Leased Right of Use (ROU) Assets
Leased ROU assets are capitalised at the commencement date of the lease and comprise of the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by Commonwealth lessees as separate asset classes to corresponding assets owned outright, but included in the same column as where the corresponding underlying assets would be presented if they were owned.
An impairment review is undertaken for any right of use lease asset that shows indicators of impairment and an impairment loss is recognised against any right of use lease asset that is impaired. Leased ROU assets continue to be measured at cost after initial recognition in Commonwealth agency, General Government Sector and Whole of Government financial statements.

Revaluations
Fair values for each class of asset are determined:

Asset class	Revaluation cycle	Fair Value Measured at
Land	Tri-annually	Market approach
Building	Tri-annually	Depreciated replacement cost
Leasehold improvements	Tri-annually	Depreciated replacement cost
Plant and equipment	Tri-annually	Depreciated replacement cost

Following initial recognition at cost, property plant and equipment is carried at fair value (or an amount not materially different from fair value) less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets do not differ materially from the assets' fair values as at the reporting date.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve, except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised in the surplus/(deficit). Revaluation decrements for a class of assets are recognised directly in the surplus/(deficit) except to the extent that they reverse a previous revaluation increment for that class. Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation
Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the ACMA using, in all cases, the straight-line method of depreciation. Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate. Asset under construction are not subject to depreciation.

Asset Class	Useful Life
Buildings	5 to 40 years
Leasehold improvements	Lease term
Plant and equipment	3 to 15 years

The depreciation rates for ROU assets are based on the commencement date to the earlier of the end of the useful life of the ROU asset or the end of the lease term.

Impairment
All assets were assessed for impairment at 30 June 2024. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount. The recoverable amount of an asset is the higher of its fair value less costs of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the ACMA were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Intangibles
The ACMA's intangibles comprise of internally developed and purchased software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses. Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the ACMA's software are 3 to 10 years and have not changed from the prior year.

Derecognition
An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

3.3 Payables

	2024 $'000	2023 $'000
Note 3.3A: Suppliers		
Trade creditors and accruals	**7,017**	5,214
Total supplier payables	**7,017**	5,214

The majority of suppliers engaged had 20 day payment terms with the exception of eInvoicing suppliers which have 5 day payment terms.

Note 3.3B: Other Payables		
Unearned revenue	**-**	557
Salaries and wages	**1,853**	1,485
Superannuation	**318**	640
Total other payables	**2,171**	2,682

3.4 Leases

	2024 $'000	2023 $'000
Note 3.4A: Leases		
Lease Liabilities		
Leasehold improvements	**25,564**	25,778
Total leases	**25,564**	25,778

Total cash outflow for leases for the year ended 30 June 2024 was $8.965m.

Maturity analysis - contractual undiscounted cash flows		
Within 1 year	**7,764**	6,813
Between 1 to 5 years	**17,305**	18,857
More than 5 years	**1,714**	230
Total leases	**26,783**	25,900

The above lease disclosures should be read in conjunction with the accompanying notes 1.1C and 3.2A.

Accounting Policy

For all new contracts entered into, the ACMA considers whether the contract is, or contains a lease. A lease is defined as 'a contract, or part of a contract, that conveys the right to use an asset (the underlying asset) for a period of time in exchange for consideration'.

Once it has been determined that a contract is, or contains a lease, the lease liability is initially measured at the present value of the lease payments unpaid at the commencement date, discounted using the interest rate implicit in the lease, if that rate is readily determinable, or the ACMA's incremental borrowing rate.

Subsequent to initial measurement, the liability will be reduced for payments made and increased for interest. It is remeasured to reflect any reassessment or modification to the lease. When the lease liability is remeasured, the corresponding adjustment is reflected in the right-of-use asset or Statement of Comprehensive Income depending on the nature of the reassessment or modification.

3.5 Other Provisions

Reconciliation of the Other Provisions Account:	Provision for restoration $'000	Total $'000
As at 1 July 2023	**2,890**	**2,890**
Additional provisions made	-	-
Amounts reversed	-	-
Amounts used	(1,428)	(1,428)
Total as at 30 June 2024	**1,462**	**1,462**

4. Assets and Liabilities Administered on Behalf of Government

This section analyses assets used to conduct operations and the operating liabilities incurred. As result the ACMA does not control but administers on behalf of the Government. Unless otherwise noted, the accounting policies adopted are consistent with those applied for departmental reporting.

4.1 Administered – Financial Assets

	2024 $'000	2023 $'000
Note 4.1A: Cash and Cash Equivalents		
Cash in special accounts[1]	**634**	248
Cash on hand or on deposit	**307**	494
Total cash and cash equivalents	**941**	742

[1] See Note 5.2A for additional detail on cash in special accounts held in the Official Public Account and ACMA's bank account.

Accounting Policy

Cash is recognised at its nominal amount. Cash and cash equivalents includes:

a) cash on hand;

b) demand deposits in bank accounts with an original maturity of 3 months or less that are readily convertible to known amounts of cash and subject to insignificant risk of changes in value; and

c) cash in special accounts.

Note 4.1B: Taxation Receivables		
Other taxes	**826,162**	787,423
Total taxation receivables (gross)	**826,162**	787,423
Less: impairment loss allowance		
Other taxes	**4,755**	4,361
Total receivables (net)	**821,407**	783,062
Note 4.1C: Trade and Other Receivables		
Other receivables		
Annual Carrier Licence Charge	**31,157**	29,350
Lease receivable[1]	**262,020**	392,442
Statutory receivables	**54**	24
Total other receivables	**293,231**	421,816
Total trade and other receivables (gross)	**293,231**	421,816
Less: impairment loss allowance		
Other receivables	**6**	666
Total trade and other receivables (net)	**293,225**	421,150
Note 4.1D: Other Financial Assets		
Prepayments	**-**	21
Total other financial assets	**-**	21

[1] The figure for Lease receivable represents the sale of 26GHz spectrum licences in FY2020-21 and subsequent treatment under AASB 16 *Leases*. See note 2.2E for further information.

4.2 Administered – Payables

	2024	2023
	$'000	$'000
Note 4.2A: Other Payables		
Unearned revenue[1]	**2,139,766**	123,682
Other	**769**	690
Total other payables	**2,140,535**	124,372

[1] Unearned revenue represents radiocommunication licences paid in advance where the benefit has not yet been realised by the holder. The increase in 2024 relates to the cash received ahead of the commencement of the licences as a result of the 850/900 MHz auction.

5. Funding

This section identifies the ACMA's funding structure.

5.1 Appropriations

Note 5.1A: Departmental annual and unspent appropriations ('Recoverable GST exclusive')[1]

	2024 $'000	2023 $'000
Ordinary annual services		
Annual Appropriation		
Operating	**142,422**	130,788
Capital budget[2]	**16,966**	8,102
Section 74 receipts[3]	**421**	635
Total available appropriation	**159,809**	139,525
Appropriation applied (current and prior years)	**(160,670)**	(137,388)
Variance	**(861)**	2,137
Opening unspent appropriation balance	**63,485**	61,553
Repeal of *Appropriation Act (No. 1) 2020-21*	**(259)**	(205)
Closing unspent appropriation balance	**62,365**	63,485
Balance comprises appropriations as follows:		
Appropriation Act (No. 1) 2020-21	**-**	259
Appropriation Act (No. 1) 2021-22 Capital Budget (DCB)	**-**	10,279
Appropriation Act (No. 1) 2022-23[4]	**2,207**	2,207
Appropriation Act (No. 1) 2022-23 Capital Budget (DCB)	**-**	237
Appropriation Act (No. 3) 2023-24	**3,692**	-
Appropriation Act (No. 3) 2023-24 Capital Budget (DCB)	**1,225**	-
Supply Act (No. 3) 2022-23	**-**	35,538
Supply Act (No. 1) 2022-23 Capital Budget (DCB)	**-**	3,219
Supply Act (No. 3) 2022-23 Capital Budget (DCB)	**-**	4,407
Appropriation Act (No. 1) 2022-23 cash held by the agency	**-**	7,339
Appropriation Act (No. 1) 2023-24	**34,595**	-
Appropriation Act (No. 1) 2023-24 Capital Budget (DCB)	**11,619**	-
Appropriation Act (No. 1) 2023-24 cash held by the agency	**9,027**	-
Total unspent appropriation - ordinary annual services	**62,365**	63,485
Other services		
Annual Appropriation		
Equity injections	**2,000**	-
Total available appropriation	**2,000**	-
Appropriation applied (current and prior years)	**(733)**	-
Variance	**1,267**	-
Opening unspent appropriation balance	**-**	-
Closing unspent appropriation balance	**1,267**	-
Balance comprises appropriations as follows:		
Appropriation Act (No. 2) 2023-24	**1,267**	-
Total unspent appropriation - equity injections	**1,267**	-
Total unspent appropriation[2]	**63,632**	63,485

[1] This note includes the component that relates to the Online Safety Special Accounts and is disclosed based on recognising amounts specified in the Appropriation Acts in the year of appropriation, adjusted where applicable, for formal additions and reductions.

[2] Departmental and Administered Capital Budgets are appropriated through Appropriation Acts (No.1,3,5). They form part of ordinary annual services and are not separately identified in the Appropriation Acts.

[3] Adjustments to appropriations includes adjustments to current year annual appropriations including Advance to the Finance Minister (AFM), PGPA Act section 74 receipts and PGPA Act section 75 transfers.

[4] The total unspent appropriation is shown inclusive of a Section 51 permanent quarantine imposed in 2022-23 against *Appropriation Act (No. 1) 2022-23* of $2.207m.

Accounting Policy

Revenue from Government - Departmental

Amounts appropriated for departmental appropriations for the year (adjusted for any formal additions and reductions) are recognised as Revenue from Government when the ACMA gains control of the appropriation, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned. Appropriations receivable are recognised at their nominal amounts.

Funding received or receivable from non-corporate Commonwealth entities (appropriated to the non-corporate Commonwealth entity as a corporate Commonwealth entity payment item for payment to this entity) is recognised as Revenue from Government by the non-corporate Commonwealth entity unless the funding is in the nature of an equity injection or a loan.

Note 5.1B: Administered annual and unspent appropriations ('Recoverable GST exclusive')

	2024	2023
	$'000	$'000
Ordinary annual services		
Annual appropriation		
Operating	**6,020**	8,214
Total available appropriation	**6,020**	8,214
Appropriation applied (current and prior years)	**(6,005)**	(6,318)
Variance	**15**	1,896
Opening unspent appropriation balance	**2,857**	9,516
Repeal of *Supply Act (No. 1) 2020-21*	**(857)**	-
Repeal of *Supply Act (No. 1) 2019-20*	**-**	(1,472)
Repeal of *Appropriation Act (No. 1) 2019-20*	**-**	(7,083)
Closing unspent appropriation balance	**2,015**	2,857
Balance comprises appropriations as follows:		
Supply Act (No. 1) 2020-21	**-**	857
Appropriation Act (No. 1) 2022-23	**1,500**	2,000
Appropriation Act (No. 1) 2023-24	**515**	-
Total unspent appropriation - ordinary annual services	**2,015**	2,857
Total unspent appropriation	**2,015**	2,857

Note 5.1C: Special Appropriations ('Recoverable GST exclusive')

	Appropriation applied	
	2024	2023
Authority	**$'000**	$'000
Public Governance, Performance and Accountability Act 2013 s77 Repayments[1]	**19,513**	18,384
Special Appropriation - *Telecommunications Act 1997 - ss136C(4)*	**-**	-
Total special appropriations applied	**19,513**	18,384

[1] Relates to the refund of radiocommunications licences surrendered before the expiration date.

5.2 Special Accounts

Note 5.2A: Special Accounts ('Recoverable GST exclusive')

	The Online Safety Special Account[1]		Services for Other Entities and Trusts Moneys[2]	
	2024	2023	**2024**	2023
	$'000	$'000	**$'000**	$'000
Balance brought forward from previous period	**7,222**	12,513	**248**	211
Increases				
Departmental	**39,752**	43,713	**-**	-
Administered	**-**	-	**551**	236
Total increases	**39,752**	43,713	**551**	236
Available for payments	**46,974**	56,226	**799**	447
Decreases				
Departmental	**(40,499)**	(49,004)	**-**	-
Administered	**-**	-	**(165)**	(199)
Total decreases	**(40,499)**	(49,004)	**(165)**	(199)
Total balance carried to the next period	**6,475**	7,222	**634**	248
Balance represented by:				
Cash held in entity bank accounts	**89**	453	**-**	-
Cash held in the Official Public Account	**6,386**	6,769	634	248
Total balance carried to the next period	**6,475**	7,222	**634**	248

[1] Appropriation: *Public Governance, Performance and Accountability Act 2013*; section 80.
Establishing Instrument: *Online Safety Act 2021*; section 190.
Purpose: To enhance online safety for Australians.

[2] Current year figures under appropriation: *Public Governance, Performance and Accountability Act 2013; section 78*. Establishing Instrument: PGPA Act Determination (SOETM Special Account 2022).
Purpose: This account was created to disburse amounts held on trust or otherwise for the benefit of a person other than the Commonwealth.

5.3 Regulatory Charging Summary

	2024	2023
	$'000	$'000
Amounts applied		
Departmental		
Annual appropriations	**17,108**	19,110
Own source revenue	**211**	260
Administered		
Special appropriations (including special accounts)	**-**	-
Total amounts applied	**17,319**	19,370
Expenses		
Departmental	**17,416**	19,399
Administered	**-**	-
Total expenses	**17,416**	19,399
External revenue		
Departmental	**211**	195
Administered	**34,868**	33,428
Total external revenue	**35,079**	33,623

Regulatory charging activities:
The external administered regulatory charges of $34.868m consists of the Annual Carrier Licence Charge, Fees for services (including Numbering Services) and Do Not Call Register. Cost Recovery Impact Statements for these activities are available at:
www.acma.gov.au/cost-recovery-implementation-statement-cris

5.4 Net Cash Appropriation Arrangement

	2024	2023
	$'000	$'000
Total comprehensive income - as per the Statement of Comprehensive Income	**(836)**	2,092
Plus: depreciation/amortisation of assets funded through appropriations (departmental capital budget funding and/or equity appropriations)	**8,264**	6,450
Plus: depreciation on right-of-use assets	**7,726**	6,586
Less: lease principal repayments	**(8,554)**	(8,494)
Net Cash Operating Surplus	**6,600**	6,634

From 2010-11, the Government introduced net cash appropriation arrangements where revenue appropriations for depreciation/amortisation expenses of non-corporate Commonwealth entities and selected corporate Commonwealth entities were replaced with a separate capital budget provided through equity appropriations. Capital budgets are to be appropriated in the period when cash payment for capital expenditure is required.

The inclusion of depreciation/amortisation expenses related to ROU leased assets and the lease liability principal repayment amount reflects the cash impact on implementation of AASB 16 Leases, it does not directly reflect a change in appropriation arrangements.

6. People and Relationships

This section describes a range of employment and post-employment benefits provided to our people and our relationships with other key people.

6.1 Employee Provisions

	2024	2023
	$'000	$'000
Note 6.1A: Employee Provisions		
Leave	**23,662**	22,723
Total employee provisions	**23,662**	22,723

Accounting Policy

Liabilities for 'short-term employee benefits' and termination benefits due within twelve months of the end of reporting period are measured at their nominal amounts.

The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

Other long-term employee benefits are measured as the net total of the present value of the defined benefit obligation at the end of the reporting period minus the fair value at the end of the reporting period of plan assets (if any) out of which the obligations are to be settled directly.

Leave
The liability for employee benefits includes a provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees of the ACMA is estimated to be less than the annual entitlement for sick leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the ACMA's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the short hand method prescribed under section 24 of the Financial Reporting Rule. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and Redundancy
Provision is made for separation and redundancy benefit payments. The ACMA recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the termination.

Superannuation
ACMA staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS) or the PSS accumulation plan (PSSap) or other superannuation funds held outside the Australian Government.

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance's Administered schedules and notes.

The ACMA makes employer contributions to the employees' superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Australian Government. The ACMA accounts for the contributions as if they were contributions to defined contribution plans. The liability for superannuation recognised as at 30 June represents outstanding contributions.

6.2 Key Management Personnel Remuneration

Key Management Personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly. The ACMA has determined the Key Management Personnel to be the Chair, Deputy Chair, General Managers and the eSafety Commissioner.

Key Management Personnel remuneration is reported in the table below:

	2024	2023
	$	$
Short-term employee benefits	**3,443,391**	2,821,155
Post-employment benefits	**532,439**	415,753
Other long-term employee benefits	**89,405**	70,288
Total key management personnel remuneration expenses[1]	**4,065,235**	3,307,196

The total number of Key Management Personnel that are included in the above table is 12 (2023: 9). There were two positions added to the number of Key Management Personnel positions from the prior year and a long term acting arrangement.

Other than the accrual of annual leave and long-service leave, all expenses reflect cash payments made during the year.

[1] The above Key Management Personnel remuneration excludes the remuneration and other benefits of the Portfolio Minister. The Portfolio Minister's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the ACMA.

6.3 Related Party Disclosures

Related party relationships:
The ACMA is an Australian Government controlled entity. Related parties to the ACMA are Key Management Personnel including the Portfolio Minister, the Chair, the Deputy Chair, General Managers, the eSafety Commissioner and other Australian Government entities.

Transactions with related parties:
Given the breadth of Australian Government activities, related parties may transact with the Government sector in the same capacity as ordinary citizens. Such transactions include the payment or refund of taxes, receipt of a Medicare rebate or higher education loans. These transactions have not been separately disclosed in this note.

Significant transactions with related parties can include:

- the payments of grants or loans;
- purchases of goods and services;
- asset purchases, sales transfers or leases;
- debts forgiven; and
- guarantees.

Related party transactions with other Commonwealth entities are exempted from disclosure in this Note, as specified in AASB 1060, paragraph 200.

7. Managing Uncertainties

This section analyses how the ACMA manages financial risks within its operating environment.

7.1 Contingent Assets and Liabilities

Departmental

The ACMA is not aware of any material Departmental quantifiable, unquantifiable or significant remote contingent assets or liabilities (2023: nil).

Administered

The ACMA is not aware of any material Administered quantifiable, unquantifiable or significant remote contingent assets or liabilities (2023: nil).

Accounting Policy

Contingent Liabilities and Contingent Assets

Contingent liabilities and contingent assets are not recognised in the Statement of Financial Position but are reported in the relevant notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

7.2 Financial Instruments

	2024 $'000	2023 $'000
Note 7.2A: Categories of Financial Instruments		
Financial assets at amortised cost		
Cash and cash equivalents	**9,027**	7,339
Trade and other receivables	**1,275**	142
Total financial assets at amortised cost	**10,302**	7,481
Total financial assets	**10,302**	7,481
Financial liabilities at amortised cost		
Trade creditors and accruals	**7,017**	5,214
Total financial liabilities at amortised cost	**7,017**	5,214
Carrying amount of financial liabilities	**7,017**	5,214

The carrying value of financial assets and liabilities is a reasonable approximation of fair value.

7.3 Administered Financial Instruments

	2024 $'000	2023 $'000
Note 7.3A: Categories of Financial Instruments		
Financial assets at amortised cost		
Cash and cash equivalents	**941**	742
Fees, charges and other revenue receivables	**31,151**	28,684
Total financial assets at amortised cost	**32,092**	29,426
Carrying amount of financial assets	**32,092**	29,426

Accounting Policy

Financial Assets

In accordance with AASB 9 *Financial Instruments*, the ACMA classifies its financial assets in the following categories:
a) financial assets at fair value through profit or loss;
b) financial assets at fair value through other comprehensive income; and
c) financial assets measured at amortised cost.

The classification depends on both the ACMA's business model for managing the financial assets and contractual cash flow characteristics at the time of initial recognition. Financial assets are recognised when the ACMA becomes a party to the contract and, as a consequence, has a legal right to receive or a legal obligation to pay cash and derecognised when the contractual rights to the cash flows from the financial asset expire or are transferred upon trade date. Comparatives have not been restated on initial application.

Financial Assets at Amortised Cost

Financial assets included in this category need to meet two criteria:
1. the financial asset is held in order to collect the contractual cash flows; and
2. the cash flows are solely payments of principal and interest (SPPI) on the principal outstanding amount.

Amortised cost is determined using the effective interest method.

Effective Interest Method

Income is recognised on an effective interest rate basis for Financial Assets that are recognised at amortised cost.

Impairment of Financial Assets
Financial Assets are assessed for impairment at the end of each reporting period based on Expected Credit Losses, using the general approach which measures the loss allowance based on an amount equal to lifetime expected credit losses where risk has significantly increased, or an amount equal to 12-month expected credit losses if risk has not increased.

The simplified approach for trade, contract and lease receivables is used. This approach always measures the loss allowance as the amount equal to the lifetime expected credit losses.

A write-off constitutes a derecognition event where the write-off directly reduces the gross carrying amount of the financial asset.

Financial Liabilities

Financial liabilities are classified as either financial liabilities ‘at fair value through profit or loss’ or other financial liabilities. Financial liabilities are recognised and derecognised upon ‘trade date’.

Financial Liabilities at Amortised Cost

Financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the Effective Interest Method, with interest expense recognised on an effective interest basis.

Supplier and Other Payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

7.4 Fair Value Measurement

All Non-Financial Assets with the exception of Intangibles are measured at fair value. Other than Assets Held for Sale, these are all recurring fair value measurements.

Key judgements and estimates

Valuation of Land and Buildings

Independent valuations are obtained tri-annually as at 30 June for Land and Buildings. These valuations include calculations of estimated market cash flows which are adjusted to take into account physical, economic and external factors relevant to the asset under consideration. All valuations conducted are in compliance with AASB 13. A valuation for buildings and land was last carried out as at 30 June 2021 and 30 June 2022 respectively. A revaluation for land and buildings is planned in FY2024-25 which will bring the timeframes into alignment going forward.

Valuation of Leasehold Improvements, Plant and Equipment

Independent valuations are obtained tri-annually as at 30 June for Leasehold Improvements, Plant and Equipment. The estimated cost to replace the asset has been calculated and then adjusted to take into account obsolescence and physical deterioration (accumulated depreciation). The obsolescence has been determined based on professional judgement regarding physical, economic and external factors relevant to the asset under consideration. A valuation was carried out as at 30 June 2024.

8. Other Items

8.1 Current/non-current distinction for assets and liabilities

	2024 $'000	2023 $'000
Note 8.1A: Departmental - Current/non-current distinction for assets and liabilities		
Assets expected to be recovered in:		
No more than 12 months		
Cash and cash equivalents	**9,028**	7,339
Trade and other receivables	**54,048**	54,559
Prepayments	**3,417**	3,640
Total no more than 12 months	**66,493**	65,538
More than 12 months		
Land and buildings	**33,826**	26,008
Plant and equipment	**3,563**	3,871
Intangibles	**39,002**	29,391
Prepayments	**1,426**	786
Total more than 12 months	**77,817**	60,056
Total assets	**144,310**	125,594
Liabilities expected to be settled in:		
No more than 12 months		
Suppliers	**7,017**	5,214
Other payables	**2,171**	2,682
Leases	**7,379**	6,806
Employee provisions	**6,915**	6,046
Total no more than 12 months	**23,482**	20,748
More than 12 months		
Leases	**18,185**	18,972
Employee provisions	**16,744**	16,677
Other provisions	**1,462**	2,890
Total more than 12 months	**36,391**	38,539
Total liabilities	**59,873**	59,287

	2024	2023
	$'000	$'000
Note 8.1B: Administered - Current/non-current distinction for assets and liabilities		
Assets expected to be recovered in:		
No more than 12 months		
Cash and cash equivalents	**941**	742
Taxation receivables	**821,407**	783,062
Trade and other receivables	**162,018**	159,130
Other financial assets	**-**	21
Total no more than 12 months	**984,366**	942,955
More than 12 months		
Trade and other receivables	**131,207**	262,020
Total more than 12 months	**131,207**	262,020
Total assets	**1,115,573**	1,204,975
Liabilities expected to be settled in:		
No more than 12 months		
Unearned revenue	**2,134,343**	122,657
Other payables	**769**	690
Total no more than 12 months	**2,135,112**	123,347
More than 12 months		
Unearned revenue	**5,423**	1,025
Total more than 12 months	**5,423**	1,025
Total liabilities	**2,140,535**	124,372

9. Disaggregation of eSafety balances in the statements of comprehensive income

Note 9.1A Impact of eSafety on the Statement of Comprehensive Income

	Departmental (Excl. eSafety) $'000	eSafety $'000	Total $'000
NET COST OF SERVICES			
Expenses			
Employee benefits	58,150	23,731	**81,881**
Suppliers	31,210	16,240	**47,450**
Depreciation and amortisation	14,226	1,764	**15,990**
Finance costs	437	-	**437**
Impairment loss on financial instruments	50	-	**50**
Write-down and impairment of assets	163	-	**163**
Total expenses	104,236	41,735	**145,971**
Own-Source Income			
Own-source revenue			
Revenue from contracts with customers	442	1,882	**2,324**
Other revenue	216	-	**216**
Total own-source revenue	658	1,882	**2,540**
Gains			
Other gains	81	-	**81**
Total gains	81	-	**81**
Total own-source income	739	1,882	**2,621**
Net cost of services	(103,497)	(39,853)	**(143,350)**
Revenue from Government	103,676	38,746	**142,422**
Surplus/(Deficit) attributable to the Australian Government	179	(1,107)	**(928)**
OTHER COMPREHENSIVE INCOME			
Items not subject to subsequent reclassification to net cost of services			
Changes in asset revaluation reserve	92	-	**92**
Total comprehensive income	271	(1,107)	**(836)**

[1] Departmental appropriation for eSafety is provided in the 2023-24 Budget process and credited to eSafety's Online Safety Special Account.

Note 9.1B Impact of eSafety on the Administered Schedule of Comprehensive Income

	Administered (Excl. eSafety) $'000	eSafety $'000	Total $'000
NET COST OF SERVICES			
EXPENSES			
Suppliers	-	3,762	**3,762**
Grants	-	2,335	**2,335**
Impairment loss on financial instruments	397	-	**397**
Total expenses	397	6,097	**6,494**
INCOME			
Revenue			
Taxation revenue			
Other taxes	1,315,287	-	**1,315,287**
Total taxation revenue	1,315,287	-	**1,315,287**
Non-taxation revenue			
Revenue from contracts with customers	5,115	-	**5,115**
Fees and fines	46,701	-	**46,701**
Other revenue	1,179	-	**1,179**
Total non-taxation revenue	52,995	-	**52,995**
Total revenue	1,368,282	-	**1,368,282**
Gains			
Resources received free of charge	721,766	-	**721,766**
Reversal of impairment of receivables	664	-	**664**
Total gains	722,430	-	**722,430**
Total income	2,090,712	-	**2,090,712**
Net (cost of)/contribution by services	2,090,315	(6,097)	**2,084,218**

[1] Administered appropriation for eSafety is provided in the 2023-24 Budget process. In 2023-24, total administered appropriation for eSafety was $6.020m.

Part 2

eSafety Commissioner annual report 2023–24

Contact details

Canberra
PO Box 78
Belconnen ACT 2616

T +61 2 6219 5555

Melbourne
PO Box 13112
Law Courts
Melbourne VIC 8010

T +61 3 9963 6800

Sydney
PO Box Q500
Queen Victoria Building
NSW 1230

T +61 2 9334 7700

This report is available on the eSafety Commissioner website at esafety.gov.au/about-us/corporate-documents/annual-reports

Enquiries about this report can be emailed to enquiries@esafety.gov.au.

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Australian Government | eSafetyCommissioner

The Hon Michelle Rowland MP
Minister for Communications
Parliament House
CANBERRA ACT 2600

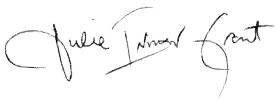
Dear Minister

As the eSafety Commissioner, I am pleased to present you with the annual report for the year ended 30 June 2024 for presentation to Parliament.

Due to our operational independence and statutory obligations, eSafety has produced our own annual report as required by section 183 of the *Online Safety Act 2021*.

The annual report has been developed in compliance with section 183(1) of the *Online Safety Act 2021* and includes our legislative reporting requirements as listed in subsection 183(2) of the *Online Safety Act 2021*.

Yours sincerely,



Julie Inman Grant
eSafety Commissioner

12 September 2024

eSafety.gov.au

Commissioner's foreword

As eSafety Commissioner, it is my pleasure to present our annual report for 2023–24.

This year has been one of significant achievement, strategic advancement, and ongoing dedication to safeguarding Australians from digital harms and fostering more positive online experiences.

Our mission is underpinned by three foundational pillars: prevention, protection, and proactive and systemic change. We continue to see the positive impact of this strategy on both individuals seeking protection and industry partners working towards a safer online environment.

Our prevention efforts are grounded in a robust and growing evidence base. Throughout the year, we developed and delivered educational resources and programs aimed at preventing online harms. By collaborating with community members and the online industry, we enhanced the digital capabilities and resilience of Australians through training programs, awareness-raising initiatives, and referrals.

The reach of our primary websites, esafety.gov.au and beconnected.esafety.gov.au, serve as a primary gateway to Australians and serve as testament to the success of our growing reach. Both saw surges in traffic, far exceeding our target, with more than 4.7 million unique visitors. This demonstrates the growing public demand for our educational resources and the critical role they play in promoting online safety across Australia.

Protection remains at the core of our mandate, and we continued to administer and enforce our 4 reporting schemes under the Online Safety Act: the Cyberbullying Scheme for Australian children, the Adult Cyber Abuse Scheme, the Image-Based Abuse Scheme, and the Online Content Scheme for illegal and restricted content.

Our Cyberbullying Scheme empowers us to hold platforms accountable for removing seriously harmful content targeting children. Over the past year, it received 2,693 complaints – a 37% increase from the previous year.

Our Adult Cyber Abuse Scheme allows us to require online platforms to remove material targeting adults with the intent to cause serious harm. Our investigators handled 3,113 complaints, with more than 99% triaged and assigned to an investigator within 3 business hours. Of those matters that met the threshold for adult cyber abuse, 2 formal removal notices were made to social media providers. Where possible, we seek to work informally with social media platforms, particularly where complaints are likely to breach a service provider's terms of service. To that end, eSafety Investigations made 383 informal requests for removal of harmful content, after the platforms failed to remove the abusive material at the request of the complainant.

Our Image-Based Abuse Scheme empowers us to fight back against the insidious practice of sharing intimate images or videos without consent. It received 7,270 reports, and we successfully facilitated the removal of 98% of reported content (excluding pending requests) from 947 locations across 191 platforms. Under our scheme, both real and synthetic imaged-based abuse, or "deepfakes" can be actioned.

Our Online Content Scheme gives us the authority to direct the removal of illegal and restricted content, including child sexual abuse material and pro-terror content. The fight against illegal content saw us handle 13,824 complaints containing about 33,910 URLs, referring 9,320 URLs for removal by global partners and law enforcement.

All these numbers are more than just statistics; they represent countless successful interventions on behalf of Australians, when the platforms failed to act on harmful or abusive content and conduct.

eSafety continued to drive proactive and systemic change by working with online industries, users, educators, governments, and agencies to reduce online harms and elevate online safety standards.

The Online Safety Act has provided a robust framework to address the evolving challenges posed by the digital landscape. By establishing clear expectations for online service providers through the Basic Online Safety Expectations (the Expectations), we've empowered platforms to prioritise user safety.

Our focus on proactive measures has led to the issuance of multiple reporting notices, demanding transparency from major online services regarding their efforts to combat child sexual exploitation material, terrorism, violent extremism, and online hate.

The Expectations have been instrumental in holding online service providers accountable for user safety. In September 2023, we updated our regulatory guidance on the Expectations and issued 6 non-periodic reporting notices, ensuring proactive measures against terrorism and violent extremism. In January 2024, we published a transparency report detailing our findings on online hate, following a non-periodic reporting notice on online hate given to X Corp. in June 2023. This report underscores our commitment to enforcing the Expectations and driving industry-wide improvements.

The development and implementation of industry codes and standards has also been crucial in safeguarding our community from harmful online content, particularly child sexual exploitation and pro-terror material. While industry collaboration has been essential, we have not hesitated to take decisive action when necessary, independently developing standards where industry did not go far enough to ensure robust protections for all Australians.

In collaboration with industry associations, we registered a sixth industry code in December 2023 to regulate harmful online material, specifically targeting child sexual exploitation and terrorist content. The registered codes establish enforceable obligations and community safeguards, covering 8 sections of the online industry. By June 2024, we had registered industry standards for Relevant Electronic Services and Designated Internet Services, set to take effect in December 2024.

These measures are designed to minimise exposure to the most harmful online material, ensuring a safer digital environment for all Australians.

Education will always be a cornerstone of our work. We provided a comprehensive program of evidence-based professional learning and resources to equip individuals and communities with the skills to navigate the complexities of the digital world.

By partnering closely with education departments, schools, and youth mental health organisations, we've created a suite of resources tailored to the needs of students, parents, and carers. Our focus on prevention and early intervention has been central to these efforts.

To address the diverse challenges faced by Australians, we've expanded our reach beyond schools to include sectors such as sport, aged care, and frontline services. Our research-informed approach has enabled us to develop targeted resources for vulnerable populations, including those impacted by technology-facilitated family, domestic, and sexual violence.

To enhance the capacity of professionals working directly with the public, we've delivered extensive training programs, reaching more than 15,000 people in the past year. Our training curriculum has been refined to address emerging threats, such as the increased use of social media for harassment and abuse.

We've also expanded our focus to include social media self-defence training for professionals in high-risk sectors of public life such as politics, the media and academia.

Our Be Connected initiative had a significant impact, with 467,215 unique visitors to the learning portal, 3,902 attendees at webinars, and more than 2.9 million page views. This program has been crucial in enhancing digital literacy and safety for older Australians.

Our commitment to research underpins all our initiatives and this past year we published 9 research reports covering a range of online safety issues. This included young people's encounters with online pornography, online gaming, technology-facilitated abuse, and the experiences of LGBQT+ teenagers online.

Each paper provides valuable insights into the experiences of vulnerable segments of the community and the nature and prevalence of online harms. This knowledge continues to guide our program development, education resources, and regulatory approaches.

Through strategic partnerships, we've amplified our impact and reached a wider audience. For example, our membership in domestic and international networks has been instrumental in advancing our work.

As a member of the Digital Platform Regulators Forum (DP-REG) in Australia, we've collaborated with other regulatory agencies to address shared challenges and develop consistent approaches to regulating digital platforms.

We strengthened our partnerships with state and territory police, the Australian Federal Police, and the Australian Centre to Counter Child Exploitation. Additionally, we established the National Online Safety Education Council, fostering closer cooperation with education bodies across the country.

Internationally, we've played a leading role in establishing the Global Online Safety Regulators Network. This network brings together regulators from around the world to share best practices, coordinate responses to emerging threats, and advocate for a safer online environment on a global scale. Our chairmanship of the network in the past year enabled us to drive progress and expand membership.

By leveraging these partnerships and networks, we've strengthened Australia's position as a global leader in online safety.

Reflecting on the year, I am immensely proud of our progress. We have made significant strides in safeguarding Australians from online harms, promoting safer online experiences, and driving systemic change in the online industry.

We will continue to prioritise prevention, strengthen our enforcement capabilities, and adapt to meet the inevitable new challenges and opportunities that will come our way.

Julie Inman Grant
eSafety Commissioner

Our year at a glance

Promoting online safety

We had more than **4.7 million** unique website visitors to esafety.gov.au and beconnected.esafety.gov.au and more than **11 million** page views.

Providing online safety education

More than **15,000 individuals** participated in eSafety-driven front-line training and professional learning sessions.

Nearly **1.4 million people**, including **1.2 million school students**, **31,000 educators** and **28,000 parents**, participated in training provided by our online safety education providers endorsed under the Trusted eSafety Provider Program.

Empowering Australian women

We had **44,916 unique visitors** to the eSafetyWomen website, with **75,054 total page views.**

Our new key topics webpages totalled **51,775 page views**, covering issues relating to gendered violence, sexual violence, consent, coercive control, online dating, family and domestic violence and an online safety planning checklist.

We held **32 training sessions** with **1,134 participants** and **538 new registered users** of the online learning program about technology-facilitated gender-based violence.

Supporting older Australians

We had **467,215 unique visitors** to the Be Connected learning portal with **3,902 attendees** at eSafety's Be Connected webinars and over **2.9 million page views**.

eSafety Youth Council

After a successful inaugural eSafety Youth Council, we selected and announced a new council, comprising **17 diverse young people** from across Australia aged 13-24 years.

The council's first task was to write a submission to the Joint Select Committee on Social Media and Australian Society, speaking to the influence of social media in their lives, their perspectives on the use of age verification, and the importance of youth voices in conversations and decision-making that impacts them.

The Youth Council has continued to be in demand to contribute to online safety and policy discussions across the country.

Tackling image-based abuse

We received **7,270 reports** about image-based abuse.

We requested removal of material from more than **947 locations** across **191 platforms** and services and were successful in having **98% of material removed on request** (excluding pending requests).

Fighting illegal content and abhorrent violent material

We received **13,824 complaints** concerning **33,910 URLs** about illegal and restricted online content.

We identified **9,320 URLs** that were referred to global partners for removal and law enforcement. More than **99%** of these provided access to child sexual abuse material.

We issued **18 notices to overseas services** about 'class 1' material.

Combating child cyberbullying

We received **2,693 complaints** about serious cyberbullying targeting Australian children. We had more than **4,672 click-throughs** from the eSafety website to the Kids Helpline website.

Responding to adult cyber abuse

We received **3,113 complaints** from adults regarding cyber abuse. Where we made informal requests to online service providers, we were successful in facilitating the removal of material **74%** of the time.

We issued **2 removal notices** to a social media provider and **one removal notice** to a hosting service provider.

Overview

Functions and responsibilities

The functions of the eSafety Commissioner are set out in section 27 of the Online Safety Act and accompanying legislative instruments. During the reporting period, the eSafety Commissioner was an independent statutory office holder within the Infrastructure, Transport, Regional Development, Communications and the Arts portfolio, with the Hon Michelle Rowland MP, the Minister for Communications, being the responsible minister.

In accordance with the legislation, our specific responsibilities include:

- promoting online safety for Australians
- administering a complaints scheme for cyberbullying material targeted at an Australian child
- administering a complaints scheme for cyber abuse material targeted at an Australian adult
- administering a complaints and objections scheme for nonconsensual sharing of intimate images
- administering the online content scheme covering illegal and restricted content
- ensuring that social media services, relevant electronic services (e.g., messaging and gaming services) and designated internet services (certain websites and apps accessible from Australia) take reasonable steps to keep Australians safe online through a set of Basic Online Safety Expectations
- co-regulating 8 sections of the online industry for ‘class 1’ and ‘class 2’ illegal and restricted content, including imagery depicting the sexual abuse of children or terrorism, through to material that is inappropriate for children, such as online pornography
- coordinating the activities of Australian Government departments, authorities and agencies relating to online safety for Australians
- supporting, conducting and accrediting educational and community awareness programs relevant to online safety for Australians
- making grants of financial assistance in relation to online safety for Australians, on behalf of the Australian Government
- conducting and evaluating research about online safety for Australians.

The Commissioner

Julie Inman Grant is Australia's eSafety Commissioner. In this role, she leads the world's first government regulatory agency committed to keeping its citizens safer online.

Julie has extensive experience in the non-profit and government sectors and spent 2 decades working in senior public policy and safety roles in the tech industry at Microsoft, Twitter and Adobe.

The Commissioner's career began in Washington DC, working in the US Congress and the non-profit sector before taking on a role at Microsoft. Julie's experience at Microsoft spanned 17 years, serving as one of the company's first and longest-standing government relations professionals, ultimately in the role of Global Director for Safety & Privacy Policy and Outreach. At Twitter, she set up and drove the company's policy, safety and philanthropy programs across Australia, New Zealand and Southeast Asia and drove APAC-wide government relations for Adobe.

As Commissioner since January, 2017, Julie has overseen significant increases in the eSafety office's budget, increased staffing levels and launched innovative programs such as the Safety by Design and Women in the Spotlight initiatives. Julie has established herself as a nimble and anticipatory regulator, establishing the tech trends horizon scanning program in 2020. She has led work to establish novel and world-first regulatory regimes under the Online Safety Act 2021, implementing a sweeping new set of reforms which began on 23 January 2022, through to issuing more than 30 transparency notices to Big Tech and registering mandatory codes and standards.

Julie serves on the Independent Advisory Board of the Technology Policy Design Centre. She served as co-founder and inaugural chair of the Global Online Safety Regulators Network and is a long-serving Board Member of the WePROTECT Global Alliance. She also serves on the World Economic Forum's Global Coalition for Digital Safety, represents Australia on the Global Partnership for Action on Gender-Based Harassment & Abuse, and serves on France's Laboratory for Women's Rights Online.

The Commissioner was named one of Australia's most influential women by the *Australian Financial Review* and a leading Australian in Foreign Affairs by *The Sydney Morning Herald*. In 2020, the World Economic Forum (WEF) and Apolitical appointed the Commissioner as one of the #Agile50, the world's most influential leaders revolutionising government.

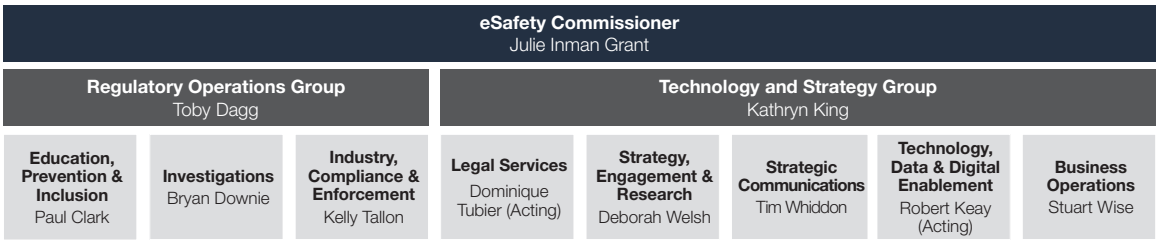
eSafety structure

The Online Safety Act establishes the eSafety Commissioner as an independent statutory office holder, supported by staff from the ACMA. During the reporting period, eSafety's day-to-day activities were managed by the Commissioner, 2 general managers and 8 executive managers and branch heads. The Chair of the ACMA is eSafety's accountable authority.

Under section 184 of the Online Safety Act, the ACMA provides staff to assist the Commissioner to perform the Commissioner's functions under the Act. These staff are employed by the ACMA under the *Public Service Act 1999* and under the terms of the *ACMA Enterprise Agreement 2020–2023.* However, they are not under the direction of the ACMA. At 30 June 2024, the eSafety Commissioner was supported by 170 APS staff located in Canberra, Sydney and Melbourne.

Detailed information about our staff is provided in Appendix 1.2 of Part 1 of this report. eSafety's organisational structure as at 30 June 2024 is set out in Figure 2.1.

Figure 2.1: Organisational structure as at 30 June 2024



Our purpose

eSafety's purpose, set out in our 2023–24 Portfolio Budget Statements (PBS) and corporate plan, is to help safeguard Australians at risk from online harms and to promote safer, more positive online experiences.

Outcome and program structure

eSafety's 2023–24 PBS set out the resources allocated to us by government to deliver Outcome 1 and the program that contributes to it.

Outcome 1 A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice
Program 1.3 The eSafety Commissioner
To help safeguard all Australians from online harms and to promote safer, more positive online experiences.

Report on performance

Annual Performance Statement 2023–24

eSafety's performance framework

eSafety's performance framework includes our:

- corporate plan: This outlines our purpose, vision, environment, key activities, performance measures, targets, and capabilities.
- Portfolio Budget Statements (PBS): These statements specify the outcomes, performance criteria, and targets for the programs of work we are funded by the government to deliver.
- Annual Performance Statement: This provides an assessment of our performance in relation to key activities aimed at achieving our vision and purpose.
- annual report: This includes the Annual Performance Statement and meets the reporting requirements prescribed in the *Online Safety Act 2021.*

Each key activity in our corporate plan has specific performance measures with corresponding targets for 2023–24. These measures form the basis for assessing our performance.

Our corporate plan provides details on the methodology (quantitative metrics and qualitative sources) used to objectively measure whether we have met each performance measure and target.

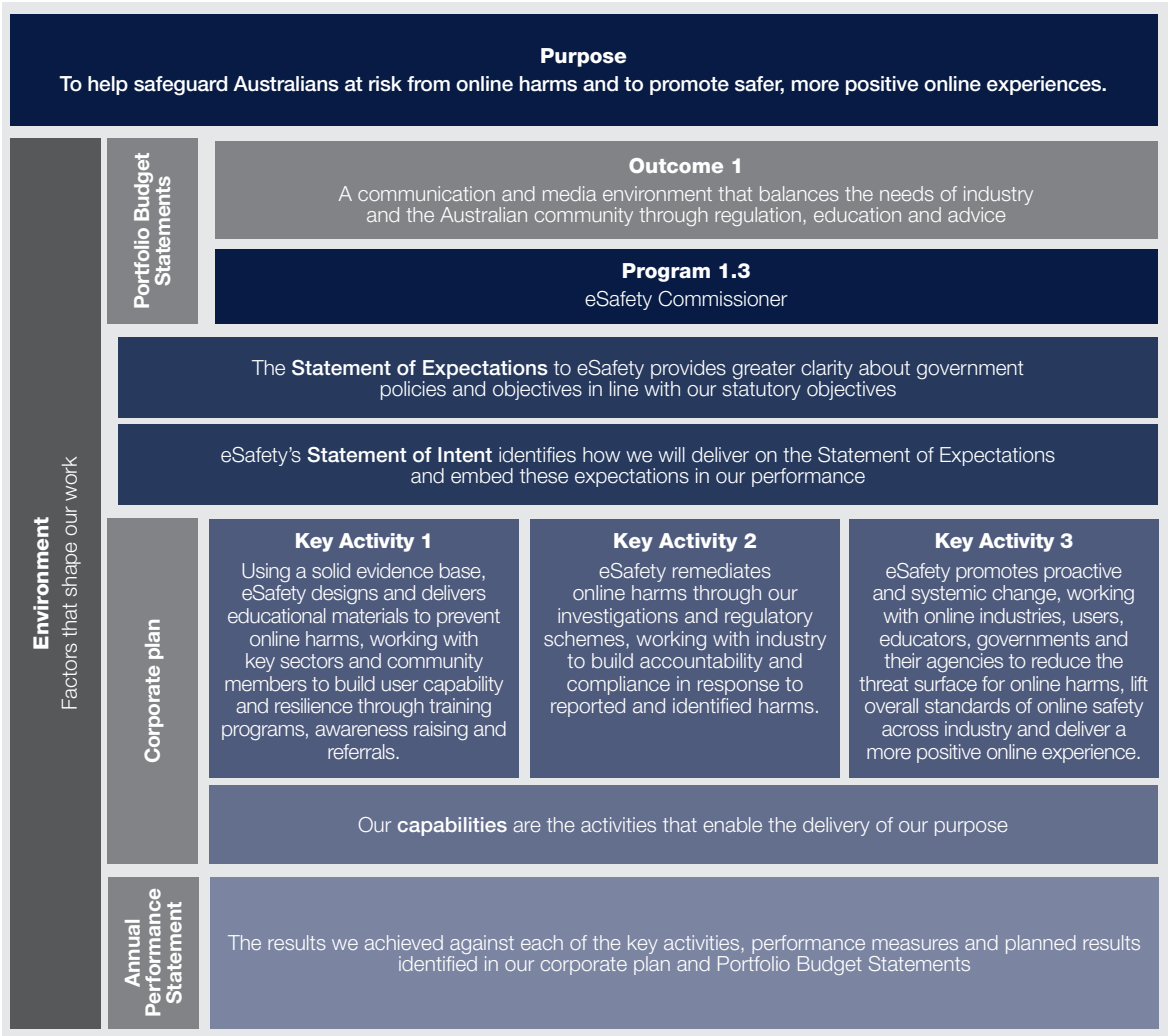
Regulator performance reporting has been incorporated into performance reporting obligations under the PGPA Act and the Public Governance, Performance and Accountability Rule 2014 (PGPA Rule).

Our performance measures and targets align with best practice principles outlined in the government's Regulator Performance Guide.

Figure 2.2 shows the relationship between our purpose and key activities in our 2023–24 corporate plan, and Program 1.3 in the 2023–24 PBS.

Programs 1.1 and 1.2 relates to the ACMA and are reported on separately in Part 1.

Figure 2.2: Alignment of eSafety's PBS 2023–24, corporate plan 2023–24 and APS 2023–24



Analysis of performance against purpose

During 2023–24, we continued to focus on safeguarding Australians at risk from online harms and promoting safer, more positive online experiences through our 3 pillars:

- Prevention: Using a solid evidence base, eSafety designs and delivers educational materials to prevent online harms, working with key sectors and community members to build user capability and resilience through training programs, awareness raising and referrals.
- Protection: eSafety remediates online harms through our investigations and regulatory schemes, working with industry to build accountability and compliance in response to reported and identified harms.
- Promoting proactive and systemic change: eSafety promotes proactive and systemic change, working with online industries, users, educators, governments and their agencies to reduce online harms, lift overall standards of online safety across industry, and deliver more positive experiences for Australians.

Through these key activities, we supported Australians to engage more safely online, while enabling industry to meet legislated safety expectations.

We achieved our PBS outcome using regulation, education and advice to balance the needs of industry and the Australian community.

In 2023–24, we continued to administer and enforce our 4 reporting schemes under the Online Safety Act: the Cyberbullying Scheme for Australian children, the Adult Cyber Abuse Scheme, the Image-Based Abuse Scheme, and the Online Content Scheme for illegal and restricted content. We provided responsive and compassionate help to people experiencing a range of online harms and we worked to alleviate or reduce the harm as quickly as possible.

We continued to work closely with state and territory police, the Australian Federal Police, and the Australian Centre to Counter Child Exploitation to support the work of these agencies. We have memorandums of understanding (MOUs) in place with all law enforcement agencies in Australia, finalising an MOU with the Northern Territory Police in January 2024. We also established a National Online Safety Education Council to foster cooperation with government, Catholic and independent school education sectors in each state and territory. Council members meet formally each school term, with communication, state-based meetings and presentations occurring more regularly.

In September 2023, we published updated regulatory guidance on the Basic Online Safety Expectations (the Expectations). Additionally, we issued 6 non-periodic reporting notices to companies requiring them to report on the proactive measures they are taking to minimise the risk of terrorism and violent extremism on their services. We published a transparency report in January 2024 detailing the findings from a non-periodic reporting notice given to X Corp. in June 2023 focused on online hate.

Following extensive consultation with industry associations, we registered a sixth industry code to regulate harmful online material, specifically child sexual exploitation material and terrorist material. The registered codes establish robust and enforceable obligations and provide appropriate community safeguards for 6 sections of the online industry. Industry standards for Relevant Electronic Services and Designated Internet Services were registered in Parliament on 21 June 2024, and following parliamentary processes, will likely come into effect on 22 December 2024.

We continued to provide a comprehensive program of evidence-based professional learning and education resources to promote online safety in schools. In developing these resources, we worked closely with education departments, schools, and youth-based mental health organisations. All our school-based education programs are complemented by tools and resources for parents and carers.

We created new online safety resources to support education sectors and schools, the Australian sporting sector, older Australians, and families and front-line workers impacted by technology-facilitated family, domestic and sexual violence, and online child sexual abuse.

We conducted research to continue to build our evidence and understanding of the frequency and nature of online harms experienced by different segments of the Australian community. This data supports our regulatory functions and the development of our programs and resources.

Our performance

We fully met 10 of our 13 performance measures, partially met 2, and one is ongoing.

Overview of results

Key: Met | Partially met | Not met

Key activity 1: Using a solid evidence base, eSafety designs and delivers educational materials to prevent online harms, working with key sectors and community members to build user capability and resilience through training programs, awareness raising and referrals.

Performance area 1.1: Australians are enabled by education, training, and resources to prevent online harms.

Performance measures		Result
1.1.1	10,100 individuals participated in front-line and professional learning training sessions.	Met
1.1.2	There were 1.5m unique visitors to eSafety websites.	Met
1.1.3	At least 90% of Be Connected learners were satisfied with training courses.	Met

Performance area 1.2: Educational programs, strategies and tools are based on an understanding of the specific needs of groups most at risk of online harm.

Performance measures		Result
1.2.1	All educational resources were informed by research and insights and involved co-design or collaboration with targeted cohorts and/or advocates.	Met
1.2.2	We published at least 6 research reports and papers that build the evidence base relating to online safety for Australians.	Met
1.2.3	At least 90% of participants in front-line professional learning training sessions rated eSafety's educational material and training as relevant or very relevant to their role.	Met

Key activity 2: eSafety remediates online harms through our investigations and regulatory schemes, working with industry to build accountability and compliance in response to reported and identified harms.

Performance area 2.1: eSafety's regulatory decision-making across our 4 reporting schemes is proportionate, consistent, fair and informed by evidence.

Performance measures		Result
2.1.1	At least 70% of cyber bullying and adult cyber abuse complaints or reports were received, triaged and assigned to an investigator within a 3-hour timeframe.	Met
2.1.2	At least 90% of image-based abuse complaints or reports were responded to within 2 business days.	Met
2.1.3	At least 90% of critical Online Content Scheme investigations were finalised within 2 business days.	Partially met

Performance area 2.2: eSafety takes effective action to remove material causing online harms.		
Performance measure		**Result**
2.2.1	Material was removed for at least 80% of the total image-based abuse, adult cyber abuse, and cyberbullying complaints.	✓
Key activity 3: eSafety promotes proactive and systemic change, working with online industries, users, educators, governments and their agencies to reduce the threat surface for online harms, lift overall standards of online safety across industry and deliver a more positive online experience.		
Performance area 3.1: Industry codes are registered or industry standards are determined.		
Performance measure		**Result**
3.1.1	All 8 industry sections have industry codes registered or industry standards determined, for Class 1 material.	✓
Performance area 3.2: The Basic Online Safety Expectations increase the transparency and accountability of online service providers and incentivise improvements in online safety.		
Performance measure		**Result**
3.2.1	At least 10 non-periodic reporting notices have been issued.	◌
3.2.2	One set of 5 periodic reporting notices has been issued across a 24-month period.	Ongoing

Analysis of performance against the Regulator Performance Guide

The Regulator Performance Guide outlines 3 principles of best practice for regulator performance:

- Continuous improvement and building trust: Regulators adopt a whole-of-system perspective, continuously improving their performance, capability and culture to build trust and confidence in Australia's regulatory settings.
- Risk-based and data driven: Regulators manage risks proportionately and maintain essential safeguards while minimising regulatory burden and leveraging data and digital technology to support those they regulate to comply and grow.
- Collaboration and engagement: Regulators are transparent and responsive communicators, implementing regulations in a modern and collaborative way.

Our purpose is to safeguard Australians at risk from online harms and to promote safer, more positive online experiences. We have a range of regulatory functions and powers, which we apply in a flexible and integrated way to encourage compliance and achieve good outcomes for all Australians.

Continuous improvement and building trust

We are committed to a culture of continual improvement and building trust with our stakeholders. Our *eSafety Strategy 2022-25* establishes values of innovation and fairness. These values empower our staff to continually improve by challenging the status quo and build trust with the Australian public and industry by approaching all our work ethically and transparently.

Transparency is important in building trust among our stakeholders. This is why we publish our regulatory posture and priorities, our Compliance and Enforcement Policy, as well as guidance for each of our regulatory schemes on esafety.gov.au.

Building trust with regulated entities increases our efficiency and effectiveness. Where appropriate, we work informally with service providers to resolve individual complaints about online content and behaviour. We also consider any systemic online safety problems these complaints may uncover.

Where a cooperative approach is not appropriate or sufficient to keep Australians safe online, we will draw on our range of regulatory options. While we may take graduated actions against online harm, there will be times when immediate and firm enforcement action is warranted due to the circumstances and severity of the harm.

Based on evidence and insights, we apply our powers in a fair, transparent and proportionate way to limit the impact of harm to the user and to deter future wrongdoing by the platform or perpetrator. We drive continuous improvements in online safety by reviewing the effectiveness of online service providers to keep their users safe, and by providing practical recommendations and tools to support better outcomes.

Externally, we use the Basic Online Safety Expectations (the Expectations) as a mechanism to encourage continuous improvement from industry. The Expectations empower us to require online service providers to report on how they are meeting any or all the Expectations and to issue statements of compliance and non-compliance with the Expectations.

Risk-based and data-driven

We use the ACMA Risk Management Policy and Guide (the ACMA Policy) as our primary risk guidance. The ACMA Policy meets the requirements of the Commonwealth Risk Management Policy and is regularly updated with input from eSafety. We also maintain a complementary Risk Management Guide specific to eSafety's functions.

We recognise that certain sections of the Australian community face higher online risks, and that these harms can disproportionately affect disadvantaged or marginalised people who may have multiple, intersecting risk factors. This includes Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse communities, people with disability, and people who identify as LGBTQIA+. Depending on the circumstances, it can also include women, older people, and children and young people. Children and young people are particularly vulnerable to social, emotional, psychological and even physical impacts that can result from exposure to harmful content and behaviour online.

In responding to reports from the Australian public, we take a risk-based approach that is proportionate and transparent and uses the best evidence. We allocate resources by identifying the most urgent risks and severe harms to determine the most effective responses.

One of our highest priorities remains the rapid removal of child sexual exploitation and abuse material, along with other illegal content that causes the most severe harm through its production, distribution and consumption. We identify and promote better solutions to prevent and reduce the most reported types of harm. This includes exploring technological solutions that allow us to scale up assistance and reduce the spread of harmful online content and behaviour.

As Australia's national regulator for online safety matters, it is critical for us to base regulatory decisions and priorities on research, data, insights and trends captured through various methods. Our strategic goals include building robust evidence to support our programs, with data generated by world-class research, investigations and intelligence. This is supported by an evaluation framework and sharing information, strengthening capacity within eSafety to derive meaningful and actionable insights from data, and then sharing intelligence that contributes to our partners' understanding of the global online harms landscape.

Our Data Strategy involves a phased approach over 3 years to improve our data skills, governance and technology to enable eSafety to become a data-driven organisation. To help in scaling our operations, we have funded a Data and Insights Program to enhance our ability to provide evidence-driven information and services to the public and maintain our strong reputation as a fair and transparent regulator.

Through research, education and training programs, we target disadvantaged or marginalised individuals and communities at higher risk of online harm, and we work to set a foundation to prevent online harm from happening. We aim to provide Australians with the practical skills and confidence to be safe, resilient and positive participants in the online world, and to know where to seek help if issues do arise. We base our approach on evidence and have been building a body of evidence over time to track our progress and to make sure we have real, positive impact. We calibrate our approach to make sure our programs are contemporary, fit for purpose and responsive to the needs of each community or targeted group.

Collaboration and engagement

We operate in a complex ecosystem with a wide variety of stakeholders, including young people, parents, carers, the technology industry, law enforcement agencies, the education sector, mental health services, non-government organisations (NGOs) and a diverse range of domestic and international regulators. Cooperation, collaboration and partnership are all necessary to achieve our desired impact. We build and nurture partnerships at local, state, national and global levels and across many sectors of the economy. As a small organisation, we invest strategically in partnerships with a shared vision that helps us achieve our joint goals, at scale.

We engage with industry formally and informally through our 4 reporting schemes and the Expectations and by setting industry codes and standards. We take a consultative approach, seeking input and feedback from providers and industry bodies and associations. We also consult NGOs, academics and other experts to make sure regulatory practices meet high standards.

Engaging with our stakeholders and partners is also central to delivering and amplifying our education and prevention programs. The eSafety Youth Council had its second year of operation in 2023–24. In addition, we maintained key stakeholder consultation mechanisms. This included an eSafety Sports Network comprising peak bodies of all major sporting codes, and a National Online Safety Education Council with state/territory and non-government school education bodies.

We collaborate in a variety of ways, such as working with NGOs and other providers to promote best practice education, serving on boards and government forums, sponsoring research, and collaborating on joint educational campaigns or through operational partnerships. Through the Trusted eSafety Provider Program, 28 endorsed providers of online safety education reached an audience of nearly 1.4 million Australians during 2023–24, with key messages about online safety and our regulatory functions and reporting schemes.

eSafety is a member of the Digital Platform Regulators Forum (DP-REG) in Australia. This group of independent regulators works together to regulate digital platforms by sharing information and collaborating on issues and activities. Other members are the Australian Competition and Consumer Commission (ACCC), the Office of the Australian Information Commissioner (OAIC), and the ACMA.

DP-REG allows us to share our experience and expertise with other members and benefit from their experience and expertise. In 2023–24, the group focused on the impact of algorithms, enhancing transparency of digital platforms, protecting users from harms, and building collaboration and capacity between members.

We worked to expand the Global Online Safety Regulators Network, which was launched in November 2022 and now includes regulators from France, Slovakia, the Netherlands, Fiji, Ireland, the Republic of Korea, South Africa and the United Kingdom, as well as observers from Germany, New Zealand and Canada. The network brings together online safety regulators and organisations from around the world to share best practice and insights, and support coordinated approaches to online safety issues. We will encourage wider international membership and cooperation, with the aim of making sure the approach to online safety between countries is as consistent and coherent as possible. As the Chair of the network in 2023, we built the network governance infrastructure, expanded the membership to new members, and implemented the strategic plan and roadmap for action.

Key activity 1: Using a solid evidence base, eSafety designs and delivers educational materials to prevent online harms, working with key sectors and community members to build user capability and resilience through training programs, awareness raising and referrals

We work to prevent online harm by undertaking research, delivering education and training programs, and producing online safety resources. Our goal is to help Australians develop the practical skills and confidence they need to be safe, resilient, and positive users of the online world, and to know where to seek help if issues arise.

We work with our prevention partners, such as community groups, school education bodies, law enforcement agencies, grant recipients and Trusted eSafety Providers, to spread awareness and extend the reach of our online safety messages and services.

Performance area 1.1: Australians are enabled by education, training and resources to prevent online harms.

Our key functions under the Online Safety Act (s. 27) include:

- promoting online safety for Australians
- supporting and encouraging the implementation of measures to improve online safety for Australians
- developing, accrediting and evaluating educational, promotional and community awareness programs about online safety for Australians.

We aim to make sure all Australians have safe and enjoyable experiences online by providing educational resources and training programs. Our focus is on developing and delivering programs for children and young people, parents and carers, educators, frontline workers, and community organisations. We also offer a range of tailored programs and resources for Australians at greater risk of online harms, such as women, older Australians, people living with disability, people who identify as LGBTIQ+, First Nations people and those from culturally and linguistically diverse communities.

We promote Safer Internet Day and participate in other campaigns to raise awareness of online issues and the help we provide to people experiencing online harms.

Performance measure		Result
1.1.1	10,100 individuals participated in front-line and professional learning training sessions.	✓
1.1.2	There were 1.5m unique visitors to eSafety websites.	✓
1.1.3	At least 90% of Be Connected learners were satisfied with training courses.	✓

Corporate plan and PBS links

Corporate Plan 2023–24, p. 23

Outcome 1, Program 1.3: eSafety Commissioner

- Support positive online experiences through national leadership and administration of statutory schemes and educational and awareness activities that promote online safety for all Australians
- Promote online safety for all Australians

Regulator performance principles

- Continuous improvement and building trust
- Risk-based and data-driven
- Collaboration and engagement

Performance measure 1.1.1: 10,100 individuals participated in front-line and professional learning training sessions.

eSafety's frontline and professional training programs help workforces who support others to improve their online safety knowledge and skills. Those supported primarily include children, young people and women in family, domestic and sexual violence situations. We offer training online, face to face, on-demand and via e-learning modules to maximise our reach across Australia.

Across all programs, 15,189 individuals participated in front-line training and professional learning sessions in the reporting period. Sessions included:

- professional learning programs for teachers, student wellbeing officers and chaplains via webinars and on-demand modules, and training for pre-service teachers, school leaders and the eSafety Champion network (11,928 participants)
- sessions for mental health workers and wellbeing staff, and other frontline support services such as those working with LGBTQI+ communities (1,363 participants)
- training for domestic, family and sexual violence service providers and support workers and those working with children and young people who may be dealing with tech-based abuse, including out-of-home care workers and social workers (1,134 training participants and 538 learners registered for the online learning module)
- Social media self-defence training for those whose frontline work or leadership requires an online presence (226 participants).

Technology-facilitated abuse and frontline worker training

Our technology-facilitated abuse in domestic, family and sexual violence (DFSV) presentations upskill frontline workers and other professionals who support people experiencing DFSV.

These presentations use the latest research and data to draw awareness to the types of online violence experienced by victim/survivors, and how technology is weaponised by perpetrators to maintain perceived power and coercive control over the victim/survivor.

We use case studies, highlight strategies and provide guidance to help professionals support victim/survivors to incorporate technology into their safety plans, along with providing information and advice for reporting to police and eSafety.

In 2023–24 we delivered our technology-facilitated abuse and frontline worker training to 1,134 people. The following feedback highlights the impact of the training:

> *Really helpful and effective training and has directly impacted my practice.*
>
> *Really interesting and informative presentation. Will definitely be looking at website and updating safety plan information to clients.*
>
> *Very informative and generated great reflection within my own practice.*
>
> *Really helpful practical info that's directly applicable to my work – has definitely helped me realise some things and now I know where to go to learn more and adjust my practice. Thank you!*
>
> *It was a very engaging session which broadened my understanding of tech-based abuse, how commonplace it is, and the resources to tackle it.*
>
> *The workshop was extensive, interactive and has deepened my knowledge of TFA. It has provided practical safety planning tips and strategies. I would highly recommend this workshop.*

Online training modules (Learning Management System)

Our webinar-based training is complemented by free in-depth training modules. This training is open to frontline workers, including domestic, family and sexual violence service providers, allied health services, First Nations community services, disability workforces and law enforcement. It aims to build skills, knowledge and confidence to help clients protect and empower themselves online. Across the reporting period, 538 people registered for this training.

Educators professional learning program

Our professional learning program for educators covers the latest online safety research, case studies and teaching strategies. It aims to support educators and those who work with young people to integrate online safety into their programs, classes and student wellbeing planning.

We deliver our professional learning in educational settings primarily through live webinars and via on-demand modules. The suite of sessions offered for professionals working in the education sector includes programs that are NSW Education Standards Authority (NESA) and ACT Teacher Quality Institute (TQI) accredited, as well as a National Student Wellbeing Program Professional Learning Package.

During the reporting period, our on-demand module offering was expanded to all 3 education sectors across 4 states who host the modules on their own platforms. The on-demand content includes professional learning videos on the topics of 'Supporting inclusion and digital wellbeing' and 'Responding and reporting to critical online incidents'.

This year, 11,928 people participated in both the live webinars and the on-demand training sessions. The main groups targeted by the program were:

- teachers
- chaplains/student wellbeing officers
- school leaders
- pre-service teachers
- support staff and other educators.

Case study

Social Media Self-Defence training

Many women face online abuse simply because they have an active online presence as part of their working life. eSafety's research Women in the Spotlight, published in March 2022, highlighted that too often, women have avoided social media or stopped using it because of online abuse.

We revised our Social Media Self-Defence training during the reporting period. We broadened the target audience to include other at-risk cohorts and offered tailored sessions to a range of people who use technology as part of their professional lives to support them in countering online abuse. This included political staffers, aspiring politicians, school leaders, athletes and researchers and technologists.

Our training provides participants with an understanding of how to identify tech-facilitated abuse and equips them with strategies to increase online safety on social media platforms. We use the latest research and data to draw attention to the types of online attacks experienced, the motivations and intentions of perpetrators, and the impacts on the individual both personally and professionally.

We cover strategies and guidance for setting up social media platforms for increased safety including proactive actions, de-escalation strategies, and advice for reporting to eSafety. We also discuss strategies for self-care to encourage participants to be proactive in maintaining their wellbeing when targeted by online abuse and provide evidence-based resources to support participants beyond the presentation.

Feedback from participants who attended these sessions during the reporting period included:

> *Very engaging and has helped to educate me on how I can protect myself online.*
>
> *Excellent session. Learned new things I'd never heard of and also how to protect oneself.*
>
> *Very relatable and relevant. Case studies with different scenarios were helpful.*
>
> *Great session, very on point and hits the need to keep our teachers personally safe.*
>
> *A fantastic, informative, practical session.*

Case study

Online gaming

During the reporting period, we showcased eSafety's gaming research, Levelling up to stay safe, released in February 2024, which focussed on young people's online experiences. We complemented this research by designing and delivering new resources and training designed to empower educators and other frontline professionals in fostering safer gaming environments.

Our gaming-specific training includes:

- Training for mental health and wellbeing professionals and support workers, focusing on strategies for maximising benefits and minimising risks, and strategies to support children, young people, and families.
- Online gaming-specific presentations to educators as part of our Educator Professional Learning training program catering to those working in early childhood education, primary and secondary schools across government, independent and Catholic education sectors.

To compliment the training the following resources were developed:

- An additional resource to the "Toolkit for School" guidelines for setting up a gaming club. These guidelines are designed to help schools set up and facilitate organised gaming activities for students. This resource can be used alongside school or sector standards or policies to ensure planned activities are safe and meet expectations.
- A factsheet for Health and Welfare practitioners on supporting better outcomes for children and families in online gaming. This factsheet includes strategies that can minimise risks, build skills, and improve family connection through shared gaming experiences.

Performance measure 1.1.2: There were 1.5 million unique visitors to eSafety websites.

Our primary websites are esafety.gov.au and beconnected.esafety.gov.au. These websites had more than 4.7 million unique visitors during the reporting period, exceeding our target by 3.2 million.

esafety.gov.au is our main external communications platform. Visitors can use the website to:

- report online abuse and illegal or restricted online content
- learn about online safety risks and regulations, as well as prevention and remediation strategies
- access classroom resources and resources for the public, including tailored advice for audiences at highest risk of online abuse and the people who support them
- find regulatory information and tools for industry
- book training sessions
- enter our learning management systems – Be Connected (digital literacy), Safety by Design, Lower Primary Professional Learning, and Domestic and Family Violence and Disability frontline worker training.

In 2023–24 we saw a strong upward trend in unique visitors to esafety.gov.au, measured using the Google Analytics metric 'Total Users'. This was largely due to the continued implementation of our Search Engine Optimisation (SEO) strategy designed to increase our reach and traffic.

The SEO work resulted in improved rankings across the site with more of our keywords appearing in the top 3 positions in search results and in Google's 'featured snippets' (highlighted excerpts of text that appear at the top of a Google search results page).

The lift in rankings meant many more people saw information about online safety, prevention and remediation and were made aware of eSafety and our role, as well as being prompted to click through to relevant esafety.gov.au pages. The SEO improvements resulted in a 108% increase in 'organic' users driven by search engines compared to the previous financial year (an extra 1.49 million users). This was well above typical expectations for consistent SEO growth.

While SEO accounted for most of the overall traffic growth to esafety.gov.au, we also had strong growth in traffic from other sources. Specifically, 'direct' traffic (people using a known link to click on our pages) increased by 80% on the previous financial year, bringing in over 351,000 extra visitors, and 'referrals' (from other sites linking to our pages) increased by 17%, bringing in more than 35,000 visitors.

These visitors were driven by a range of strategies that contributed to positive outcomes:

- Our participation in Safer Internet Day, a global campaign to raise awareness of online issues, is our largest yearly awareness-raising activity, driving a substantial spike in overall traffic to esafety.gov.au each February. In 2024, a record 38,118 people visited the campaign landing page and downloaded 9,911 resources. Overall, there was a 36% surge in traffic to esafety.gov.au compared to the previous day, and a 5.25% increase in traffic compared to the February 2023 campaign.
- eSafety ran its first in-house brand awareness initiative during the reporting period, featuring recognisable objects that keep people safe offline to help increase understanding of the support eSafety provides to keep Australians safe online. This marketing activity drove 36,000 unique visitors to the homepage, 98% of them new to esafety.gov.au. The results were well above target and above benchmarks for Australian Government campaigns.
- Over the financial year, eSafety delivered more than 1.2 million emails from 134 general and tailored email campaigns, with a very high 52% engagement rate, linking 60,000 subscribers to specific website pages and resources relevant to their interests.
- Traffic was boosted by other in-house activities over the period, including social media activations, earned news media coverage, and engagement with a wide variety of stakeholders through regulation, education and training activities.
- An advertising and public relations campaign led by the Department of Infrastructure, Transport, Regional Development, Communications and the Arts promoting the Online Safety Act during the reporting period also linked visitors to our homepage as well as temporary campaign pages and resources.

In addition, our website and learning platform at beconnected.esafety.gov.au continued to help older Australians increase their confidence to get online safely by improving their digital skills.

During the reporting period, the Be Connected website had more than 467,000 active users with more than 2.8 million page views.

Our efforts to improve the Be Connected website's SEO contributed to a 35% increase in website reach compared to the previous year. We generated awareness and engagement in the program through various methods including:

- providing regular updates and new information to an engaged subscriber list of more than 23,000 older Australians
- free face-to-face training delivered by more than 3,800 organisations that form the program's 'Network Partners'
- continuous implementation of SEO best practice measures to make sure the website ranks in search engines for critical issues covered by Be Connected
- creating stakeholder partnerships with government and industry organisations to create awareness with their various audiences
- engaging directly with older Australians at major seniors' festivals in Victoria and New South Wales, and participating in Get Online Week, a yearly digital inclusion campaign led by Good Things Foundation Australia aimed at closing the digital divide.

Performance measure 1.1.3: At least 90% of Be Connected learners were satisfied with training courses.

The Be Connected interactive learning site has 612 learning activities, along with quizzes, practice areas, articles and videos.

Training courses consist of a series of learning activities focused on specific topics. These courses cater for Australians who have beginner to intermediate digital skills. We provide practical steps for everyday tasks, such as using and managing digital devices, accessing the internet safely, managing smart homes and fitness devices, as well as addressing online security issues such as safe online banking and avoiding online scams.

Anyone can complete our learning activities without registering an account on the Be Connected website. However, those who choose to register are prompted to complete a short online survey after finishing their activities. This survey assesses learner satisfaction based on their responses to 4 statements. Each statement carries equal weight in determining overall satisfaction.

Across the reporting period, 467,215 learners completed 140,596 learning activities. Of these, 2,272 were from registered learners who were logged in to their account when completing an activity, with 1,182 of these learners providing responses to the survey when prompted (54% response rate).

These responses showed that, overall, 95% of registered Be Connected learners were satisfied with the training courses.

Responses to the 4 survey statements show that:

- 95% of learners feel inspired or confident to continue to practice the skills that were covered
- 95% of learners found the material interesting and engaging
- 95% of learners found the content covered was relevant to them
- 96% of learners thought the content was organised and easy to follow.

Performance area 1.2: Educational programs, strategies and tools are based on an understanding of the specific needs of groups most at risk of online harm.

We are responsible for developing educational resources and programs to help all Australians to have safe and enjoyable experiences online.

To ensure effectiveness, we use an evidence-based approach to co-design our resources with community members and organisations.

We undertake our own research and commission independent research, to make sure our programs and resources are based on evidence. Our research reports are available on our website.

Performance measure		Result
1.2.1	All educational resources were informed by research and insights and involved co-design or collaboration with targeted cohorts and/or advocates.	✓
1.2.2	We published at least 6 research reports and papers that build the evidence base relating to online safety for Australians.	✓
1.2.3	At least 90% of participants in front-line professional learning training sessions rated eSafety's educational material and training as relevant or very relevant to their role.	✓

Corporate plan and PBS links

Corporate Plan 2023–24, p. 24

Outcome 1, Program 1.3: eSafety Commissioner

- Support positive online experiences through national leadership and administration of statutory schemes and educational and awareness activities that promote online safety for all Australians.
- Promote online safety for all Australians

Regulator performance principles

- Continuous improvement and building trust
- Collaboration and engagement

Performance measure 1.2.1: All educational resources were informed by research and insights and involved co-design or collaboration with targeted cohorts and/or advocates.

Resources developed during the reporting period used research, insights and collaboration with targeted groups or their advocates. We assessed this measure using a case study analysis of all new resources.

Resources to support education sectors and schools

New resources to support education sectors and schools were created for eSafety's Schools Hub to help develop a whole-of-community approach to online safety, support classroom learning, respond to online incidents, and more. These downloadable resources have been developed to help education sectors and schools share important online safety messages with their school community and were created in collaboration with education organisations across Australia through the National Online Safety Education Council.

Since the launch of the Hub resources in December 2023, there has been more than 4,500 page views.

Resources to support recognition and response to technology-facilitated family, domestic and sexual violence

In the second half of 2023, eSafety published a suite of new and updated website content on gendered violence, domestic and family violence, sexual violence, coercive control, online dating and online safety planning. This new content sits in the Key Topics section of eSafety's website and was created to help people recognise and respond to technology-facilitated family, domestic and sexual violence and tech-based coercive control. It was promoted on social media during the 16 Days of Action against Gender-Based Violence (25 November to 10 December 2023).

The new and updated website content was informed by insights from those with lived experience consulted as part of the development of the Technology Facilitated Abuse (TFA) Support Service; insights from enquiries submitted to eSafety and complaints to eSafety's legislative schemes; and our literature scan on technology-facilitated family, domestic and sexual violence. Both the Attorney-General's Department and academics from Monash University were consulted in relation to our coercive control messaging, given their respective work in this space.

The updates also included expanding the information listed in our online safety checklist, a crucial part of online safety planning, which covers practical steps that can be taken to increase safety while online and using digital technologies. The checklist now includes information about using a safe device, protecting online accounts and online account security, and how to limit the ways location can be tracked.

In response to feedback from the family, domestic and sexual violence sector, a downloadable version of the checklist was also made available to allow offline access for working through step by step.

Resources to support older Australians

Our Be Connected program resources for older Australians follow the Digital Service Standard set by the Digital Transformation Agency. Our approach focuses on putting users at the centre of our strategy and design, ensuring that information and services are relevant, accessible, and provide positive user experiences.

The 2023–24 financial year was the final year of funding for eSafety to deliver the Be Connected program. As a result, the key focus for the reporting period was maintaining and updating existing material to ensure it remained relevant for future years. In late 2023, the Australian Government announced additional funding to extend the Be Connected program for a further 4 years, to 2027–28.

Feedback and insights collected during this period highlighted a need for more information about staying safe from online scams and information about the latest tech trends and developments. We delivered 2 new articles on how to use apps and how to deactivate Facebook and 2 new podcasts focused on avoiding scams and answering learner questions.

We based new and updated Be Connected content on the following consultations and research:

- survey responses from Be Connected registered users who have completed learning activities
- consultations with our Be Connected Network Partners, comprising more than 3,500 organisations across Australia. These partners deliver the Be Connected program face-to-face and free of charge. They include libraries, sub-branches of the Returned & Services League of Australia and Men's Sheds from the Australian Men's Shed Association
- independent research on the digital learning needs of Australians across different demographics and cultural backgrounds
- consultations with government bodies and key industry stakeholders that provide services to older Australians.

Resources to support the Australian sporting sector

The eSafety Sport Hub web resources focus on supporting key audiences within sport, including administrators, coaches, officials, parents and competitors.

We engaged and consulted with more than 30 sporting organisations and peak bodies on the development of web resources to support the sector to have safer online experiences. These consultations were conducted via one-to-one meetings and 4 workshops.

The Sport Hub brings together all our sporting resources into one place. Learning topics include recognising and reporting online abuse, the impacts of online abuse, practical examples and case studies.

The resources also include a supporter toolkit which includes social media tiles, self-print posters and other resources for stakeholders to show their support for online safety.

Resources on online child sexual abuse to support professionals, families and educators

Across the reporting period we created new resources and information to protect children and young people from online harm, including sexual abuse and exploitation, as well as helping victims and survivors of online harm to feel supported and empowered.

Examples include a collaboration with the Australian Centre to Counter Child Exploitation (ACCCE) on the development of conversation cards and advice sheets for parents, and the development of a new key topic page on our website on online child sexual abuse.

These resources help professionals support families in having open, non-stigmatised conversations about online child sexual abuse and other online harms. Based on a strong body of evidence, we consulted extensively with multiple focus groups including family and parent audiences, community groups, frontline workers, and sector professionals across a range of organisations.

These resources outline and define what online child sexual abuse may look like, its impacts, where to go for support, and prevention tools.

Performance measure 1.2.2: We published at least 6 research reports or papers that build the evidence base relating to online safety for Australians.

We published 9 research reports and papers during the reporting period covering a range of online safety issues. In line with our Statement of Intent, our research builds on the evidence base on the frequency and nature of online harms, particularly those experienced by vulnerable segments in the community and informs the development of programs and resources. We provide reliable data by developing robust methodologies in consultation with stakeholders in academia, community organisations and government and seek peer review of our work by subject matter experts prior to publication.

Our published research included the following:

- Two reports were published on the eSafety website in September 2023 as part of the young people and pornography series. The mixed-methods research was conducted to fill evidence gaps and inform eSafety's development of the Age Verification Road Map, and education materials on children, youth and families. The series included:
    - *Accidental, unsolicited and in your face. Young people's encounters with online pornography: A matter of platform responsibility, education and choice* which addressed an evidence gap on young people's lived experience and experienced-informed perspectives on online pornography and the prevalence of both intended and unintended encounters of pornography; and
    - *Questions, doubts and hopes. Young people's attitudes towards age assurance and the age-based restriction of access to online pornography* which filled evidence gaps on young people's attitudes toward age-based restriction of access to online pornography and age assurance, including age assurance tools.

- *The metaverse: A snapshot of experience in virtual reality* was published on the eSafety website in December 2023. The quantitative research was conducted to build on the evidence base on emerging online harms and to inform updates to the Safety by Design program and *Tech Trends* resources.
- *Technology-facilitated abuse: family, domestic and sexual violence* was published on the eSafety website in October 2023. The literature review was conducted to inform the design of a support service for victim-survivors dealing with technology-based abuse within family, domestic and sexual violence situations. The report was peer reviewed by Professor Anastasia Powell from RMIT.
- *A new playground: The digital lives of young people with disability* was published on the eSafety website in December 2023. The quantitative research was conducted by eSafety as part of the Aussie Kids Online series to fill evidence gaps on the online experiences of children and young people with disability and to inform the development of educational materials. The report was reviewed by those with lived experience of disability from Children and Young people with Disability Australia and was peer reviewed by Professor Katie Ellis from Curtin University.
- *Levelling up to stay safe: Young people's experiences navigating the joys and risks of online gaming* was published on the eSafety website in February 2024 as part of eSafety's Safer Internet Day activities. The mixed methods research was conducted to fill evidence gaps related to eSafety's responsibilities under the Online Safety Act on harm occurring over gaming platforms. The research also served to address a recommendation by the Coroners Court of Victoria for eSafety to help develop a reliable evidence base about gaming and adolescents and young people in Australia. The report was peer reviewed by Professor Daniel Johnson from Queensland University of Technology.
- *Prevalence and predictors of requests for facilitated child sexual exploitation on online platforms* was co-written with researchers from the Australian Institute of Criminology (AIC) using quantitative data collected by eSafety. The research was published in *Trends & issues in crime and criminal justice* in May 2024 and was conducted to build on the evidence base on pathways to child exploitation material and helped inform online safety communications, particularly in relation to those who share information or videos about children they know online.
- *Being yourself, being safe: LGBTIQ+ teens experiences navigating the benefits and risks of being online* was published on the eSafety website in June 2024. The quantitative research was conducted by eSafety as part of the Aussie Kids Online series to fill a significant evidence gap on the online experiences and impact of online harms on LGB+ teens. The findings inform eSafety's ongoing programs and initiatives that support LGBTIQ+ Australians to have safer online experiences. The report was peer reviewed by Dr Paul Byron from University of Technology Sydney.
- *Being a young man online: Tensions, complexities and possibilities* was published on the eSafety website in June 2024. The qualitative research is the first part of a collaborative study with researchers from Deakin University and the Queensland University of Technology led by Professor Amanda Keddie. The research filled a gap in the evidence base on the lived experience of young men in the online world, including their influences and motivations. It will inform the development of resources and programs to help young men to have safer online experiences and interactions.

Performance measure 1.2.3: At least 90% of participants in front-line professional learning training sessions rated eSafety's educational material and training as relevant or very relevant to their role.

eSafety provides professional learning training to frontline service and community sector workers to build online safety skills. This includes those who work with vulnerable people at risk of gender-based violence and those who work with children and young people.

In our eSafety professional learning programs, 99.5% of participants who completed a survey rated our material and training as relevant or very relevant to their role. Satisfaction surveys are voluntary and response rates vary across programs.

Education sectors

Our Education and Training Professional Learning program helps those working with and supporting children and young people improve their online safety knowledge and skills. The program educates participants about online safety issues and strategies for the safe, responsible, and ethical use of online platforms and internet-connected technologies. Professional learning is primarily offered as live webinars with opportunities to interact with an eSafety expert trainer.

The 2 main target groups for the professional learning are:

- teachers, wellbeing professionals and support staff in the education sector
- Student Wellbeing Officers (SWO) and chaplains that are part of the National Student Wellbeing Program (NSWP).

The Australian Government funds the NSWP to support student and school community wellbeing through pastoral care services and student support strategies. As part of a Memorandum of Understanding, all NSWP student wellbeing officers and chaplains must complete eSafety's online Professional Learning Package (PLP) on responding to and preventing cyberbullying. This PLP must be completed within 3 months of starting with the NSWP and repeated every 2.5 years while participants remain with the NSWP.

We also offered the following PLPs during the reporting period:

- Responding and reporting: Critical online incidents in school settings – for school educators and school leaders who lead or support the immediate response and reporting of critical online incidents within school communities.
- Digital rights and responsibilities of students and educators – for school educators to help identify digital rights and responsibilities through a safety lens that extends to the whole community. It examines strategies to communicate and model positive online behaviour.
- Online harmful sexual behaviours, misinformation and emerging technologies – for school educators to identify and understand the impacts of online harmful sexual behaviour and misinformation while providing skills to keep students safe online. It also explores the social and safety implications of emerging technologies.

We collect feedback from participants following their training through online surveys. We achieved the following satisfaction and survey completion results for the reporting period:

- The NSWP PL had 1,775 attendees with 1,594 completing the satisfaction survey, a completion rate of 90%. The survey must be completed for attendees to maintain their accreditation. To the question "How relevant is eSafety's educational and training material to your role", 100% of respondents rated our educational material and training as relevant or very relevant to their role.
- The Responding and Reporting PLP satisfaction survey is not mandatory, resulting in a lower response rate than those PLPs where the survey must be completed to receive a PLP completion certificate. Of the 261 attendees during the reporting period, 98 completed the survey, a completion rate of 38%. To the question, "Was the training relevant to your role and needs", 99% of responders rated our educational material and training as relevant or very relevant to their role.
- The Digital Rights and Responsibilities of Students and Educators PLP and the Online harmful sexual behaviours, misinformation and emerging technologies PLP had a combined attendance of 397 with 299 completing the satisfaction survey, a completion rate of 75%. The survey must be completed for attendees to receive proof of course completion. Of the 299 respondents to the question, "I am confident embedding online safety concepts in my work", 99% rated eSafety's educational material and training as relevant or very relevant to their role.

Technology-Facilitated Gender-Based Violence (TFGBV) for frontline workers and other specialists

Our professional learning program related to TFGBV includes 4 presentations:

- *Tech-based abuse in domestic, family and sexual violence situations* – increases awareness about gender-based online violence and provides practical tools to identify and respond to abuse through technology. The training aims to improve the capability of specialist and frontline workers to protect families, women and children they support.
- *Children and tech-based abuse* – targets those working with children and young people in the domestic and family violence sector. This training raises awareness about children's experiences of technology-facilitated abuse in domestic and family violence situations. It provides practical strategies to support children and young people who are experiencing, or are at risk of experiencing, technology-facilitated abuse.
- *eSafety reporting functions* – explains eSafety's legislated reporting functions and outlines how we work with online platforms to have harmful content removed from the internet. The training provides practical advice about what can be reported to eSafety and other support pathways when things go wrong online.
- *Out of Home Care workers* – targeted at professionals who work with young people in this sector including youth workers, social workers, counsellors and psychologists. The training focuses on prevalent online safety issues and strategies to use with children and young people who have additional challenges and vulnerabilities.

During the reporting period, 990 front-line workers and other specialists attended one of these 4 presentations.

After the training, participants can voluntarily complete a survey. To the question "How relevant was the training and education material relevant to your role, 100% of 407 respondents to the survey reported the training was relevant, a completion rate of 41%.

Feedback from participants included:

> *Holistic, relevant and informative to our work with children and young people.*
>
> *Very informative and useful both for my role and in personal life.*
>
> *Great education session, I feel a lot more informed on e-safety.*
>
> *Fabulous overview, accessible information, excellent resources shared.*
>
> *Important, relevant training delivered in a professional manner. Great practical tips and resources shared.*
>
> *Extremely helpful and relevant in our practice.*

Key activity 2: eSafety remediates online harms through our investigations and regulatory schemes, working with industry to build accountability and compliance in response to reported and identified harms.

The Online Safety Act gives us powers to protect Australians across 4 complaints-based schemes:

- The Adult Cyber Abuse Scheme gives us the authority to require online service providers to remove online abuse that targets an Australian adult with the intention of causing serious harm.
- The Cyberbullying Scheme for Australian children gives us the authority to require online service providers to remove seriously threatening, intimidating, harassing, or humiliating material that targets Australians under 18.
- The Image-Based Abuse Scheme gives us the authority to require online service providers to remove intimate images or videos posted online without consent, and, in some cases, act against the person who shared these images or videos.
- The Online Content Scheme gives us the power to direct online service providers or platforms to remove class 1 content, such as child sexual abuse material and pro-terror material.

We support people experiencing online harms by compelling the removal of abusive and harmful content, limiting the ability of perpetrators to continue their abuse, and taking enforcement action against those platforms and service providers that fail to comply with regulatory notices.

Performance area 2.1: eSafety's regulatory decision-making across our 4 complaints-based schemes is proportionate, consistent, fair and informed by evidence.

We respond to reports of online harm from Australians through our 4 complaints-based schemes with a risk-based approach that is proportionate, consistent, fair and utilises the best evidence. We allocate our resources by identifying the most urgent risks and severe harms and determining the most effective responses.

We give responsive and compassionate help to people experiencing a range of online harms. Once someone reports harmful content to us, we aim to alleviate or reduce the harm as quickly as possible.

Our Regulatory Advisory Committee (RAC) has been set up to make sure we respond appropriately to emerging significant or potentially significant online harm and novel circumstances within the scope of our regulatory schemes. The RAC considers the nature and impact of significant online harms, determines regulatory responses, assesses their efficacy and impact, reviews our regulatory guidance and regulatory priorities, and sets guidelines for how we should manage future iterations of novel cases.

Measuring the outcome or satisfaction level for individual complainants is difficult due to the need to protect their privacy and the sensitive nature of the harms people report.

Performance measure		Result
2.1.1	At least 70% of cyberbullying and adult cyber abuse complaints or reports received, triaged and assigned to an investigator within 3-hour timeframe.	✓
2.1.2	At least 90% of image-based abuse complaints or reports responded to within 2 business days.	✓
2.1.3	At least 90% of critical Online Content Scheme investigations finalised within 2 business days.	◌

Corporate plan and PBS links

Corporate Plan 2023–24, p. 25

Outcome 1, Program 1.3: eSafety Commissioner

- Support positive online experiences through national leadership and administration of statutory schemes and educational and awareness activities that promote online safety for all Australians
- Operation of statutory schemes

Regulator performance principles

- Continuous improvement and building trust
- Risk based and data driven

Performance measure 2.1.1: At least 70% of cyberbullying and adult cyber abuse complaints or reports received, triaged and assigned to an investigator within 3-hour timeframe.

During the reporting period, we received 5,806 complaints or reports to the Cyberbullying Scheme for Australian children and the Adult Cyber Abuse Scheme. Of these, we triaged and assigned 99% of complaints or reports for the Adult Cyber Abuse Scheme and 98% of complaints or reports for the Cyberbullying Scheme to an investigator within 3 business hours of receiving them.

Cyberbullying Scheme for Australian children

The Online Safety Act provides a scheme to enable people to report cyberbullying material that targets an Australian child and is likely to seriously threaten, humiliate, harass, or intimidate them.

We aim to review and allocate matters for investigation within 3 business hours of receiving them. We prioritise cases where the risk of harm is high and involves vulnerable children seeking our help. To assess the severity of each case, we consider the child's level of distress, the context of the cyberbullying behaviour, the age of the targeted child, and the supports already in place to mitigate harm.

During the reporting period, the Cyberbullying Scheme received 2,693 complaints. This is a 37% increase in the number of complaints received during the previous reporting period. More than 98% of the complaints were triaged and assigned to an investigator within 3 business hours of receiving the complaint.

Figure 2.3: Cyberbullying reports by category, 2023–24

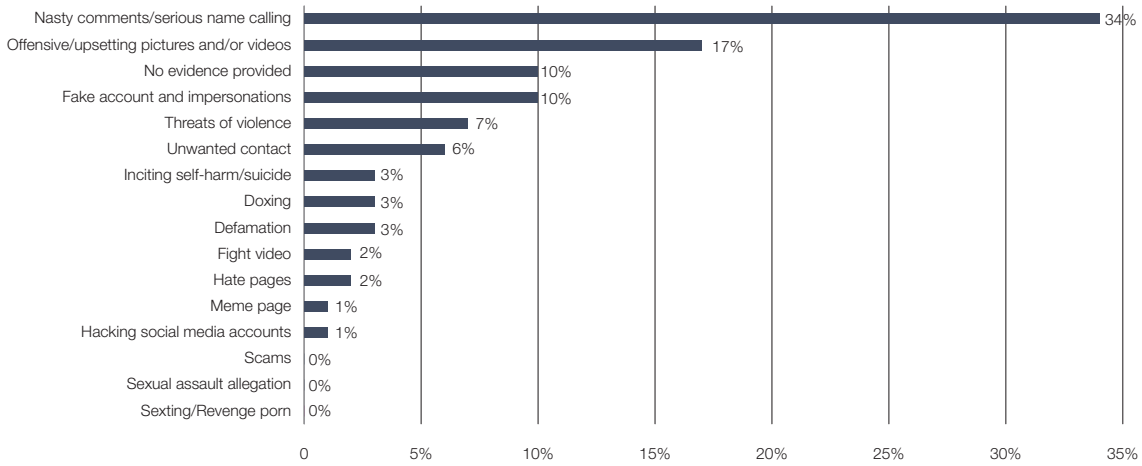
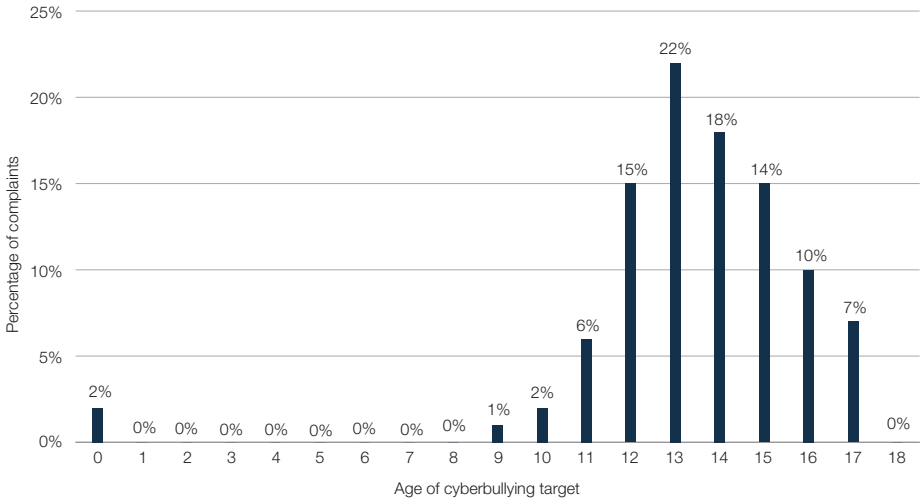
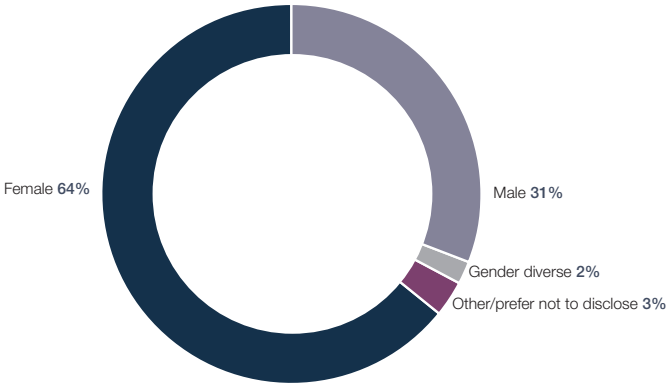


Figure 2.4: Age of cyberbullying target, 2023–24



Note: 0 may represent a child aged 0 but also complainants who choose not to provide their age

Figure 2.5: Gender of cyberbullying target, 2023–24



Adult Cyber Abuse Scheme

The Online Safety Act provides a scheme for removing cyber abuse material targeted at an Australian adult from a social media service, relevant electronic service, designated internet service or hosting service provider. This scheme provides a safety net when complaints of serious online abuse are made to an online service provider by an Australian individual, but they do not remove the material.

Under the Online Safety Act, adult cyber abuse material is defined as material that targets a particular Australian adult and is both intended to cause serious harm, and is menacing, harassing or offensive in all the circumstances.

The term 'adult cyber abuse' is reserved for the most severely abusive material intended to cause serious psychological or physical harm. The threshold for adult cyber abuse has been set deliberately high in recognition of the higher levels of resilience expected of Australian adults. For adults, it is only when the material crosses a threshold well beyond reasonable commentary or expression of opinion that the Online Safety Act provides a mechanism for that material to be taken down from a platform.

For a complaint to meet the statutory criteria under the Online Safety Act, the cyber abuse material must:

- be found to have been intended to cause serious harm and be menacing, harassing or offensive in all the circumstances
- be made by an Australian adult who is the target of the cyber abuse, or by a person who has been authorised to make a report on their behalf
- have first been reported to the online service provider.

When triaging reports, we consider whether:

- the material is likely to meet the criteria for action under the Adult Cyber Abuse Scheme
- the material might contravene the terms of service of the platform where it is made available
- the material falls outside the scope of the Online Safety Act.

The triaging process makes sure we act as a matter of priority on reports made by Australian adults experiencing the most acute harms.

During the reporting period, of the 3,113 complaints received to the Adult Cyber Abuse Scheme, more than 99% were triaged and assigned to an investigator within 3 business hours of receiving the complaint.

Figure 2.6: Adult Cyber Abuse reports by gender, 2023–24

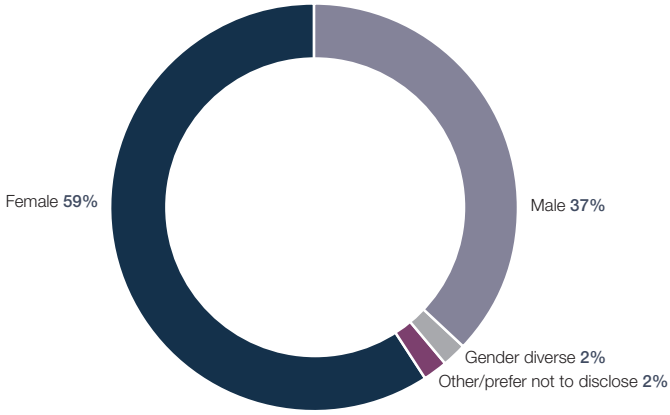


Figure 2.7: Adult Cyber Abuse reports by category, 2023–24

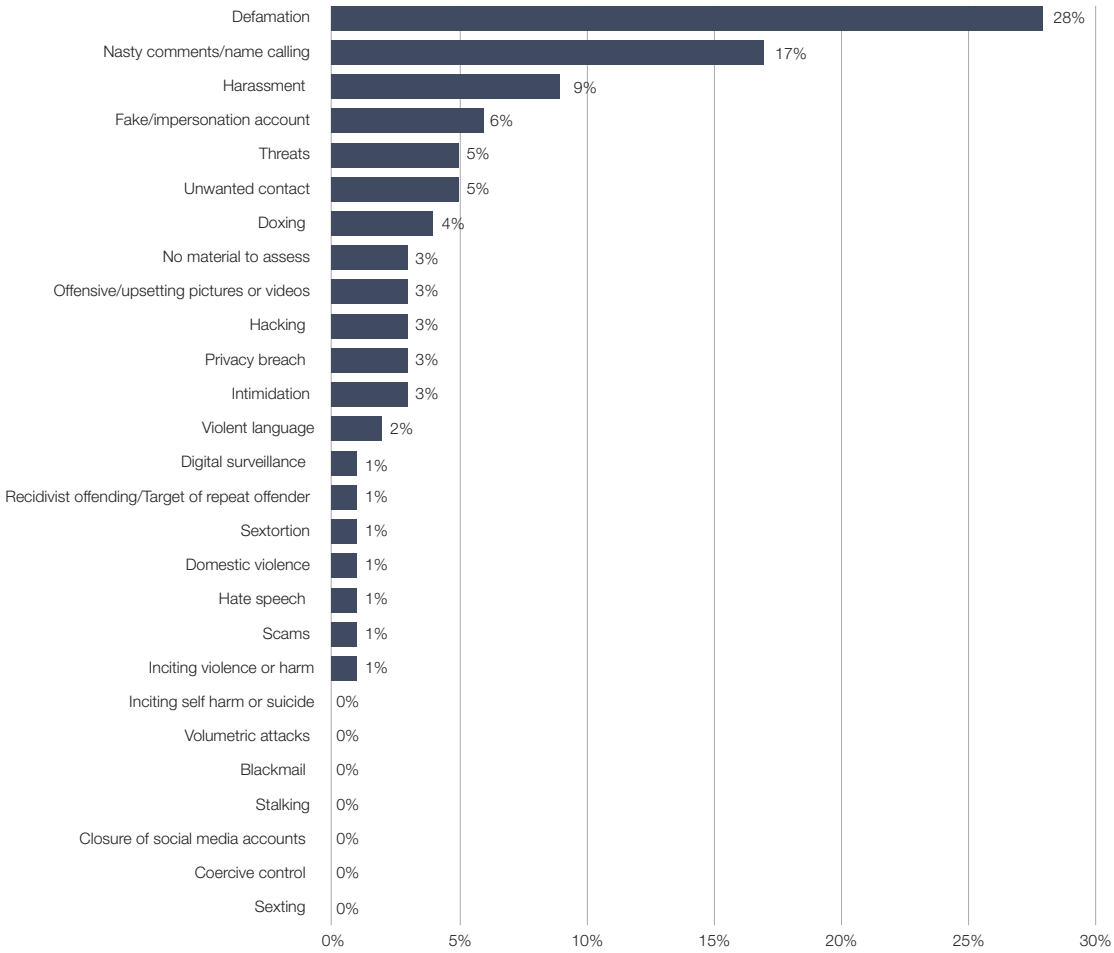
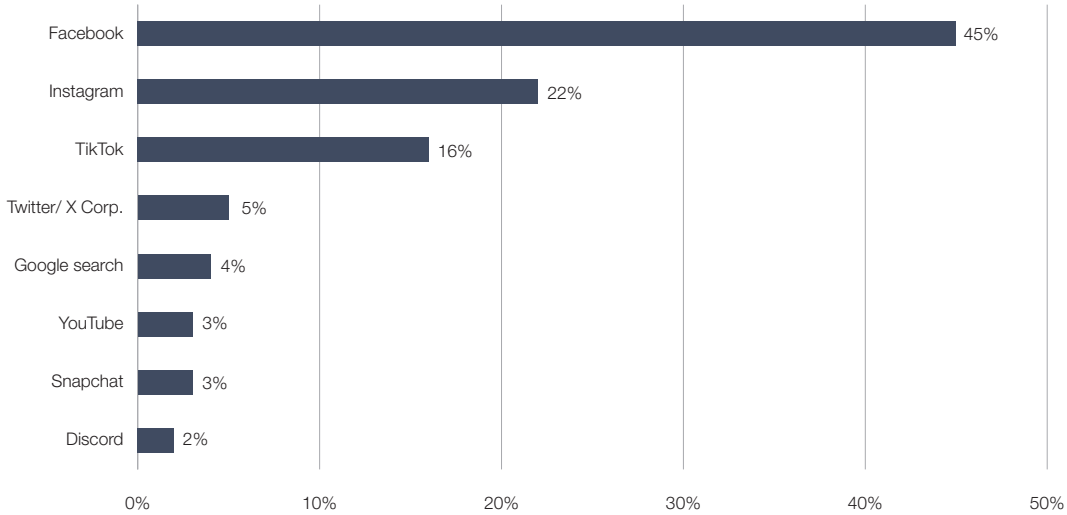


Figure 2.8: Adult Cyber Abuse reports by platform, 2023–24



Performance measure 2.1.2: At least 90% of image-based abuse complaints or reports responded to within 2 business days.

Image-based abuse is a form of online abuse that happens when someone shares, or threatens to share, an intimate image or video of a person without their consent. An intimate image shows or depicts an individual as naked, partly naked, in a sexual or private act, or without clothing of religious or cultural significance.

The Image-Based Abuse Scheme offers individuals relief by enabling the rapid removal of intimate images that have been posted online where certain thresholds are met. To qualify, the person making the complaint and/or the perpetrator must ordinarily reside in Australia. The post, or threat to post, must have been made on a social media service, a relevant electronic service, or a designated internet service without the complainant's consent.

The Image-Based Abuse Scheme also includes civil penalties, which enable us to hold perpetrators of image-based abuse accountable. These include formal warnings, infringement notices, and seeking an injunction or civil penalty order from a court.

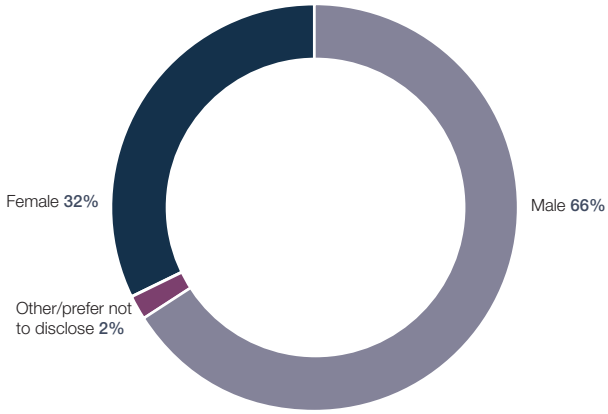
During the reporting period, we received 7,270 reports. This is a 20% decrease from the previous reporting period (2022–23). We have observed a drop in the number of reports relating to sexual extortion, with 4,142 reports received during the reporting period compared to 6,152 reports received during the 2022–23 financial year.

We responded to all reports within 2 business days. The high number of image-based abuse reports received by eSafety requires a constant and consistent review of thresholds, processes and practices, in line with resourcing and priorities. We consider a matter 'responded to' after a response is provided to the person who made the complaint or objection. Due to the high number of image-based abuse reports received, during the reporting period the responses moved from manual responses from investigators to automated responses based on the details submitted in the report. This is an effective method of using finite investigator resources to progress image-based abuse reports.

Our responses provide confirmation that we have received their complaint or objection and include information about where they can seek immediate assistance, provide details of support services, and include further advice and tips that may assist individuals. The timely provision of this information is an important aspect of the remediation process whilst we triage and progress an individual's image-based abuse related complaint or objection.

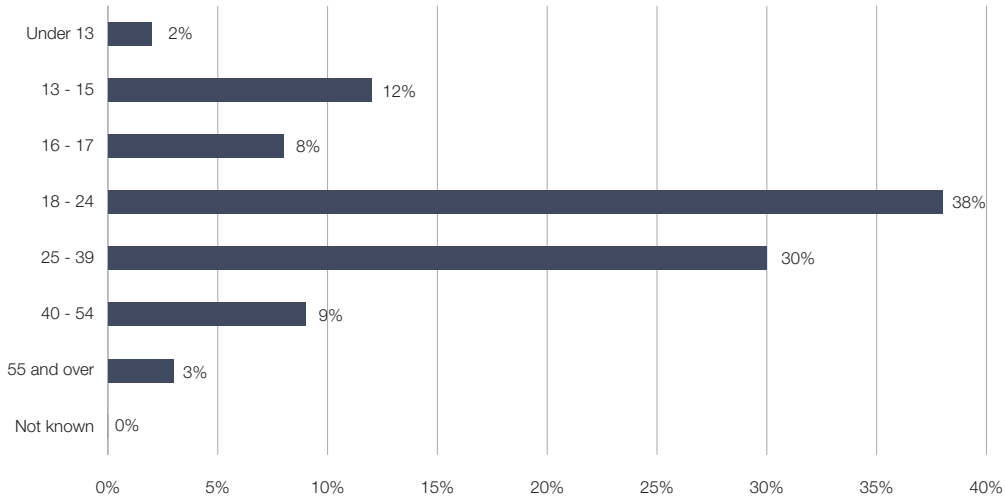
More than double the number of image-based abuse reports were received from males (4,778) than females (2,344) (see Figure 2.9). This is indicative of the high number of reports (57% of the total) relating to sexual extortion, with most sexual extortion victims being male.

Figure 2.9: Image-based abuse reports by gender, 2023–24



68% of image-based abuse reports were received from individuals aged 18–39 (see Figure 2.10). 91% of the reports submitted by males in these age groups related to sexual extortion.

Figure 2.10:Image-based abuse reports by age category, 2023–24



Performance measure 2.1.3: At least 90% of critical Online Content Scheme investigations finalised within 2 business days.

The Online Content Scheme addresses the availability and accessibility of illegal and restricted online material in Australia. This includes 'class 1 material' and 'class 2 material' as defined by reference to Australia's National Classification Scheme.

Critical investigations involve material that describes or depicts child sexual abuse or any other exploitative or offensive description or depiction involving a person believed to be under 18 years old. This material would be classified as Refused Classification (specifically RC1(b)) under the National Classification Code and is considered class 1 material under the Online Safety Act. The eSafety Commissioner considers this material as the highest priority for investigative action.

89% of our critical investigations were completed within 2 business days. Our performance against the target was impacted by an increasing volume of reports, limited resources, and enforcement action related to Online Content Scheme investigations.

The eSafety Commissioner prioritises investigations into the most seriously harmful of content, such as images and videos that show the sexual abuse and exploitation of children, material that advocates terrorism, and material that promotes, incites or instructs in crime or violence.

During the reporting period, we:

- received 13,824 complaints concerning 33,910 URLs, with 82% relating to reports about child sexual abuse, child abuse, or paedophile activity. This is a 19% increase in complaints from the previous reporting period (2022–23)
- finalised 9,461 critical investigations
- responded to 784 complaints about terrorist and violent extremist content, representing a 229% increase in these types of complaints from the previous reporting period
- sent 9,190 notifications relating to child sexual abuse material to the INHOPE network and referred 130 investigations relating to child sexual abuse material to the Australian Federal Police (AFP)
- issued 18 removal notices for class 1 material
- issued 12 link deletion notices for class 1 material.

Finalising a critical investigation

We have an agreement with the Australian Centre to Counter Child Exploitation (ACCCE), led by the AFP, to assist criminal investigations to combat the sexual abuse and exploitation of children online. This memorandum of understanding allows us to notify members of the global INHOPE network about child sexual abuse material being hosted online, leading to its quick removal.

The eSafety Commissioner is the Australian member of INHOPE. Comprised of 54 hotlines from countries around the world, INHOPE plays a unique role in global efforts to eradicate online child sexual abuse material. The actions of INHOPE members are crucial to ensuring quick and effective removal of illegal material from around the world.

When an investigation is completed and the material has been confirmed, it is considered finalised. After a critical investigation is finalised, the material (URL) is either sent to INHOPE for rapid removal or to an appropriate Australian law enforcement agency, such as the AFP. The eSafety Commissioner may also use her powers under the Act to direct the removal of the material by giving the online service or hosting provider involved a removal notice.

Performance area 2.2: eSafety takes effective action to remove material causing online harms.

The Image-Based Abuse Scheme enables rapid and thorough removal of intimate images or videos posted or shared online without the consent of the person shown. The Adult Cyber Abuse Scheme enables the removal of material that is targeting a particular Australian adult that is both intended to cause serious harm, and is menacing, harassing or offensive in all the circumstances. The Cyberbullying Scheme for Australian children enables removal of material that was posted with the intention of seriously humiliating, harassing, intimidating or threatening a child.

We use our regulatory powers assertively but judiciously. We take both formal and informal actions to get results for people reporting online harms through the Image-Based Abuse Scheme, the Adult Cyber Abuse Scheme, and the Cyberbullying Scheme. We will often approach online service providers informally to ask them to remove adult cyber abuse, image-based abuse or cyberbullying material in the first instance, as this generally results in faster removal of material compared to formal actions.

Performance measure		Result
2.2.1	Material is removed for at least 80% of total image-based abuse, adult cyber abuse and cyberbullying complaints.	✓

Corporate plan and PBS links

Corporate Plan 2023–24, p. 26

Outcome 1, Program 1.3: eSafety Commissioner

- Support positive online experiences through national leadership and administration of statutory schemes and educational and awareness activities that promote online safety for all Australians.
- Operation of statutory schemes

Regulator performance principles

- Risk based and data driven
- Collaboration and engagement

Performance measure 2.2.1: Material is removed for at least 80% of total image-based abuse, adult cyber abuse and cyberbullying complaints.

During the reporting period, we received 7,270 complaints to the Image-Based Abuse Scheme, 2,695 complaints to the Cyberbullying Scheme for Australian children, and 3,113 complaints to the Adult Cyber Abuse Scheme. We achieved removal of material for 88% of complaints across the 3 schemes where removal was required. This figure excludes requests that remained pending as at 30 June 2024.

Image-Based Abuse Scheme

The Image-Based Abuse scheme enables rapid and thorough removal of intimate images or videos posted or shared online without the consent of the person shown. Effective removal of image-based abuse material is assisted through the removal of user accounts or the direct removal of image-based abuse material and is a necessary response to the serious and harmful nature of the abuse.

To remove the material, we may informally seek removal from websites and social media services. This usually results in rapid removal which is a preferred outcome for victims of image-based abuse. If an online service provider doesn't respond or doesn't remove the material, we may issue a removal notice. This notice requires the end-user and/or an online service provider to take all reasonable steps to remove the material within 24 hours. If they do not comply with a removal notice, we may issue an infringement notice or take other enforcement action.

During the reporting period, we:

- received 7,270 complaints relating to image-based abuse material. This includes complaints where eSafety is unable to take removal action, including complaints where there has been a threat to share and there is no material to remove, where the material has already been removed from the relevant service, or the material cannot be removed
- requested removal of material from more than 947 locations (generally URLs) across 191 platforms and services, including pornography sites hosted overseas
- successfully removed more than 98% of the material (excluding pending requests as at 30 June 2024)
- issued 4 formal Removal Notices; 2 notices were complied with
- issued 3 formal Remedial Directions that were all complied with
- issued one formal warning
- notified platforms of more than 351 accounts used for image-based abuse with 227 accounts removed, noting accounts may have been removed prior to reports being made, requests may be pending, or other action may have been taken by the platform.

Depending on the circumstances of the complaint, our investigations may result in referral of the complaint to a more appropriate agency, such as the police, or the provision of practical advice or other action. In some circumstances, complaints are not actionable as they do not meet the threshold of the legislation, the material exists in a location that is not accessible, or there is insufficient information or evidence to action the complaint.

It can be difficult to enforce compliance with websites hosted overseas whose operators are uncooperative and hide their location and ownership. If we are unable to remove the material, we take steps to limit its discoverability, which generally involves removing links to the material from search engine results.

Adult Cyber Abuse Scheme

When the criteria for adult cyber abuse are met, we have the authority to issue a removal notice to a social media service, relevant electronic service, designated internet service or hosting service. They have 24 hours to take all reasonable steps to remove the material.

We will often approach online service providers informally to ask them to remove content that has been deemed cyber abuse material targeted at an Australian adult. This informal approach generally results in faster removal of material compared to formal actions. In instances where a platform does not act on this informal approach, we can then consider issuing a removal notice.

We may also make an informal request to an online service provider where material is likely to contravene its terms of service or policies, even if it does not meet the high threshold for adult cyber abuse. However, we have limited avenues for recourse where the platform or perpetrator does not agree with an asserted terms of service breach. If the content is not removed after our intervention, we provide advice and guidance to complainants on how they can make themselves safer online as well as offer wellbeing support options.

During the reporting period, we:

- received 3,113 complaints
- made 383 informal notifications, with material removed in 284 cases (74%)
- issued 3 removal notices, with material removed in one case. One removal notice is the subject of an ongoing investigation.

Cyberbullying Scheme for Australian children

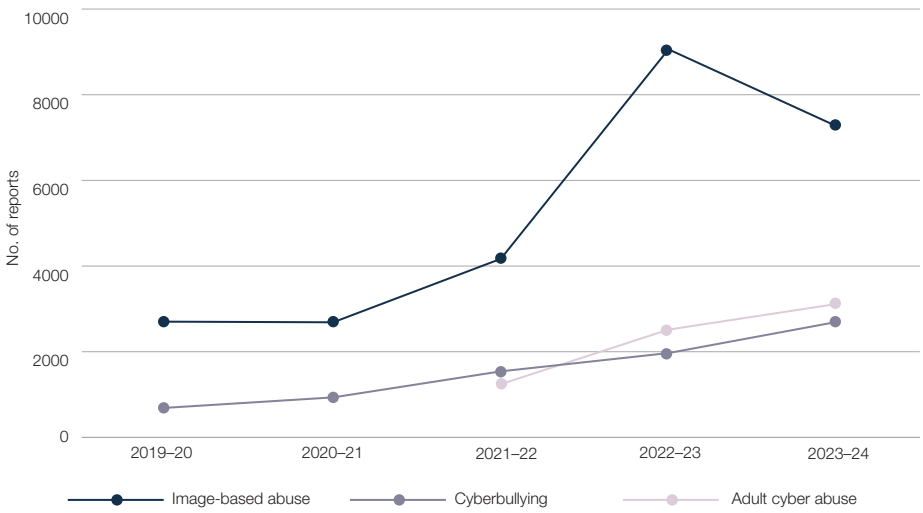
For eSafety to act on a cyberbullying complaint, it must meet certain criteria. The material should qualify as cyberbullying, it needs to have been reported to the platform more than 48 hours ago, and the material must still be online when we review the complaint.

We usually make an informal request to online service providers to remove content because this generally results in faster removal of the cyberbullying material. This is a better outcome for the targeted child as swift removal reduces their anxiety caused by prolonged exposure. Most platforms are responsive to these informal requests. Factors that may prevent material being removed include accounts being hidden behind privacy walls, removal by the end user or platform without our intervention, or the target failing to provide additional information.

During the reporting period, we:

- received 2,693 child cyberbullying complaints
- made 821 informal removal requests and were successful in having 82% of child cyberbullying content removed.

Figure 2.11: Five-year trend to 2023–24 in reports to the Image-Based Abuse Scheme, Adult Cyber Abuse Scheme and the Cyberbullying Scheme for Australian children



Sample of feedback received by eSafety cyberbullying investigators in 2023–24

Due to the sensitive and highly personal impact of our work on individuals, the collection of feedback to measure effectiveness can be difficult. Below is a sample of unsolicited feedback received by our cyberbullying investigators in the last financial year, anonymised for privacy reasons:

Where we helped a school representative remove accounts impersonating a child and leading to conflict between peers:

> *Thank you so much for a quick response…I have confirmed with (the children) that the material has been removed and let their parents know. Thank you again.*

Where we provided advice and assistance to a parent whose child was being targeted on Snapchat:

> *Thank you so much for responding. I feel like you are the only one who is helping me with this…I am trying to do things the right way…thank you for listening to me.*

From a parent whose child was experiencing bullying and humiliation due to a TikTok video:

> *Thank you very much for your swift response and for getting the video removed.*

Where we helped a school representative remove a Snapchat account impersonating a student:

> *Thanks for sharing the information about the material being no longer available online, that is positive news.*

From parents whose child was being seriously cyberbullied on TikTok:

> *I cannot thank you and your team enough for taking on board the complaint and actioning on it with TikTok.*

Where we provided resources to assist a parent mitigate future online situations with their child:

> *I really appreciate you sharing these resources.*

Key activity 3: eSafety promotes proactive and systemic change, working with online industries, users, educators, governments and their agencies to reduce the threat surface for online harms, lift overall standards of online safety across industry and deliver a more positive online experience.

The Online Safety Act introduced 2 crucial elements to improve tech safety standards, mitigate harms, target failed systems and processes, and hold online service providers more accountable.

The Basic Online Safety Expectations focus on making sure providers of social media services, messaging services, gaming services, file-sharing services, and other apps and certain other sites accessible from Australia, take reasonable steps to keep Australians safe online.

The industry codes and upcoming industry standards contain measures to address 'class 1A' and 'class 1B' online material. These classes cover the most seriously harmful online content, such as child sexual exploitation material and pro-terror material.

Performance area 3.1: Industry codes are registered, or industry standards are determined.

The Online Safety Act provides for industry groups to develop codes for 8 sections of the online industry to regulate certain types of harmful online material, and for eSafety to register the codes. If we do not register an industry code, we are able to determine an industry standard.

The 8 sections of the online industry include providers of social media, messaging, app distribution, search engine and online storage services, as well as internet and hosting service providers and the manufacturers and suppliers of equipment used to access online services.

Performance measure		Result
3.1.1	All 8 industry sections have industry codes registered, or industry standards determined, for Class 1 material.	✓

Corporate plan and PBS links

Corporate Plan 2023–24, p. 27

Outcome 1, Program 1.3: eSafety Commissioner

- Support positive online experiences through national leadership and administration of statutory schemes and educational and awareness activities that promote online safety for all Australians.
- Industry codes

Regulator performance principles

- Continuous improvement and building trust
- Collaboration and engagement

Performance measure 3.1.1: All 8 industry sections have industry codes registered, or industry standards determined, for Class 1 material.

All 8 industry sections have industry codes registered, or industry standards determined, for Class 1 material. Six industry codes have been registered and are currently in effect, and 2 industry standards have been determined and registered and will take effect in December 2024.

The Online Safety Act provides for industry bodies to develop codes to regulate 'class 1' and 'class 2' illegal and restricted online material, and for eSafety to register these codes if they meet the statutory requirements. If a code does not meet the requirements, then eSafety can develop an industry standard for that section of the online industry instead.

The industry codes and standards covering class 1 material are designed to minimise and prevent harms associated with access and exposure to the most harmful forms of online material, such as videos showing the sexual abuse of children and pro-terror material.

In December 2023, 5 industry codes came into operation. They apply to social media services, app distribution services, hosting services, internet carriage services, and equipment providers. A code covering search engine services came into effect in March 2024. Under these codes, Australian residents can make a complaint to eSafety about any potential non-compliance with the industry codes.

The eSafety Commissioner moved to the development of industry standards after industry-drafted codes were refused registration for failing to provide appropriate community safeguards for 2 of the industry sections:

- Relevant Electronic Services, including services which enable end-users to communicate with one another such as email, instant messaging and chat services, certain gaming services, and dating services.
- Designated Internet Services, including apps, websites, file and photo storage services, and some services which deploy or distribute generative AI models.

We have taken a clear, balanced and transparent approach in determining the standards. In November 2023, we invited submissions from industry, other stakeholders and the public on draft standards. All submissions have been published on our website and were carefully considered in finalising the standards. We have also published fact sheets to outline the key amendments made in response to stakeholders' views that will provide greater certainty to both industry participants and end-users.

Industry standards for these sections were registered on 21 June 2024 and will come into force 6 months after registration once a 15-day parliamentary disallowance period has expired.

Performance area 3.2: The Basic Online Safety Expectations increase the transparency and accountability of online service providers and incentivise improvements in online safety.

The Basic Online Safety Expectations (the Expectations) are a key element of the Online Safety Act. They outline the Australian Government's expectations that social media, messaging and gaming service providers and other apps and websites will take reasonable steps to keep Australians safe.

Under the Online Safety Act, we can require online service providers to report on how they are meeting any or all of the Expectations. The obligation to respond to a reporting requirement is enforceable and backed by civil penalties and other mechanisms. We can also publish statements about the extent to which services are meeting the Expectations. The requirements are designed to improve providers' safety standards and improve transparency and accountability.

Performance measure		Result
3.2.1	At least 10 non-periodic reporting notices have been issued.	
3.2.2	One set of 5 periodic reporting notices has been issued across a 24-month period.	Ongoing

Corporate plan and PBS links

Corporate Plan 2023–24, p. 28

Outcome 1, Program 1.3: eSafety Commissioner

- Support positive online experiences through national leadership and administration of statutory schemes and educational and awareness activities that promote online safety for all Australians.
- Basic Online Safety Expectations

Regulator performance principles

- Continuous improvement and building trust
- Risk-based and data-driven
- Collaboration and engagement

Performance measure 3.2.1: At least 10 non-periodic reporting notices have been issued.

We only partially met this performance measure by delivering 6 out of 10 non-periodic reporting notices. Our performance was impacted by ongoing work resulting from notices issued in the 2022–23 financial year.

The Online Safety Act allows for eSafety to give non-periodic reporting notices, which require online service providers to report on the steps they are taking to comply with the Basic Online Safety Expectations (the Expectations). These notices aim to improve transparency and accountability and incentivise improvements in safety. We can seek civil penalties for non-compliance with the reporting notices.

In line with the regulatory guidance on the Expectations, we gave 6 non-periodic reporting notices focused on terrorism and violent extremism in March 2024. The notices were given to Google, Meta, WhatsApp, X Corp., Reddit, and Telegram and focused on the steps to minimise the risk of terrorism and violent extremism on their services.

These notices and their questions were based on evidence gathering and engagement with government, law enforcement, academia, expert non-governmental organisations, as well as our longstanding engagement with industry. They were also based on data from our reporting schemes and internal insights. The focus on terrorism and violent extremism recognised the significant harm associated with this type of online content and activity, as well as low industry uptake of initiatives designed to improve transparency on a voluntary basis, such as the OECD's Voluntary Transparency Reporting Framework.

The notices asked questions about the tools, processes and resources in place to ensure safety as well as about specific high-risk features, such as the safety of recommender systems and generative artificial intelligence (AI), which are of widespread concern across government, academia and civil society. The notices were informed by our *Tech Trends* position statements on these issues.

At the end of the reporting period, we were continuing to engage the relevant providers regarding their notices, in advance of publishing appropriate information to improve transparency and accountability in the next reporting period.

Ongoing work resulting from notices issued in the 2022–23 financial year included instances of non-compliance and ensuing enforcement action and other legal processes:

- eSafety found that X Corp. did not comply with a notice focused on child sexual exploitation and abuse, issued in February 2023. In some instances, X Corp. left the answers to that notice blank or gave a response that was incomplete and/or inaccurate. In October 2024, eSafety gave X Corp. an infringement notice for $610,500 and a service provider notification for its failure to comply with the notice. X Corp. did not pay, and instead sought judicial review of the notice and the infringement notice. In December 2023, eSafety filed for a civil penalty against X Corp. These proceedings are ongoing.
- eSafety gave Google a formal warning in October 2023 for its failure to comply with a notice focused on child sexual exploitation and abuse, given in February 2023. eSafety found that Google failed to adequately answer questions in response to the notice.
- eSafety published a transparency report in January 2024 detailing the findings from a non-periodic reporting notice given to X Corp. in June 2023 focused on online hate. X Corp. was given a service provider notification for failing to comply with the notice by the required deadline.
- X Corp. also sought review by the Administrative Appeals Tribunal of a notice given in March 2024 focused on terrorism and violent extremism. This process is ongoing.

These enforcement actions and other legal processes impacted our ability to issue 10 notices in the reporting period. Our enforcement action aims to deter future non-compliance from notice recipients, as well as provide general deterrence to wider industry.

We have continued to see the positive impact of transparency notices throughout the financial year, with previous notice recipients making specific changes to improve the safety of their services in response to our regulatory engagement.

Performance measure 3.2.2: One set of 5 periodic reporting notices has been issued across a 24-month period.

This performance measure covers the reporting periods 2023–24 and 2024–25. The target was set as one set of 5 periodic notices issued across the 24-month period from 1 July 2023 to 30 June 2025, and as such the result has been designated as 'ongoing'. No periodic notices were issued up to 30 June 2024, however, 8 periodic notices were issued in July 2024.

The Online Safety Act allows for periodic notices, which require online service providers to report on the steps they are taking to comply with the Basic Online Safety Expectations (the Expectations) on a regular interval of between 6 to 24 months. These notices aim to improve transparency and accountability and incentivise improvements in safety by tracking implementation of the Expectations over time. The eSafety Commissioner can seek civil penalties for non-compliance with the reporting notices.

We undertook considerable preparatory work during the reporting period for the first periodic notices, including evidence gathering and engagement with government, law enforcement, academia, expert non-governmental organisations, as well as our longstanding engagement with industry. We also considered data from our reporting schemes and internal insights, as well as the findings from previous non-periodic notices issued during the previous 24 months.

The first 8 periodic notices were given in July 2024 to Microsoft, Skype, Meta, WhatsApp, Apple, Google, Discord and Snap, focused on child sexual exploitation, grooming and sexual extortion. The notices require providers to report on a 6-monthly basis for 2 years on the steps taken to prevent and address these harms, as well as high risk issues such as generative AI. eSafety will publish regular transparency reports to summarise the findings and incentivise improvements ahead of the next report.

Management and accountability

This section details governance, staffing arrangements and financial and property management. Areas covered by the ACMA have been listed with the corresponding reference to Part 1: *Australian Communications and Media Authority annual report 2023–24*.

Section 184 of the Online Safety Act requires the ACMA to assist the eSafety Commissioner to perform functions and exercise powers to such extent as the eSafety Commissioner reasonably requires, making available resources, facilities and staff of the ACMA. eSafety uses ACMA-established structures for some human resource, information technology and financial operation functions. We purchase these functions under an agreed cost structure. However, we supplement some structures with bespoke resources to meet our unique operational needs.

As a result of this legislative arrangement, administrative and financial controls are consistently applied across the ACMA and eSafety. For the purposes of the preparation of financial statements, the ACMA and eSafety report as a single financial entity.

Financial performance and management

Funds for eSafety form part of the ACMA appropriation. Specified departmental and administered funds are credited to the Online Safety Special Account.

The Special Account is administered by the ACMA. However, any amount debited from the account requires written approval of the Commissioner.

See Appendix 1.12 in Part 1: *Australian Communications and Media Authority annual report 2023–24* for eSafety's financial reporting information.

Grants programs

Information on grants awarded by eSafety under the Preventing Tech-based Abuse of Women Grants Program during 2023–24 is available at grants.gov.au and in Appendix 2.2 of this report. Funding under this program has supported non-government organisations to address or prevent tech-based abuse against women and their children as part of the Australian Government's commitment to the aims and objectives of the National Plan to End Violence against Women and Children 2022–32.

Governance

The eSafety Commissioner is an independent statutory office holder. Since the Online Safety Act came into effect, the eSafety Commissioner has been an official of the ACMA under finance law (within the meaning of the *Public Governance, Performance and Accountability Act 2013* (the PGPA Act)). The ACMA Chair is the accountable authority under the PGPA Act.

The Regulatory Advisory Committee (previously the Regulatory Action Committee) (RAC) supports the eSafety Commissioner in responding to emerging significant or potentially significant online harm and novel circumstances within the scope of our regulatory schemes. The RAC considers the nature and impact of online harms, determines regulatory responses, assesses their effectiveness, reviews our regulatory guidance and priorities, and sets guidelines for the future management of novel cases.

As at 30 June 2024, membership of the RAC comprised the eSafety Commissioner, General Managers, Head of Legal Services, and the Executive Managers of the Investigations Branch, the Strategy, Engagement and Research Branch, and the Industry, Compliance and Enforcement Branch.

The Senior Executive Group (SEG) comprises the eSafety Commissioner, General Managers, Executive Managers and Branch Heads. The SEG advises the eSafety Commissioner in the leadership and management of eSafety. It meets regularly to support the Commissioner in ensuring our legislative obligations are met. The SEG provides the eSafety Commissioner with information and support in setting our strategic direction and responding to emerging opportunities and threats. It also holds accountability for the operation of eSafety and monitors and addresses any areas of risk or concern.

Corporate planning

Our 2023–24 corporate plan outlined the strategic approach to achieving our purpose by setting out our medium- to long-term priorities over 4 years. The plan is available at esafety.gov.au/about-us/who-we-are/corporate-plans.

During 2023–24, we reviewed our progress in achieving our performance measures and targets outlined in the PBS and corporate plan. Our Annual Performance Statement reports on our success in achieving our purpose, outcomes and the alignment of our activities with regulator performance principles.

Risk management and fraud control

eSafety is subject to and works within the ACMA's risk and fraud management frameworks. We utilise the ACMA Risk Management Policy and Guide (the ACMA Policy) as our primary risk guidance. The ACMA Policy meets the requirements of the Commonwealth Risk Management Policy and is regularly updated with input from eSafety. We also maintain a complementary Risk Management Guide specific to the functions of eSafety.

We follow the ACMA Fraud control plan and have zero tolerance for fraud and corruption. The ACMA Fraud control plan meets the requirements of the Commonwealth Fraud Control Framework and is regularly reviewed. Fraud and corruption are serious matters for all Commonwealth entities and the wider community. They have the propensity to undermine the public's confidence in the Australian Government. Fraud is a criminal offence and can compromise our ability to deliver regulatory outcomes and could reduce funds available for delivering public goods and services. When undertaking activities on behalf of eSafety, we must comply with the PGPA Act and Rule, the *Public Service Act 1999* and the *Australian Public Services (APS) Values and Code of Conduct*. These core obligations require us to act in good faith and for proper purposes and not misuse our position or information.

Audit

The ACMA's internal auditors and Audit and Risk Committee (ARC) review our governance, assurance and risk management systems, and performance frameworks. Details of the ARC are included on page 78 and Appendix 1.1 of Part 1 of this report.

We are not required to have a separate audit and risk committee. However, the eSafety Risk and Compliance Committee (RCC) meets regularly to support the system of internal controls and due diligence within eSafety. The RCC monitors our progress against internal audit recommendations and reports to the ARC every quarter on our governance, assurance and risk management systems and activities. As at 30 June 2024, membership of the RCC comprised the General Managers, Executive Managers and Branch Heads.

External scrutiny

During 2023–24, there were:

- no decisions of administrative tribunals or decisions of the Australian Information Commissioner that had or may have a significant impact on the operations of eSafety
- no reports on the operations of eSafety by a parliamentary committee or the Commonwealth Ombudsman
- no capability reviews of eSafety released.

Judicial decisions

There was one judicial decision, which has had, or may have, a significant impact on the operation of the eSafety Commissioner and is summarised below.

eSafety Commissioner v X Corp [2024] FCA 499

On 22 April 2024, eSafety commenced proceedings against X Corp. in the Federal Court of Australia alleging that X Corp. did not fully comply with the removal notice given to it on 16 April 2024. The removal notice required X Corp. to take all reasonable steps to remove the video showing the real-life graphic and violent stabbing of Bishop Mar Mari Emmanuel that occurred at Wakeley Church, Sydney on 15 April 2024 from 65 URLs on the X platform. eSafety was satisfied that the video was class 1 material under the *Online Safety Act 2021* (the Act). X Corp. responded to the removal notice by informing eSafety that it had withheld the material identified in the removal notice. However, the material could still be accessed in Australia by end-users using a Virtual Private Network (VPN). On that basis, eSafety sought an injunction requiring X Corp. to take further steps to remove the material from X altogether or otherwise make it inaccessible to all users.

The same day, his Honour Justice Kennett granted eSafety's application for an interim injunction, requiring X Corp. to hide the material behind a notice that could not be removed until the next hearing. The effect of that notice was to make the material at the 65 URLs inaccessible to all users of X.

On 13 May 2024, his Honour Justice Kennett refused eSafety's application for a further extension of the interim injunction. In refusing the extension, his Honour held that "[w]hat X Corp. is to be permitted to show to users in a particular country is something that the 'comity of nations' would ordinarily regard as the province of that country's government" and that while section 23(2) of the Act extends the application of the Act to "acts, omissions, matters and things outside Australia", it does not control the meaning of "all reasonable steps".

On 5 June 2024, eSafety discontinued the proceedings in the Federal Court.

Australian National Audit Office

Details of relevant Australian National Audit Office (ANAO) performance audits are included on page 58 of Part 1 of this report.

Legal

Freedom of information

Under Part II of the *Freedom of Information Act 1982* (the FOI Act), agencies and departments subject to the FOI Act are required to publish information as part of the Information Publication Scheme (IPS). The eSafety Commissioner is an agency for the purpose of the FOI Act.

Information on eSafety's IPS, including the agency plan, can be found at esafety.gov.au/about-us/corporate-documents/freedom-of-information.

Our people

All eSafety employees, except for the Commissioner and directly recruited contract staff, are ACMA staff. They are provided to fulfil eSafety's functions under section 184 of the Online Safety Act. These staff are employed by the ACMA under the *Public Service Act 1999* and under the terms of the *ACMA Enterprise Agreement 2024–2027.* Further information is included on page 76 of Part 1 of this report and Appendix 1.2.

As of 30 June 2024, eSafety had 170 APS staff.

Appendices

Appendix 2.1: Mandatory reporting under the *Online Safety Act 2021*

The Online Safety Act sets out mandatory annual reporting requirements for the 4 reporting schemes, the Basic Online Safety Expectations, and the industry codes. Tables 2.1 to 2.5 fulfil eSafety's reporting requirements under section 183(2) of the Online Safety Act.

Table 2.1: Mandatory reporting under section 183(2)(aa)–(zl) of the Online Safety Act, 2023–24

Section	Description	Number
183(2)(aa)	Objection notices given to the Commissioner by a person depicted in an intimate image (s. 33)	271
183(2)(a)	Periodic reporting notices given by the Commissioner about compliance with basic online safety expectations (s. 49)	0
183(2)(b)	Non-periodic reporting notices given by the Commissioner about compliance with basic online safety expectations (s. 56)	6
183(2)(c)	Removal notices given by the Commissioner to the provider of a social media service, relevant electronic service or designated internet service requiring the removal of cyberbullying material targeted at an Australian child from the service (s. 65)	0
183(2)(d)	Removal notices given by the Commissioner to a hosting service provider requiring the removal of cyberbullying material targeted at an Australian child from the service (s. 66)	0
183(2)(e)	End-user notices given by the Commissioner for cyberbullying material targeted at an Australian child (s. 70)	0
183(2)(f)	Removal notices given by the Commissioner to the provider of a social media service, relevant electronic service or designated internet service requiring the removal of an intimate image from the service (s. 77)	0
183(2)(g)	Removal notices given by the Commissioner to an end-user requiring the removal of an intimate image from a service (s. 78)	1
183(2)(h)	Removal notices given by the Commissioner to a hosting service provider requiring the removal of an intimate image from the service (s. 79)	3
183(2)(i)	Directions given by the Commissioner for contravention of s. 75 Posting an intimate image (s. 83)	3
183(2)(j)	Removal notices given by the Commissioner to the provider of a social media service, relevant electronic service or designated internet service requiring the removal of cyber abuse material targeted at an Australian adult from the service (s. 88)	2
183(2)(k)	Removal notices given by the Commissioner to an end-user requiring the removal of cyber abuse material targeted at an Australian adult from a service (s. 89)	0
183(2)(l)	Removal notices given by the Commissioner to a hosting service provider requiring the removal of cyber abuse material targeted at an Australian adult from the service (s. 90)	1
183(2)(la)	Blocking requests made by the Commissioner to an internet carriage service provider for material promoting, inciting, instructing or depicting abhorrent violent conduct (s. 95)	0

Section	Description	Number
183(2)(m)	Blocking notices given by the Commissioner to an internet carriage service provider for material promoting, inciting, instructing or depicting abhorrent violent conduct (s. 99)	0
183(2)(n)	Removal notices given by the Commissioner to the provider of a social media service, relevant electronic service or designated internet service requiring the removal of class 1 material from the service (s. 109)	5
183(2)(o)	Removal notices given by the Commissioner to a hosting service provider requiring the removal of class 1 material from the service (s. 110)	25
183(2)(p)	Removal notices given by the Commissioner to the provider of a social media service, relevant electronic service or designated internet service requiring the removal of class 2 material from the service (s. 114)	0
183(2)(q)	Removal notices given by the Commissioner to a hosting service provider requiring the removal of class 2 material from the service (s. 115)	0
183(2)(r)	Remedial notices given by the Commissioner to the provider of a social media service, relevant electronic service or designated internet service requiring action to remove or restrict access to class 2 material on the service (s. 119)	0
183(2)(s)	Remedial notices given by the Commissioner to a hosting service provider requiring action to remove or restrict access to class 2 material on the service (s. 120)	0
183(2)(t)	Link deletion notices given by the Commissioner to an internet search engine service provider providing access to class 1 material through a link provided by the service (s. 124)	9
183(2)(u)	App removal notices given by the Commissioner to an app distribution service provider providing access to an app that facilitates the posting of class 1 material (s. 128)	0
183(2)(v)	Notices given by the Commissioner to a person in contravention of an industry code (s. 143)	0
183(2)(w)	Directions given by the Commissioner to a person in contravention of a service provider rule (s. 154)	0
183(2)(x)	Federal Court applications made by the Commissioner for an order for a person to cease providing a social media service (s. 156)	0
183(2)(y)	Federal Court applications made by the Commissioner for an order for a person to cease providing a relevant electronic service (s. 157)	0
183(2)(z)	Federal Court applications made by the Commissioner for an order for a person to cease providing a designated internet service (s. 158)	0
183(2)(za)	Federal Court applications made by the Commissioner for an order for a person to cease supplying an internet carriage service (s. 159)	0
183(2)(zb)	Notices given by the Commissioner requiring a person to provide end-user identity information or contact details (s. 194)	17
183(2)(zc)	Notices given by the Commissioner requiring a person to appear for examination for the purposes of an investigation (s. 199)	6

Section	Description	Number
183(2)(zd)	Notices given by the Commissioner requiring a person to produce documents for inspection (s. 203)	2
183(2)(ze)	Decisions reviewed by the Commissioner under the internal review scheme	2
183(2)(zf)	Applications received by the Commissioner under the internal review scheme	5
183(2)(zg)	Informal notices given, and informal requests made, by the Commissioner to a person in relation to cyberbullying material targeted at an Australian child	820
183(2)(zh)	Informal notices given, and informal requests made, by the Commissioner to a person in relation to non-consensual sharing of intimate images	345
183(2)(zi)	Informal notices given, and informal requests made, by the Commissioner to a person in relation to cyber abuse material targeted at an Australian adult	382
183(2)(zj)	Informal notices given, and informal requests made, by the Commissioner to a person in relation to material that depicts abhorrent violent conduct during that year	278
183(2)(zk)	Informal notices given, and informal requests made, by the Commissioner to a person in relation to class 1 material	1,449
183(2)(zl)	Informal notices given, and informal requests made, by the Commissioner to a person in relation to class 2 material	2

Table 2.2: Mandatory reporting under section 183(2)(zm) of the Online Safety Act, 2023–24: Number and percentage* of complaints made to the Commissioner for cyberbullying material targeted at an Australian child by ground or category of harm

Category	Number	Percentage
Nasty comments/serious name calling	1,148	34%
Offensive/upsetting pictures and/or videos	590	17%
No evidence provided	350	10%
Fake account and impersonations	346	10%
Threats of violence	239	7%
Unwanted contact	217	6%
Inciting self-harm/suicide	100	3%
Doxing	94	3%
Defamation	88	3%
Fight video	71	2%
Hate pages	69	2%
Meme page	41	1%
Hacking social media accounts	35	1%
Scams	13	<1%
Sexual assault allegation	13	<1%
Sexting/revenge porn	8	<1%

** The percentage total may not equal 100%. Some complaints relate to multiple grounds or categories of harms.*

Table 2.3: Mandatory reporting under section 183(2)(zn) of the Online Safety Act, 2023–24: Number and percentage* of complaints made to the Commissioner for non-consensual sharing of intimate images by ground or category of harm

Category	Number	Percentage
Sexual extortion	4,144	58%
Child sexual exploitation	687	10%
Other	519	7%
Peer group sharing (under 18s)	509	7%
Posted online	466	7%
Threatened sharing	271	4%
Other (under 18s)	142	2%
Shared via private means	135	2%
Coercive control	80	1%
Impersonation account	75	1%
Digitally altered intimate images	45	<1%
Posted online – religious/cultural	21	<1%
Recorded without consent	16	<1%
Intimate content, appearing to depict	15	<1%

** Some complaints relate to multiple grounds or categories of harms, the percentage total may not equal 100%.*

Table 2.4: Mandatory reporting under section 183(2)(zo) of the Online Safety Act, 2023–24: Number and percentage* of complaints made to the Commissioner for cyber abuse material targeted at an Australian adult by ground or category of harm

Category	Number	Percentage
No material to assess	853	20%
Defamation/reputational harm	838	19%
No abusive or offensive material	667	15%
Nasty comments/name calling	502	11%
Harassment	267	6%
Fake/impersonation account	173	4%
Threats	135	3%
Doxing	130	3%
Unwanted contact	130	3%
Offensive/upsetting pictures or videos	90	2%
Hacking	87	2%
Intimidation	76	2%
Privacy breach	75	2%
Violent language	59	1%
Scams	54	1%
Digital surveillance	38	1%
Hate speech	35	1%
Recidivist offending	31	1%
Domestic violence	29	1%
Sextortion	29	1%
Inciting violence or harm	18	<1%
Inciting self-harm or suicide	14	<1%
Blackmail	7	<1%
Stalking	7	<1%
Overseas	5	<1%
Impersonation	3	<1%
Coercive control	3	<1%

** The percentage total may not equal 100%. Some complaints relate to multiple grounds or categories of harms.*

Table 2.5: Mandatory reporting under section 183(2)(zp) of the Online Safety Act, 2023–24: Number and percentage of complaints made to the Commissioner under the Online Content Scheme by ground or category of harm

Reason	Number	Percentage of total
Child sexual abuse/child abuse/paedophile activity	27,835	82%
Sexually explicit	2,438	7%
Extreme, offensive or adult content	1,741	5%
Promotion, incitement or instruction in crime	654	2%
Advocates a terrorist act	472	1%
Violence	456	1%
Violent extremist material	312	1%
Racism/discrimination	1	<1%
Other	1	<1%

** The percentage total may not equal 100%. Some complaints relate to multiple grounds or categories of harms.*

The complaints listed in Table 2.5 are complaints about individual items of class 1 or class 2 material under the Online Content Scheme. In addition, we received 41 complaints through the reporting form for breaches of industry codes under the Online Content Scheme.

Appendix 2.2: Online Safety Grants Program

Applications for the first round of the Preventing Tech-based Abuse of Women Grants Program opened on 18 April 2023 and closed on 29 May 2023. A total of $3 million was awarded to successful recipients, supporting the delivery of 7 projects. Grant award details were published to GrantConnect from November 2023 to January 2024 and are summarised below.

Grant recipient	Grant amount (excl. GST)	Purpose
University of Melbourne	$243,017	This project aims to develop anti-online harassment software, co-designed with girls and young women. Through participatory action research, natural language processing, generative artificial intelligence (AI), and machine learning, 'AI Ally' will act as an 'upstander' against online abuse in real time by detecting abuse, offering support to victims, challenging abusers, and linking users to human moderators.
Centre for Cyber Resilience and Trust (Deakin University)	$340 562	This project aims to reduce tech-based abuse through specialised online advertising and search engine optimisation techniques. The campaign will involve delivering creative prevention and deterrence messaging directly to perpetrators of technology-based abuse, and the development of an accompanying website.
Monash University	$444,951	This project aims to develop, pilot, and evaluate evidence-informed resources for the perpetrator intervention sector in metro and regional locations, which can be rolled out across Australia. The project will target men who have perpetrated tech-based abuse against women and children in the context of family violence.
Settlement Services International	$488,471	This project aims to enhance the understanding of tech safety and tech-based abuse in relation to family and domestic violence. It will focus on improving digital literacy and increasing conversations about tech-based abuse among culturally and linguistically diverse women and children, particularly newer arrivals and refugees.
Global Institute for Women's Leadership (Australian National University)	$494,610	This project aims to develop an evidence-based, intersectional, systems-based approach to effective primary prevention of tech-based abuse of women. It will develop, implement and evaluate interventions, which will be co-designed based on evidence and community input. These interventions will address tech-based abuse associated with romantic relationships (including online dating) and tech-based abuse in the workplace

Grant recipient	Grant amount (excl. GST)	Purpose
Gippsland Women's Health	$493,486	This project aims to engage rural women in a co-design prevention of violence program. It will be facilitated through consultation, workshops and subject matter experts to develop sustainable training modules and digital self-defence resources. The project will deliver digital resources and a prevention-based communication strategy to address the drivers of tech-based abuse and improve women's safety.
Collingwood Football Club Foundation	$495,355	This project aims to raise awareness of the issue of tech-based abuse of women, and promote positive and respectful behaviour in men and boys through a series of campaigns and initiatives throughout the 2024 AFL season. It will focus on promoting an understanding that abuse of women is not just physical but also psychological and emotional, including tech-based coercive and threatening behaviour.

Glossary and index

Glossary

5G	**fifth-generation mobile telecommunications** The proposed next iteration of broadband mobile telecommunications services that is expected to provide increased data rates and reduced latency to support greater connectivity and enable machine-to-machine services and the internet of things.
ACCC	**Australian Competition and Consumer Commission** Commonwealth regulatory body with responsibilities derived from the *Trade Practices Act 1974*.
ACLC	**Annual Carrier Licence Charge** An annual charge the *Telecommunications (Carrier Licence Charges) Act 1997* imposed on each eligible carrier licence that is in force at the beginning of a financial year.
ACMA	**Australian Communications and Media Authority** Commonwealth regulatory authority for broadcasting, online content, radiocommunications and telecommunications, with responsibilities under the *Broadcasting Services Act 1992*, the *Radiocommunications Act 1992*, the *Telecommunications Act 1997* and related Acts.
ANC	**Annual Numbering Charge** A charge that applies to all eligible numbers held by a service provider determined by the ACMA.
APS	**Annual Performance Statement** Statements prepared by the accountable authority of a Commonwealth entity in accordance with section 39 of the *Public Governance, Performance and Accountability Act 2013* and section 16F of the PGPA Rule that acquits actual performance against planned performance described in the entity's corporate plan. The statements may be audited by the Auditor-General and must be provided to the entity's minister and the finance minister.
ASL	**average staffing level** The average number of employees receiving salary or wages over the financial year, with adjustments for casual and part-time employees to show the full-time equivalent.
bandwidth	In the internet industry, bandwidth refers to the capacity of a connection to carry information; in radiocommunications, it is the amount of radiofrequency spectrum used for a particular function.
broadband	Describes a class of internet access technologies, such as ADSL, HFC cable and wi-fi, offering a data rate significantly higher than narrowband services. These services are usually 'always on' and do not tie up a telephone line exclusively for data.
CA	**Communications Alliance** Australia's peak communications industry organisation that promotes the growth of the Australian communications industry and the protection of consumer interests.
carrier	The holder of a telecommunications carrier licence in force under the *Telecommunications Act 1997*.

CCF	**Consumer Consultative Forum** Provides advice to the ACMA on telecommunications issues that affect consumers.
CSC	**Customer Service Centre** The ACMA's single point of contact for customer enquiries.
CSP	**carriage service provider** Person supplying or proposing to supply services to the public using carrier networks.
datacasting	A service that delivers content in the form of text, data, speech, music or other sounds, visual images or any other form or combinations of forms, where delivery uses the broadcasting services bands.
Department of Infrastructure, Transport Regional Development, Communications and the Arts	Federal government portfolio formed in May 2022. Previously Department of Infrastructure, Transport, Regional Development and Communications.
DNCR	**Do Not Call Register** An Australian Government program administered by the ACMA to allow Australian numbers to be registered to opt out of receiving most unsolicited marketing calls or faxes (with limited exemptions for public interest organisations).
ECP	**Emergency Call Person** The Telecommunications (Emergency Call Persons) Determination 1999 specifies the operators of the emergency call services. Telstra is the ECP for 000 and 112.
eSafety	**eSafety Commissioner** Australia's independent regulator for online safety with responsibilities under the *Online Safety Act 2021*. Formerly the Office of the Children's eSafety Commissioner.
GHz	**gigahertz** One billion hertz (where one hertz is the measurement of frequency equal to one cycle of electromagnetic radiation per second).
INHOPE	**International Association of Internet Hotlines** A network whose member hotlines work together with the goal of identifying and removing online child sexual abuse content worldwide.
IPND	**Integrated Public Number Database** Database of information about customers of telecommunications services in Australia, arranged by number, for all carriers and carriage service providers.
ITU	**International Telecommunication Union** United Nations agency that coordinates international telecommunications matters.
ITU-R	**ITU – Radiocommunication Sector** ITU body dealing with international radiocommunications matters.

MHz	**megahertz** One million hertz (see also *GHz*).
The department	*see* Department of Infrastructure, Transport Regional Development, Communications and the Arts
the minister	Minister responsible for the ACMA and its governing legislation.
MoU	**memorandum of understanding** A formal agreement between 2 or more parties.
NAC	**Numbering Advisory Committee** ACMA committee established to advise on numbering matters.
NBN	**national broadband network** Australia's national wholesale-only, open-access data network.
NCF	**National Consultative Forum**
National Relay Service	Translation service between voice and non-voice telephone users providing access to the standard telephone service for people with communication impairment. Relays voice, modem or telephone typewriter communications.
Online Safety Consultative Working Group	Advice forum attended by key representatives from industry, government and non-government organisations, providing opportunity for the eSafety Commissioner to consult on issues that contribute to improving the safety of Australian children online.
PBS	**Portfolio Budget Statements** Informs senators and members of parliament of the proposed allocation of resources to government outcomes by agencies within the relevant portfolio.
RPF	**Regulator Performance Framework** Developed to measure the efficiency and effectiveness with which regulators undertake their roles; in particular, their impact on regulated entities.
SES	**Senior Executive Service**
SMS	**short message service** Mobile telecommunications data transmission service that allows users to send short text messages to each other using the mobile handset keypad.
spam	Unsolicited commercial electronic messages sent to email, mobile phone and instant messaging accounts.
spectrum	The span of electromagnetic frequencies used in communications systems.
TIO	**Telecommunications Industry Ombudsman** Industry-funded independent dispute resolution service for consumers who are unable to resolve individual complaints with their carriers and carriage service providers.
trigger event	Relates to commercial regional radio licences and includes a transfer of a licence; or formation of a new registrable media group which includes a regional commercial radio broadcasting licence; or change of controller of a registrable media group that includes a regional commercial radio broadcasting licence.

USO	**universal service obligation** Obligation under the *Telecommunications Act 1997* to ensure that standard telephone, payphone and prescribed carriage services are reasonably accessible to all people in Australia on an equitable basis, wherever they reside or carry on business.
WRC	**World Radiocommunication Conference** ITU conference held every 3 or 4 years to review and amend international radio regulations.

Index

3.4-4.0 GHz band 10, 105–6
3.4 GHz band 10, 35, 65, 105
3.7 GHz band 10, 35, 65, 105
3.75–3.95 GHz band 105
3.8–3.95 GHz band 105
3.8 GHz band 105
5G-enabled base stations 34
6 GHz band 31
3400–3475 MHz band 105
3950–4000 MHz band 105

A

abhorrent violent material 173
Accidental, unsolicited and in your face. Young people's encounters with online pornography 197
accountable authority 17
Accountable Authority Instructions (AAIs) 74
ACMA Enterprise Agreement 2020–23 178
ACMA Enterprise Agreement 2024–2027 73, 74, 91, 221
ACMA Fraud control plan 220
ACMA Risk Management Policy and Guide 187, 220
Action against Gender-Based Violence 196
administered gains 65
administered revenue 60–1, 65
Administrative Appeals Tribunal 216
Adult Cyber Abuse Scheme 170, 174, 183, 201
  complaints data 170, 202, 204–6, 209, 210, 211, 227
  infringement notices and directions 210
  removal actions 170, 174, 210
advertising 193
  expenditure 100
  gambling 12, 45, 46
advisory bodies, membership 79
Age Verification Road Map 197
agency resource statement 108
amateur radio class licence framework 10
annual carrier licence charges 60, 64–5
annual compliance priorities 28
annual numbering charges 60, 63, 64
annual performance statement 21, 181, 220
annual reports, requirements for 110–18
anti-fraud enforceable undertakings 12
anti-spam enforcement 8, 10
app distribution services 214
apparatus licences 30, 32–3, 105
  taxes 60, 63–4
Apple 217
area-wide apparatus licence (AWL) 10
Asia-Pacific Telecommunity Wireless Group (AWG) 29, 36, 37
asset management 68
Attorney-General's Department 71
audit
  external 57, 58, 120–1
  eSafety 220, 221
Audit and Risk Committee 57, 78–9, 220
Auditor-General 58, 68, 71
Auditors report, Independent 120–1
Aussie Kids Online series 198
AusTender 66, 68
Australian Accounting Standards Board (AASB) 65
Australian Centre to Counter Child Exploitation (ACCCE) 172, 183, 197, 208
Australian Communications and Media Authority
  analysis of performance against Regulator Performance Guide 26–9
  annual performance statement 21
  Authority 15–17, 56, 77
  committees 77–8
  corporate governance 53–9
  corporate planning 56
  corporate support services provided to eSafety 56, 59, 178
  directions 59
  Executive Management Committee 56, 77
  functions and responsibilities 14
  legislative instrument registered 14, 59
  meetings 77
  offices 6, 18
  organisational structure 18
  outcome 107
  outcome and program structure 19
  purpose 2, 19, 22
  report on performance 30–54
  staff 18, 72–5, 81–91
Australian Communications and Media Authority Act 2005 14, 59, 94, 97, 105, 109, 117
Australian Competition and Consumer Commission (ACCC) 26, 28, 56, 65, 188
Australian content 9, 50, 103–4
Australian Cyber Security Centre 28, 57
Australian Federal Police (AFP) 172, 183, 208
Australian Industry Participation Plans 68
Australian Information Commissioner 220
Australian Institute of Criminology (AIC) 198
Australian Men's Shed Association 196
Australian National Audit Office (ANAO) 58, 60, 120–1, 221
Australian Preparatory Group for AWG (PG AWG) 36, 37
Australian Public Service (APS)
  Code of Conduct 74, 220
  Net Zero 2030 23, 69–70
  Values 74, 220
Australian Public Service Commission 58
  Employee Census 74
Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) Standard 28, 34
Australian Radiocommunication Study Groups (ARSGs) 36, 37
Australian Securities and Investments Commission (ASIC) 29

Authority
meetings 77
membership 15–17, 56, 77
awareness raising campaigns 193
Axicom Inbuilding Solutions Pty Ltd 8, 58

B

Basic Online Safety Expectations 171, 183, 187, 213, 215–17
Be Connected program 171, 173, 194, 196
Be Connected website 170, 171, 173, 193–4
Being a young man online: Tensions, complexities and possibilities 198
Being yourself, being safe: LGBTIQ+ teens experiences navigating the benefits and risks of being online 198
BetStop – The National Self-exclusion Register 9, 12, 44, 46
betting exchanges 102
bookmakers 102
Brakey, Anna 17, 77
brand awareness initiative 193
Brealey, Michael 77
broadcasters, free-to-air 50
broadcasting investigations 12, 45
enforceable undertakings 12
remedial directions 12
warnings and advice 12
broadcasting licence taxes 60, 63, 64
broadcasting licences 12
community renewal decisions 48–9
Broadcasting Services Act 1992 14, 48, 49, 102, 104, 118
Broadcasting Services (Australian Content and Children's Television) Standards 2020 103
Burke, Hon Tony 14
Byrne, Brendan 77

C

Cameron, James 11, 15, 77
capability development 72
Capability Development Framework 72
captioning 50
order applications 49–50
carbon emissions 69–70
carriage service providers (CSPs)
annual numbering charges 60, 63, 64
compliance with TCP Code rules 45
disclosures of information 97–8
numbering system 42
Regional Broadband Scheme (RBS) 60, 63
carrier licences
activities 39–40
annual charges 60, 64–5
compliance 45
Caruso, Linda 77
cashflows statement 127–8
Centre for Cyber Resilience and Trust (Deakin University) 229
Chair's foreword 8–11
chaplains 190, 191, 199
Chapman, Creina 15, 77
Charging Framework 64
child sexual abuse, online 197
child sexual exploitation and abuse 216, 217
children
Cyberbullying Scheme 170, 174, 183, 201, 202–4, 209, 211–12, 226
technology-facilitated abuse 200
Children and Young people with Disability Australia 198
children's television, content regulation 103
Children's Television Standards 2020 103
civil penalties proceedings 12
class 1 material 173, 214, 221
classroom resources 192
Code of Conduct for Authority members 56
Code of Practice on Disinformation and Misinformation 9
codes of practice 96
collaborations 28–9, 170, 171, 188
Collingwood Football Club Foundation 230
Comcare 75
Commercial Broadcasting (Tax) (Transmitter Licence Tax Rebate) Rules 2020 64
commercial broadcasting transmitter licence tax 60, 63, 64
Commissioner's foreword 170–2
committees, internal 56, 58, 74, 75, 77–8, 220
Commonwealth contracts exemptions 68
Commonwealth Electoral Act 1918 118
Commonwealth Fraud and Corruption Control Framework 57
Commonwealth Ombudsman 58, 220
Commonwealth Procurement Rules 65
communication services, compliance 47–8
Communications Alliance 96
communications infrastructure (Key activity 1)
assessment of results 30–42
overview of results 25
communications regulation, planning and licensing (Program 1.1) 19
outcome 107
community broadcasting licences, renewal decisions 48–9
community radio, broadcasting licences 48–9
community television, broadcasting licences 48–9
competitive tendering 68
complaints data
Adult Cyber Abuse Scheme 170, 202, 204–6, 210, 211, 227
Cyberbullying Scheme 170, 202–4, 211–12, 226
Image-Based Abuse Scheme 170, 206–7, 209–10, 211, 226
non-consensual sharing of intimate images 226
Online Content Scheme (OCS) 208, 228
compliance activities 33, 34

Compliance and Enforcement Policy 186
compliance investigations 8, 12, 34–5, 45, 47–8
compliance priorities 9, 28
consultants 65–7
consultation and workplace relations 74
consultation processes 29
consultations 12, 31, 183, 196
consultative bodies, membership 79
Consumer Consultative Forum (CCF) 79
consumer safeguards, education and information (Program 1.2) 19
  outcome 107
consumer trust in communications (Key activity 2)
  assessment of results 43–53
  overview of results 25–6
content regulation and consumer information
  Australian content 9, 50, 103–4
  children's television 103
continuous improvement 26–7, 186–7
contract management and procurement 65–7
contractors 67
conversation cards 197
Coroners Court of Victoria 198
corporate governance 53–9
  external scrutiny 120–1
Corporate plan 2023–24 24, 56
corporate planning 56
corporate planning (eSafety) 220
cost recovery charges 60, 64–5
criminal penalty proceeding 12
customer enquiries 12
customer ID authentication 12
customers' personal information 8
cyber abuse 201, 204–6, 209, 210, 227
cyberbullying, Professional Learning Package 199
Cyberbullying Scheme 170, 174, 183, 201
  children 211–12
  complaints data 170, 202–4, 209, 211, 226
  infringement notices and directions 211

D

Data Action Projects 11, 28
data breaches 8
data literacy training programs 28
Data Strategy 187
Data Strategy and Governance Framework 11
Department of Finance 60, 68, 100
Department of Infrastructure, Transport, Regional Development, Communications and the Arts 26, 193
Department of the Treasury 60
departmental activities 61–2
digital business initiatives 11
digital learning needs 196
Digital Platform Regulators Forum 9, 29, 172, 188
digital rights, Professional Learning Package 199
Digital Rights and Responsibilities of Students and Educators PLP 199
Digital Service Standard 196
Digital Strategy 11
Digital Transformation Agency 196
directions given 59
disability reporting 74
Disability Strategy 2021–2031 74
disclosures of information 97–8
Discord 217
Diverse Link Pty Ltd 8
Diversity and Inclusion Strategy 2024–26 11, 72, 73
Do Not Call Register 44
Do Not Call Register Act 2006 14
  investigations 95
domestic and family violence 53
Domestic and Family Violence and Disability frontline worker training 192
domestic services interference investigations 12
DoorDash, Inc 95

E

E-band (71–76/81–86 GHz) satellite services 31
e-marketing 8, 45, 52
e-waste management 71
ecologically sustainable development 69
Education and Training Professional Learning Program 171, 188, 192, 199–200
education resources (eSafety) 184, 195–200
electricity greenhouse gas emissions 70
electromagnetic energy (EME)
  measurement program 34
  regulatory arrangements 42
  warnings and advice 12
electromagnetic energy (EME) Checker 28, 34
email campaigns 193
emergency management persons, disclosures of information 98
Employee Assistance Program 75
energy consumption 69
enforceable undertakings 12
enforcement decisions 8, 52, 54
Enterprise Project Governance (EPG) 56
entry-level programs 72
Environment Protection and Biodiversity Conservation Act 1999 118
environmental performance 69
equipment providers 214
equity statement 125–6
eSafety Champion network 190
eSafety Commissioner 3, 21, 56, 169, 170–2, 177, 178, 215, 219
eSafety Education 198–200
eSafety education training programs 171, 194
eSafety investigations, feedback 212
eSafety reporting functions 200
eSafety School Hub 195
eSafety Sport Hub 197
eSafety Sports Network 188
eSafety Strategy 2022–25 186
eSafety Women, website 173

eSafety Youth Council 173, 188
ethical standards 74
Executive Group *see* Senior Executive Staff (SES)
Executive Management Committee 56
  meetings 56, 77
  membership 77
expenses 61–2
expiring spectrum licences (ESL) project 31
external scrutiny 58, 120–1, 220

F

Facebook 196
Fax Marketing Industry Standard 2021 95
Federal Court 8
feedback 190, 191, 196, 198, 200, 212
Fenton, Jeremy 77
Field, Autumn 77
FIFA Women's World Cup 46
Fighting Scams initiative 10, 27
financial hardship 9, 51
Financial Hardship Standard 45
financial management 60–70
financial performance (eSafety) 219
financial statements 61–2, 123–32
  notes to 133–65
  eSafety 109, 219
fines and penalties 65
First Nations Digital Inclusion Advisory Group 29
First Nations Media Australia 29
First Nations peoples 11
Five-year spectrum outlook (FYSO) *2023–28* 10, 29, 31, 32, 36
foreign stakeholders 102
Fraud and Corruption Control Policy 57
Fraud and Corruption Register 57
fraud control 57, 220
freedom of information 58, 221
Freedom of Information Act 1982 58, 221
frontline worker training 190, 191, 192, 198–200
functions and responsibilities 14

G

gambling 9
  infringement notices and directions 12
  investigations 12, 45, 46
  register of licensed interactive wagering services 102
  warnings and advice 12
  see also National Self-Exclusion Register
gambling advertising 12, 45, 46
gaming-specific training 192
Get Online Week 193
Gippsland Women's Health 230
Global Institute for Women's Leadership (Australian National University) 229
Global Online Safety Regulators Network 172, 188
glossary 232–5
Google 215, 216, 217
governance 53–9
governance (eSafety) 219
Governor-General 56
Graduate Program 72
grants 60, 219, 229–30
greenhouse gas emissions 70

H

Harassment Contact Officers 74
health and safety 75
Health and Wellbeing Framework 2022–24 75
Health and Wellbeing Strategy 72
hosting services 214

I

ID checks 45
Image-Based Abuse Scheme 170, 183, 206
  complaints data 173, 206–7, 209–10, 211, 226
  infringement notices and directions 210
  removal actions 170, 209–10
images, non-consensual sharing of intimate 226
income collection 60–5
income statement 123
Independent Auditor's report 120–1
Indo-Pacific relationships 29
industry codes 47, 96, 171, 183, 213–14
industry standards 42, 96, 171, 183, 213–14
Industry standards for Relevant Electronic Services and Designated Internet Services 183
Info-Communications Media Development of Singapore 29
Information Publication Scheme (IPS) 58, 221
infringement notices and directions 12
  Adult Cyber Abuse Scheme (ACA) 210
  Cyberbullying Scheme 211
  Image-Based Abuse Scheme (IBA) 210
INHOPE network 208
Inman Grant, Julie 169, 170–2, 177
Integrated Public Number Database (IPND)
  disclosures of information 98
  enforceable undertakings 12
  infringement notices and directions 12
  investigations 12, 45
Integrity Framework 72, 75
interactive gambling *see* gambling
Interactive Gambling Act 2001 8, 14, 46, 48, 102
interception and access rules 45
interference investigations 12
interference management 30
International Association of Internet Hotlines (INHOPE) network 208
International Day of People with Disability 73
international developments 188
international engagements 29, 36–8
international spectrum forums 36
International Telecommunication Union (ITU) 65
  meetings 36–8
  Radiocommunication Sector (ITU-R) Study Groups 36–8

World Radiocommunication Conference 2023 37
World Radiocommunication Conference 2027 37
internet, abhorrent violent material 173
internet access 8
internet carriage services 214
investigations by ACMA 12, 45, 46, 94–5
investigations by eSafety 212

J

Jacoby, Anita 11, 16–17, 77
Jawun program 73
Joint Select Committee on Social Media and Australian Society 173
judicial decisions 58
judicial decisions (eSafety) 221

K

Key activity 1 communications infrastructure
assessment of results 30–42
overview of results 25
Key activity 2 consumer trust in communications
assessment of results 43–53
overview of results 25–6
Kids Helpline website 174
Kmart Australia Limited 8, 94

L

law enforcement agencies 183
legislation 14
Legislation Act 2003 59
legislative instruments 12, 59
letter of transmittal 7, 169
Levelling up to stay safe 198
LGBTIQ+ people 198
libraries 196
licence taxes
apparatus 60, 63–4
broadcasting 60, 63, 64
spectrum 64
transmitter 64
licences
amateur radio 10
apparatus 30, 32–3, 105
broadcasting 12, 48–9
carrier 39–40, 60, 64–5
low-power open narrowcasting (LPON) 8
radio broadcasting 48–9, 101, 102
radiocommunications 12, 32–3, 60
spectrum 10, 30, 31, 36, 64, 65, 105
telecommunications 12
television broadcasting 48–9, 103–4
Lidgerwood, Carolyn 11, 16, 77
list of requirements 110–18
local programming obligations 104
low power narrowcasting (LPON) licences 8
low power open narrowcasting (LPON) 34
Lowe, Catriona 17, 77
Lower Primary Professional Learning 192
Luxottica Retail Australia Pty Ltd 94

M

MacCready, Sam 122
mandatory reporting, eSafety 223–8
market research expenditure 101
Marketing Australia Pty Ltd 58
McPhee, Ian 78
media advertising expenditure 100
media assets
applications for prior approval 102
notifications by foreign stakeholders 102
notifications of changes in control 102
media content and services 46–50
media control notifications 12, 49, 50
Media Diversity Measurement Framework 9
media diversity rules 12
media releases 12
meetings (ACMA) 77–8
memorandums of understanding (MoUs) 29, 59, 183
Men's Sheds 196
mental health workers and wellbeing staff 190
Meta 215, 217
The metaverse: A snapshot of experience in virtual reality 198
Michelle, Karen 78
Microsoft 217
Minister for Communications 9, 14, 31, 59, 106, 176
Minister for Finance 60
Minister for the Arts 14
Ministerial policy statements 10, 105–6
misinformation 9
mobile jammers 33
Mobile JV Pty Ltd 35
mobile phone use 8
mobile repeaters 33
Monash University 229

N

National Anti-Corruption Commission (NACC) 57
National Anti-Scam Centre 10
National Consultative Forum (NCF) 74
national interest safeguards 12
National Online Safety Education Council 172, 183, 188, 195
National Plan to End Violence against Women and Children 2022–32 219
National Reconciliation Week 73
National Self-exclusion Register 9, 12, 44, 46
National Student Wellbeing Program 191, 199
National Work Health and Safety Committee 74, 75
NBN Access Transfer 96
NBN Co Pty Ltd 35, 63
Network Ten 102, 103
A new playground: The digital lives of young people with disability 198

news platforms 9
newsletters 12
Nine Network 103
non-consensual sharing of intimate images 226
non-consultancy contract 67
non-periodic reporting notices 215–16
Northern Territory Police 183
Numbering Advisory Committee (NAC) 79
numbering system 42

O

office locations (ACMA) 6, 18
Office of the Australian Information Commissioner (OAIC) 26, 29, 188
Office of the eSafety Commissioner (eSafety)
  analysis of performance against Regulator Performance Guide 186–8
  annual performance statement 183
  corporate support services provided by ACMA 56, 59, 178
  financial reporting 109
  functions and responsibilities 176
  governance 219–20
  management and accountability 219–20
  organisational structure 178
  purpose 3, 179
  staff 178, 221
  stakeholder engagement 186, 188, 193, 196, 214
Office of the eSafety Commissioner (Program 1.3), report on performance 22, 107, 185–217
older Australians 171, 173, 194, 196
O'Loughlin, Nerida 7, 8–11, 15, 17, 21, 77, 122
Online Content Scheme (OCS) 170, 173, 183, 201
  complaints data 208, 228
online gaming 192, 198
online harmful sexual behaviours, misinformation and emerging technologies PLP 199
online harms remediations 9, 201–12
online hate 216
online incidents, Professional Learning Package 199
online learning modules 190
Online Safety Act 2021 3, 21, 56, 169, 170, 171, 176, 178, 181, 183, 190, 193, 198, 201, 202, 204, 213, 215, 216, 221, 223
online safety education 173
Online Safety Grants Program 60, 219, 229–30
Online Safety Special Account 219
online service providers, non-periodic reporting notices 215–16
online services
  blocked by agencies 99
  requests to disrupt by agencies 99
  use 8
online use 8
Optus 8, 9, 35
Organisational Capability Framework 72
Organisational Development Strategy 2022–24 72
organisational structure 18, 178
Our approach to radiocommunications licensing and allocation 31
Out of Home Care workers 200
outcome and program structure 19
outcomes (ACMA)
  Key activity 1 communications infrastructure 25–6, 30–42
  Key activity 2 consumer trust in communications 25–6, 43–53
  Program 1.1 communications regulation, planning and licensing 19, 107
  Program 1.2 consumer safeguards, education and information 19, 107
outcomes (eSafety) 107
Outdoor Supacentre Pty Ltd 94
Owens, Helen 77

P

Pan-European Public Procurement On-Line (PEPPOL) 68
parents, resources for 197
Participation in Australia's domestic and international radiocommunications groups: Guidelines 37, 38
partnerships 29, 71
partnerships (eSafety) 172, 188, 193
Payment Times Procurement Connected Policy 68
People Management Instructions 74
performance
  analysis against purpose 23–4, 183–4
  analysis of performance against Regulator Performance Guide 26–9, 186–8
  annual statement 21, 183
  assessment methodology 24
  environment 23
  framework 21–2, 181–2
  overview of results 24–6
  report on 185–217
periodic reporting notices 216–17
Phaze Broadcasting Pty Ltd 8, 58
phone scams 12, 27, 45
  infringement notices and directions 12
  investigations 12
Pizza Pan Group Pty Ltd 94
podcasts 196
pornography 197, 210
Portfolio Budget Statements 19, 21, 179, 181, 183
pre-service teachers 190, 191
Prevalence and predictors of requests for facilitated child sexual exploitation on online platforms 198
Preventing Tech-based Abuse of Women Grants Program 60
procurement and contract management 65–8
Professional Learning Packages 189–91, 199–200
professional learning program 191, 199–200
Program 1.1 communications regulation, planning and licensing 19
  outcome 107

Program 1.2 consumer safeguards, education and information 19
outcome 107
Program 1.3 Office of the eSafety Commissioner 22, 107
report on performance 185–217
property management 69
Property Management Plan 69
Protective Security Policy Framework 71
public consultations 12
Public Governance, Performance and Accountability Act 2013 3, 21, 56, 57, 60, 118, 181, 219
Public Governance, Performance and Accountability Rule 2014 21, 57, 60, 110
public relations campaigns 193
Public Service Act 1999 18, 56, 91, 178, 220
purpose (eSafety) 179

Q

Questions, doubts and hopes. Young people's attitudes towards age assurance and the age-based restriction of access to online pornography 197

R

radio broadcasting licences
changes in control 102
regional radio trigger events 104
radiocommunications
civil penalties proceedings 12
interference investigations 12
investigations 12
remedial directions 12
warnings and advice 12
Radiocommunications Act 1992 8, 14, 30, 31, 32, 34, 35, 39, 105
Radiocommunications Assembly 2023 37
Radiocommunications Assignment and Licensing Instructions (RALI) 32
radiocommunications devices, non-compliant 33
radiocommunications licences 12
radiocommunications licensing system 32
Radiocommunications (Ministerial Policy Statement – 3.4–4.0 GHz) Instrument 2022 105
Radiocommunications (Ministerial Policy Statement – Expiring Spectrum Licences) Instrument 2024 31, 106
Radiocommunications (Spectrum Re-allocation – 3.4 GHz and 3.7 GHz Bands) Declaration 2022 105
Radiofrequency Spectrum Plan 30
Rainsford, Cathy 77
Ramadan 73
Reconciliation Action Plan 72, 73
Reconciliation Action Plan (RAP) 11
Reddit 215
Reducing Scam Calls and Scam SMs industry code 10
Regional Broadband Scheme 60, 63
regional radio local content obligations 104
regional television local content obligations 104
Register of Controlled Media Groups (RCMG) 49
Register of Foreign Owners of Media Assets 102
register of licensed wagering services 102
Regulator Performance Guide 21, 26
Regulatory Advisory Committee 202, 219
regulatory functions 14
remedial directions 12
removal actions
Adult Cyber Abuse Scheme (ACA) 170, 174, 210
Image-Based Abuse Scheme (IBA) 170, 209–10
remuneration 92–3
research 171, 188, 196, 197–8
research reports 172, 197–8
resource statement 108
resource taxes and charges 63–4
Responding and Reporting Professional Learning Packages 199
responsibilities 14
Returned & Services League of Australia (RSL) 196
Ridley, Mark 78
Risk and Compliance Committee 220
risk management 27–8, 57, 220
Risk Management Framework 27–8, 57
Risk Management Policy and Guide 187–8
Rowland, Hon Michelle 14, 176
RSM Australia 57
RSN Racing & Sport 102

S

Safer Internet Day 193, 198
Safety by Design initiative 177, 192, 198
satellite direct-to-mobile services 31
satellite services 31
scam calls 10
Scam Telco Action Taskforce 29, 80
scams 8, 10, 12, 27, 45, 52
schedule of comprehensive income 129
school-based education programs 183–4
Search Engine Optimisation (SEO) strategy 192–3
search engine services code 214
security 71
Senior Executive Group (SEG) 220
senior executive staff (SES) 73
performance payments 73
remuneration 93
seniors' festivals 193
Settlement Services International 229
Seven Network 103
Skype 217
small and medium enterprises (SME) 68
Small Business Engagement Principles 68
SMS scams 45, 52
SMS Sender ID Register 10, 52
Snap 217
social media 9, 193, 196

social media self-defence training 171, 190, 191
social media services 214
complaints 209
Spam Act 2003 14
investigations 94–5
SPECTRA 32–3
spectrum access licences 65
spectrum allocations 35–6
spectrum auctions 10, 35–6, 60, 105
spectrum licences 10, 30, 31, 36, 65
taxes 64
spectrum management 10, 27, 29, 30, 31–2, 105–6
spectrum planning 30, 106
Five-year spectrum outlook (FYSO) *2023–28* 29, 31, 32, 36, 106
Spectrum tune-ups 31
Sport Hub 197
sporting sector 197
staff
ACMA Enterprise Agreement 73, 91, 178
capability development 72
census 74
consultations and workplace relations 73
disability reporting 74
entry-level programs 72
ethical standards 74
health and safety 75
non-salary benefits 73
numbers and profiles 18, 72, 81–91
eSafety 178, 221
remuneration 92–3
salary ranges 91
training and development 72, 75
workforce initiatives 72–4
workplace agreements and conditions 73
workplace diversity and inclusion 73
see also Senior Executive Staff (SES)
staff consultative forums 74
stakeholder engagement 12, 31
consultations 29
eSafety 186, 188, 193, 196, 214
standards, industry 96
Starlink Internet Services Pty Ltd 95
statement of changes in equity 125–6
statement of comprehensive income 123
Statement of Expectations 23
statement of financial position 124
Statement of Intent 23
statutory reporting 71
student wellbeing officers (SWO) 190, 191, 199
studies assistance program 72
submarine cable activities 39, 41
subscription TV licensees 50
Suckling, Adam 11, 16, 77
sunsetting regime 42, 59
surveys (ACMA) 44

T

TABs 102
teachers, professional learning program 190, 191
Tech Trends resources 198
technical standards 42
technology-facilitated abuse 190, 196, 198, 200
Technology-facilitated abuse: family, domestic and sexual violence 198
Technology-Facilitated Gender-Based Violence PLP 190, 200
telecommunication services, compliance 8, 51
Telecommunication Union Radio Regulations 30
telecommunications
investigations 12
warnings and advice 12
Telecommunications Act 1997 14, 39, 53, 54, 59, 65, 94, 96, 97, 98, 99, 118
disclosures of information 97–8
investigations 95
Telecommunications Cabling Provider Rules 2014 42
Telecommunications (Carrier Licence Charges) Act 1997 65
telecommunications carrier licensees 39–40
telecommunications compliance priorities guide 51
Telecommunications (Consumer Protection and Service Standards) Act 1999 14, 54
Telecommunications Consumer Protections Code 10, 53
investigations 45, 95
telecommunications consumer safeguards 10
civil penalties proceedings 12
directions to comply 12
enforceable undertakings 12
infringement notices and directions 12
investigations 12
remedial directions 12
warnings and advice 12
Telecommunications (Customer Service Guarantee) Standard 2023 96
Telecommunications (Financial Hardship) Industry Standard 2024 51, 96
telecommunications industry levy (TIL) 8, 60, 63
Telecommunications Industry Ombudsman (TIO) scheme 53
Telecommunications (Interception and Access) Act 1979 8
Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2015 42
telecommunications licences 12
Telecommunications Numbering Plan 30
Telecommunications (Telemarketing and Research Calls) Industry Standard 2017, investigations 95
Telecommunications (Types of Cabling Work) Declaration 2013 42
Telegram 215
telemarketing 44, 45
telephone-based emergency warning systems 98

television broadcasting licences
Australian content 50, 103–4
captioning 50
changes in control 102
community 48–9
regional television trigger events 104
Telstra 8, 35, 95
terrorism 216
Ticketek Pty Ltd 8, 95
training
chaplains 190, 191, 199
frontline workers 190, 191, 192, 198–200
gaming-specific 192
social media self-defence 171, 190, 191
teachers 191
training and development of staff 72, 75
training modules 190
transmitter licence taxes 64
Triple Zero emergency service 9
trust building 26–7, 186–7
Trusted eSafety Provider Program 173, 188

U

Uber Australia Pty Ltd 8, 95
United Nations Convention on the Rights of Persons with Disabilities 74
University of Melbourne 229
unsolicited communications
enforceable undertakings 12
infringement notices and directions 12
investigations 12, 45
warnings and advice 12
US Federal Communications Commission 29

V

vehicle fleet management 69
videos 191
violent extremism 216
violent material 173
virtual reality 198
vision 22

W

wagering services 9, 46, 102
see also gambling
washing service availability 44
waste management 71
webinars 191, 192
website (ACMA) 2
content 79, 96, 103
website (eSafety) 3, 170, 173, 192–3, 196, 197, 198–9
Be Connected 170, 171, 173, 193–4
eSafety School Hub 195
eSafety Sport Hub 197
eSafety Women 173
visits to 192–3
websites, hosted overseas 210
What consumers want 10
WhatsApp 215, 217
Women in the Spotlight 191
Work Health and Safety Act 2011 75, 118
work health and safety (WHS) online training 75
work program (ACMA) 106
workplace agreements and conditions 73
workplace diversity and inclusion 73
workplace relations 74
World Radiocommunication Conference 2023 37
World Radiocommunication Conference 2027 37

X

X Corp 183, 215, 216

Y

year at a glance 12, 173–4
Yorke, Samantha 11, 16, 77
young people 173, 192, 197–8
Youth Council 173

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