

Investigation Report

File No.	ACMA2025/243
Carriage Service Provider	Skymesh Pty Ltd (Skymesh)
ACN	613 736 137
Relevant Legislation	<i>Telecommunications Act 1997</i> <i>Telecommunications (Consumer Complaints) Record-Keeping Rules 2018</i>
Date	18 November 2025

Findings

The Australian Communications and Media Authority (**ACMA**) finds that Skymesh Pty Ltd (ACN 613 736 137) (**Skymesh**) has contravened the following requirements of the *Telecommunications (Consumer Complaints) Record-Keeping Rules 2018* (**Complaints RKR**s):

- > Subsection 11(1) on 10 occasions between 31 July 2022 and 31 October 2024 (the **relevant period**) by failing to prepare complaints reports.
- > Subsection 12(1) on 10 occasions during the relevant period by failing to give complaints reports to the ACMA.

Consequently, the ACMA also finds that Skymesh has contravened, on 20 occasions during the relevant period:

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

Legislative context – Skymesh’s compliance responsibilities

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

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

Background

10. Skymesh is a CSP that supplies NBN and satellite internet services directly to consumers in Australia. It is therefore a retail CSP for the purposes of the Complaints RKR.
11. On 30 January 2025, following correspondence from the ACMA, Skymesh gave the ACMA a complaints report prepared under section 11 of the Complaints RKR for the December 2024 record-keeping period, identifying that it had 49,867 SIO. This information assisted the ACMA to identify that Skymesh had not given Complaints RKR reports to the ACMA in respect of any previous record-keeping periods since the commencement of the Complaints RKR.
12. On 21 May 2025, the ACMA gave Skymesh a notice under subsection 521(2) of the Act (the **Notice**) requiring it to provide data on the number of SIOs it had supplied as at the day before the 24 record-keeping periods between December 2018 and September 2024.
13. On 6 June 2025, Skymesh responded to the Notice with the following SIO data (**Skymesh's Response**):
 - > 30 September 2018: 10,027 SIO
 - > 31 December 2018: 11,992 SIO
 - > 31 March 2019: 12,661 SIO
 - > 30 June 2019: 13,194 SIO
 - > 30 September 2019: 14,008 SIO
 - > 31 December 2019: 14,688 SIO
 - > 31 March 2020: 15,528 SIO
 - > 30 June 2020: 17,177 SIO

- > 30 September 2020: 19,015 SIO
- > 31 December 2020: 20,525 SIO
- > 31 March 2021: 22,507 SIO
- > 30 June 2021: 24,481 SIO
- > 30 September 2021: 26,878 SIO
- > 31 December 2021: 29,014 SIO
- > 31 March 2022: 31,128 SIO
- > 30 June 2022: 33,434 SIO
- > 30 September 2022: 36,199 SIO
- > 31 December 2022: 38,519 SIO
- > 31 March 2023: 41,795 SIO
- > 30 June 2023: 49,856 SIO
- > 30 September 2023: 49,641 SIO
- > 31 December 2023: 49,597 SIO
- > 31 March 2024: 50,082 SIO
- > 30 June 2024: 50,195 SIO

14. After considering Skymesh’s Response, the ACMA commenced an investigation under Part 26 of the Act into concerns about Skymesh’s compliance with subsections 11(1) and 12(1) of the Complaints RKR. On 25 September 2025, the ACMA sent its preliminary findings report to Skymesh and invited it to respond by 10 October 2025.
15. On 9 October 2025, Skymesh responded to the ACMA’s preliminary findings. Skymesh stated that it “acknowledges the preliminary findings that we have contravened the requirements of the Complaints RKR” and “accepts these findings.” Skymesh also noted remedial action it had taken or plans to undertake, which includes additional training for complaints team members, reviews of its processes and procedures, and regular audits to ensure ongoing compliance.

Findings and reasons

16. Having assessed the information before it, the ACMA finds that Skymesh has contravened subsections 11(1) and 12(1) of the Complaints RKR. Details of the contraventions are set out below.

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

17. Under subsection 12(1) of the Complaints RKR, a retail CSP that is or was a qualifying retail CSP for a record-keeping period must give the ACMA a

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

18. Skymesh's Response indicates that it had more than 30,000 SIO on the following dates: 31 March 2022, 30 June 2022, 30 September 2022, 31 December 2022, 31 March 2023, 30 June 2023, 30 September 2023, 31 December 2023, 31 March 2024 and 30 June 2024.
19. Skymesh was therefore a qualifying retail CSP in respect of the June 2022, September 2022, December 2022, March 2023, June 2023, September 2023, December 2023, March 2024, June 2024 and September 2024 record-keeping periods (collectively, the **10 record-keeping periods**).
20. As Skymesh was a qualifying retail CSP for the 10 record-keeping periods, it was required to give a Complaints RKR report to the ACMA no later than 30 days after the end of each of the 10 record-keeping periods. As outlined above, Skymesh did not give Complaints RKR reports to the ACMA in respect of those periods.
21. Therefore, the ACMA finds that Skymesh contravened subsection 12(1) on 31 July 2022, 31 October 2022, 31 January 2023, 1 May 2023, 31 July 2023, 31 October 2023, 31 January 2024, 1 May 2024, 31 July 2024 and 31 October 2024.
22. Consequently, the ACMA also finds that Skymesh contravened, on the same 10 occasions, section 530 of the Act, and thereby has also contravened the service provider rule set out at clause 1 of Schedule 2 to the Act, and therefore subsection 101(1) of the Act.

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

23. Under subsection 11(1) of the Complaints RKR, a retail CSP that is or was a qualifying retail CSP for a record-keeping period must prepare a Complaints RKR report in respect of that record-keeping period. A Complaints RKR report is required to specify information relating to:
 - > the retail CSP and record-keeping period
 - > the supply of services
 - > complaints received.
24. As Skymesh did not give Complaints RKR reports to the ACMA in respect of the 10 record-keeping periods as required by subsection 12(1) of the Complaints RKR, the ACMA considers that Skymesh did not prepare Complaints RKR reports in respect of the 10 record-keeping periods.
25. The ACMA therefore finds that Skymesh contravened subsection 11(1) on 31 July 2022, 31 October 2022, 31 January 2023, 1 May 2023, 31 July 2023, 31 October 2023, 31 January 2024, 1 May 2024, 31 July 2024 and 31 October 2024.
26. Consequently, the ACMA also finds that Skymesh contravened, on the same 10 occasions, section 530 of the Act, and thereby has also contravened the service provider rule set out at clause 1 of Schedule 2 to the Act, and therefore subsection 101(1) of the Act.