

Formal Warning issued under subsection 103(1) of the *Telecommunications Act 1997*

TO: Skymesh Pty Ltd (ACN 613 736 137)

c/- Salter Brothers
Level 9, 477 Collins Street
Melbourne VIC 3000

I, Bronwen Jennings, delegate of the Australian Communications and Media Authority (the **ACMA**), being satisfied for the reasons explained in the ACMA's investigation report dated 18 November 2025, that Skymesh Pty Ltd (ACN 613 736 137) (**Skymesh**) contravened subsection 101(1) and section 530 of the *Telecommunications Act 1997* (the **Act**) by failing to comply with subsections 11(1) and 12(1) of the *Telecommunications (Consumer Complaints) Record-Keeping Rules 2018* (the **Complaints RKR**s) as described below,

HEREBY issues Skymesh a formal warning under subsection 103(1) of the Act for its failure to comply with subsection 101(1) and section 530 of the Act, as a consequence of failing to comply with subsections 11(1) and 12(1) of the Complaints RKR

Details of the contravention

Obligation

Subsection 101(1) of the Act provides that a service provider must comply with the service provider rules that apply to the provider. Subsection 98(1) provides that the service provider rules include the rules set out in Schedule 2 to the Act. Clause 1 of Schedule 2 to the Act provides that a service provider must comply with the Act.

Section 530 of the Act provides that a carrier or carriage service provider (**CSP**) must comply with any record-keeping rules that are applicable to the carrier or provider. The Complaints RKR

are record-keeping rules made by the ACMA under section 529 of the Act which apply to retail CSP

Investigation findings

Skymesh is a CSP that supplies NBN and satellite internet services directly to consumers. It is therefore a retail CSP for the purposes of the Complaints RKR

and required to comply with the Complaints RKR under section 530 of the Act. Subsection 11(1) of the Complaints RKR provides that a retail CSP that is or was a qualifying CSP for a record-keeping period must prepare a complaints report in respect of that record-keeping period.

Subsection 12(1) of the Complaints RKR provides that a retail CSP that is or was a qualifying CSP for a record-keeping period must give the ACMA a complaints report in

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

A retail CSP is a qualifying 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 provider was 30,000 or more. Record-keeping period is defined to mean a period of 3 months ending on 30 June, 30 September, 31 December or 31 March as the case may be.

Skymesh has confirmed that it had more than 30,000 SIO on 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. 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**).

I am consequently satisfied that, between 31 July 2022 and 31 October 2024, Skymesh did not comply with:

- subsection 11(1) of the Complaints RKR on 10 occasions as it did not prepare complaints reports in respect of the 10 record-keeping periods when it was a qualifying retail CSP.
- subsection 12(1) of the Complaints RKR on 10 occasions as it did not give complaints reports to the ACMA in respect of the 10 record-keeping periods no later than 30 days after the end of each record-keeping period when it was a qualifying retail CSP.

As a consequence of failing to comply with the Complaints RKR, I am also satisfied that Skymesh contravened, on the same 20 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 subsection 101(1) of the Act.

Dated: 15 January 2026



Bronwen Jennings

Manager

Telecommunications Compliance and Enforcement

Delegate of the Australian Communications and Media Authority