

20 March 2026

Authority Secretariat
Australian Communications and Media Authority

By submission: [ACMA Consultation Hub](#)

RE: Compliance and enforcement priorities 2026–27

The Internet Association of Australia Ltd (**IAA**) thanks the Australian Communications and Media Authority (**ACMA**) for the opportunity to respond to the consultation on the ACMA's Compliance and enforcement priorities for 2026–27.

IAA is a member-based association representing Australia's Internet community. Our membership is largely comprised of small to medium sized Internet service providers (**ISPs**). From the outset, IAA and our members express our recognition of the ACMA's important work in monitoring compliance to ensure the protection of consumers in Australia. We have worked closely and collaboratively with the ACMA to develop relevant regulation in the interest of benefitting the telecommunications sector overall, including consumers and industry.

Our members represent a unique portion of the telecommunications industry as smaller entities competing in a market with a high barrier to entry that is also dominated by large telecommunications providers. Many of these smaller entities service niches within the market often in underserved areas, whether that be local communities, or bespoke enterprise customers. These players thus play an integral role providing choice to consumers who benefit from increased competition. Furthermore, as smaller providers, providing outstanding customer service by ensuring key safeguards is paramount to the survival of our members' businesses.

However, we also note that due to their limited market share and resources, compliance with the ever expanding and complex regulatory landscape is becoming increasingly difficult to navigate. We note that smaller telecommunications providers can have as little as 1-2 staff members in the entire organisation, and often don't have in-house legal or regulatory expertise. Thus, smaller entities in the industry are being disproportionately burdened with the pace of new regulation being introduced in the sector.

To that end, we generally support the ACMA's proposed list of compliance priorities for 2026-27, including enduring priorities. We agree these focus areas are all key to ensuring a safe and healthy telecommunications sector. However, we reiterate the importance of genuine and meaningful collaboration with industry, particularly smaller entities, to raise awareness and assist providers in their compliance approach. Importantly, we stress that as the telecommunications regulatory landscape continues to expand, including in focus areas identified by the ACMA for 2026-27, we sincerely request the ACMA take a collaborative and educative approach to compliance, and commit to resorting to enforcement only as a last resort, or in cases of egregious non-compliance.

NEW LEGISLATION OR REGULATION

As stated in the Consultation Paper, we understand that the ACMA focuses on areas that are, amongst other things, the subject of new legislation or regulation. In principle, we support this approach and understand the need to ensure industry is complying with new regulation affecting the sector. However, we reiterate that in assessing compliance, the ACMA take a collaborative and educative approach. We emphasise that the telecommunications industry has been overwhelmed with the great number of new regulation being introduced over the past few years, and not only those administered by the ACMA. Often, regulation is introduced with short consultation windows, and equally short implementation periods. This approach is counterintuitive to meaningful implementation of compliance effort, and can therefore have the risk of compliance activities serving as mere checkbox exercises.

As such, as it pertains to regulation enforced by the ACMA, we sincerely request that in the first year following the commencement of new regulation or updated obligations, the ACMA commit to an educative and collaborative model to compliance assessment and enforcement, and only resorting to enforcement action as a last resort, or in cases of egregious non-compliance. In this first year, the ACMA should also actively work with industry, with concerted focus on smaller entities to assist with compliance efforts. We note as an example, the approach taken by the Department of Home Affairs in enforcing regulatory reform to the *Security of Critical Infrastructure Act 2018*. The Department publicly committed to not taking enforcement action except in cases of egregious breaches where there has been deliberate, wilful non-compliance.¹ We consider this approach to reflect regulatory best practice that fosters improved trust between industry and regulators/government, and will allow for meaningful implementation of changes to industry systems and practices, which in turn, will better serve consumers.

We especially note the below areas of recent regulatory reform under the ACMA's remit, where greater collaboration and educative guidance would be appreciated by industry. However, we further note that this is not an exhaustive list of regulatory reforms currently underway in relation to the telecommunications legislation and regulation relating to consumer safeguards.

Supporting consumers affected by domestic and family violence

We understand that supporting consumers affected by domestic and family violence has been a compliance priority for the ACMA since 2023-24, culminating in the introduction of a new standard in 2025. We further note that though the industry standard was introduced in 2025, some compliance obligations only commenced (or are due to commence) in 2026, with some obligations yet to commence for small telecommunications organisations at the time of this consultation.

We reiterate that IAA and our members are genuinely in support of implementing measures to better support persons affected by domestic and family violence and keen to play our part in ensuring telecommunications services are not being abused to exacerbate harm, and can support affected persons where appropriate.

At the same time, there is some apprehension within the industry that telecommunications providers are being expected to operate as quasi-specialists in domestic and family violence. As

¹ CISC, 'SOI Compliance Regulatory Posture 2024 and beyond', 2024, <https://www.cisc.gov.au/news-media/archive/article?itemId=1176#:~:text=Our%20compliance%20focus%20for%202023,for%20Systems%20of%20National%20Significance>.

telecommunications providers are not domestic and family violence support services, and while the industry can and should implement appropriate systems and processes to support affected consumers, providers are concerned about the extent to which they are being expected to assess complex situations, identify perpetrators, or make other judgements requiring the expertise of specialist support services.

We understand that training and consultation with support service organisations has been included in the industry standard to, amongst other things, address this skills and knowledge gap. However, given the complexity and seriousness of the issue, providers remain concerned that well-intentioned actions will still be met with punitive enforcement measures.

We further recognise and appreciate the guidance material produced by the ACMA to support industry in implementing the industry standard. However, members have indicated further clarity would be appreciated in several areas. In particular, the current guidance material does not fully resolve uncertainty about how to manage interactions with alleged perpetrators, or how obligations should operate alongside other regulatory requirements where there is overlap, such as identity authentication rules where an affected person may be an end-user of the service (and not an account owner).

We additionally note the strain being placed on the telecommunications staff as frontline workers handle domestic and family violence disclosures. Recurring feedback we are hearing from members as well as support organisations assisting as part of the consultation requirements under the industry standard is, that given the prevalence of domestics and family violence in society at large, it is highly likely that a substantial portion of telecommunications staff are also victim-survivors. As a result, staff are being made to respond professionally to complex and sensitive situations while managing personal re-traumatisation. Managing psychosocial hazards is a requirement for employers under standard workplace safety and health laws, which is creating confusion for providers as it intersects with exposing staff to, and placing responsibility on staff to manage domestic and family violence situations.

Again, while we acknowledge that the industry standard does also require telecommunications providers to include information in its domestic and family violence policy and procedures on how it will support staff who deal with affected persons, this is an underdeveloped area of the industry standard and is also not thoroughly addressed in the current industry guidance material. These concerns are further explored in an analysis² provided by one of our members which we support and commend to the ACMA for consideration.

With these gaps and concerns in mind, we consider it particularly important that the ACMA commit to an educative and collaborative approach that is empathetic to the sensitivity and complexity involved in implementing industry standard obligations in a meaningful way that will best serve customers, while also not placing undue stress on telecommunications staff.

² Andrew Yager, 'The new telco DFV standard protects customers. Who protects the workers?' 2026, <https://andrewyager.com/2026/03/12/the-new-telco-dfv-standard-protects-customers-who-protects-the-workers/>.

Combatting spam and telco scams

We understand that combatting spam and telco scams is one of ACMA's enduring priorities and support the ACMA's concerted longstanding focus on this area. We take this opportunity to note that this is another area subject to regulatory reform, with the Treasury proposing that telecommunications will be a designated sector under the recent Scam Prevention Framework. The Treasury has further proposed the designation to commence from 1 July 2026 with staged implementation of the sector specific codes so the overall framework is operational by the end of 2027. This period will therefore overlap with the period currently under consultation regarding the ACMA's compliance priorities.

As such, to the extent this regulatory reform will introduce new obligations and potential overlaps with existing industry codes and standards relating to scams, we request the ACMA, as the sector-regulator, work with the Treasury to harmonise regulation and provide guidance material for industry to raise awareness and adopt changes accordingly.

Telecommunications Consumer Protections Code

The C628: Telecommunications Consumer Protections Code (**TCP Code**) is another significant area of regulatory reform that members are concerned about. We understand that the revised TCP Code is currently with the ACMA for consideration for registration. IAA and our members have been actively engaged in the revision of the TCP Code, taking part in the consultation on its various iterations. As a substantial piece of co-regulation that governs consumer safeguards in the telecommunications industry, we are keen to see its adoption so that the proposed uplifts can be implemented to better service consumers.

However, we note that the proposed timeline for implementation of the revised systems and processes was extremely short. Again, noting the resource limitations for smaller telecommunications organisations, we consider that the regulatory compliance approach will have to be educative and collaborative to give industry a genuine chance to thoroughly implement changes to its operating systems and processes to ensure compliance. We emphasise that the uplifts are significant and will require a long time to implement than is provisioned in the revised TCP Code. For smaller organisations particularly, making changes to processes is not something that can always be implemented quickly.

Additionally, if and when the revised TCP Code is accepted and registered by the ACMA, we request that the ACMA work with the Australian Telecommunications Alliance to develop in-depth guidance material that explicitly sets out detailed information on changes from the current TCP Code to raise awareness, particularly amongst smaller industry participants.

CLARIFYING APPLICATION OF LAW AND CONSUMER CONFIDENCE

In addition to providing more guidance to industry on matters subject to regulatory reform, we consider it also vital that the ACMA engages in more educative work to raise awareness amongst consumers. We especially consider it important that clear and reasonable expectations are being set so as not to erode public confidence in telecommunications.

In particular, we note that the reliability of telecommunications services has come under increasing scrutiny in recent years, especially following a number of large-scale outages, some of which have also affected the operation of Triple Zero communications. As telecommunications services become increasingly embedded in everyday life, there is also increasing community expectation

regarding the reliability and continuity of telecommunications services. From the outset, we support the principle that telecommunications providers should implement appropriate measures to improve the resilience and reliability of their networks and services.

However, there is also a need to improve consumer awareness of the practical realities of telecommunications networks. For example, consumers would benefit from greater awareness of ensuring redundancy at home, such as maintaining services across more than one operator network, particularly where connectivity is critical. Additionally, there is need for greater public awareness of how telecommunications networks operate, such as the role that devices (home equipment) play in performance, or even limiting, a service, or the distinction between carriers that operate the underlying network and carriage service providers (**CSPs**) who supply the retail services, and therefore have limited control over the underlying network. In this context, consumer safeguard obligations imposed on CSPs should appropriately reflect the operational service standards that apply to network operators, including for example, the NBN Co and other superfast broadband access service providers.

More generally, we strongly believe that there needs to be broader, wider discussion regarding investment in communications infrastructure to improve the reliability, resilience and accessibility of telecommunications services. Achieving significantly higher levels of network resilience and redundancy will necessarily involve substantial infrastructure investment. While we support government and regulatory measures for industry to implement measures that will improve network resilience, we consider public discussion and awareness of network realities to be a missing piece. Expectations of near-continuous or fail-proof connectivity would require correspondingly higher levels of investment, and in-turn, higher costs for services and there should be greater transparency and public understanding of the costs associated with this.

Without this broader public awareness, we are concerned that consumer confidence in telecommunications services will be undermined. Sustained improvement in public trust of the telecommunications sector depends on not only industry efforts to improve network resilience, but also on realistic and informed expectations on how telecommunications networks operate. As telecommunications becomes increasingly relied upon in the daily lives of consumers in Australia, it is important that consumer confidence is maintained so that the public continues to rely on and adopt communications. Thus, we consider that as part of the ACMA's compliance approach, it should also undertake educative work to raise awareness amongst the broader public on network and technology realities, including steps consumers can take to improve their overall communications service performance. We would welcome the opportunity to collaborate with the ACMA in undertaking this work.

CONCLUSION

Once again, IAA appreciates the opportunity to contribute to the ACMA's compliance priorities for 2026-27. We reiterate our support for the ACMA's work in ensuring the safety of consumers. We also emphasise the need to take a holistic approach to compliance, focusing on education, awareness raising and collaboration, and look forward to working with the ACMA, consumers, industry and other relevant stakeholders to this end.

ABOUT THE INTERNET ASSOCIATION OF AUSTRALIA

The Internet Association of Australia Ltd (**IAA**) is a not-for-profit member-based association representing the Internet community. Founded in 1995, as the Western Australian Internet Association (**WAIA**), the Association changed its name in early 2016 to better reflect our national membership and growth.

Our members comprise industry professionals, corporations, and affiliate organisations. IAA provides a range of services and resources for members and supports the development of the Internet industry both within Australia and internationally. Providing technical services as well as social and professional development events, IAA aims to provide services and resources that our members need.

IAA regularly engages with government and regulatory bodies on policy matters affecting the Internet industry. In particular, our advocacy efforts represent the small to medium sized internet service providers in Australia who are often disproportionately disadvantaged by law reform affecting the telecommunications sector. Our public policy work is guided by the following principles:

We stand for an internet for the common good

We stand for an open internet platform

We stand for measured, effective and practical regulation

IAA is also a licenced telecommunications carrier and provides the IX-Australia service to Corporate and Affiliate members on a not-for-profit basis. It is the longest running carrier neutral Internet Exchange in Australia. Spanning seven states and territories, IAA operates over 30 points of presence and operates the New Zealand Internet Exchange on behalf of NZIX Inc in New Zealand.