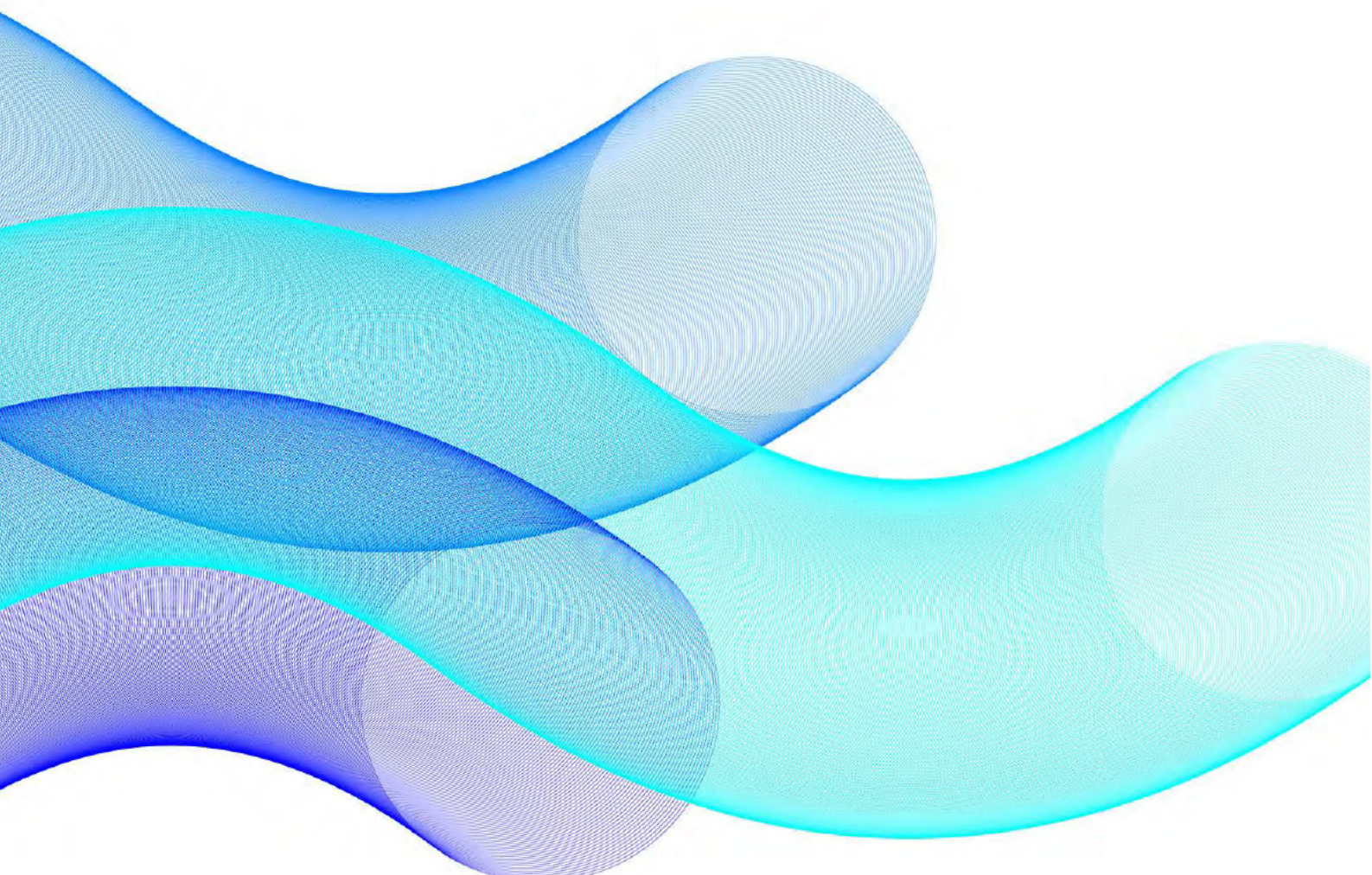

Vocus Submission

Australian Communications and Media Authority – Compliance and enforcement priorities 2026–27

20 March 2026



About Vocus

Vocus, Australia's specialist fibre and network solutions provider, owns and operates 50,000km of secure, high-capacity fibre connecting all Australian mainland capitals with New Zealand, Asia, and the USA. Beyond the fibre network, Vocus operates a growing network of submarine cables spanning nearly 15,000kms that includes the Australia Singapore Cable, North-West Cable system, the Darwin-Jakarta-Singapore system, and the PPC-1 cable from Sydney to Guam.

Vocus' national fibre backbone also provides the foundational infrastructure for Starlink's Low Earth Orbit (LEO) satellite service – enabling revolutionary high-speed connectivity to 100% of Australia's landmass, no matter how remote.

Vocus owns a portfolio of well recognised brands catering to enterprise, government, wholesale, small business and residential customers across Australia.

For more information, visit vocus.com.au.

Executive Summary

Vocus welcomes the opportunity to respond to the Australian Communications and Media Authority (ACMA)'s consultation paper on *Compliance and enforcement priorities 2026-27*.

As one of Australia's largest telecommunications providers, we remain committed to working proactively with the ACMA on its priority compliance and enforcement areas, as well as its enduring focus on protecting consumers.

However, the telecommunications regulatory landscape has undergone substantial change without a coordinated, sector-wide regulatory review for several years.¹ This has contributed to overlapping obligations and increasing complexity, without assurance that these settings are consistently delivering better outcomes for consumers. We therefore recommend an urgent holistic review of the current regulatory framework, supported by the development of a regulatory initiatives grid to improve the coordination of future reforms.

We highlight two areas where this review is particularly important:

- **Outage regulation:** Recent reforms placed strong emphasis on the notifications and communication requirements for outages. We recommend a comprehensive review across both telco-specific and economy-wide obligations to ensure that these measures effectively deliver improved network resilience and public safety outcomes.
- **Consumer protection:** Significant telco-specific reforms are being progressed at the same time as major changes to the Australian Consumer Law (ACL). To avoid overlapping compliance expectations and enforcement activity, we seek clarity on how the ACMA and the Australian Competition and Consumer Commission (ACCC) will coordinate their respective roles.

Rebuilding trust in the telecommunications sector requires clear, consistent regulation that empowers consumers to understand their rights and supports industry to deliver compliance effectively.

Vocus looks forward to working with the ACMA to shape and support the delivery of its 2026-27 compliance and enforcement priorities.

¹ Australian Government Productivity Commission, 'Creating a more dynamic and resilient economy' (19 December 2025) <<https://www.pc.gov.au/inquiries-and-research/resilient-economy/report/>> page 44.

Telco regulation urgently needs holistic review

Our starting position is simple: regulation must deliver clear, measurable benefits to consumers, who ultimately bear the cost of compliance through higher service prices.

Today, carriers and carriage service providers (CSP) are operating in a complex regulatory landscape, comprising more than 500 legislative and regulatory instruments, of which 200 are sector specific. Notably, telcos are also subject to enforceable industry codes that regulate a range of matters, including outage management and consumer protections.

In highly regulated industries, effective coordination between different regulators and stakeholders is critical. We have seen this demonstrated across the financial services industry, where the Federal Treasury maintains a regulatory initiatives grid that provides a forward-looking view of priorities and enables coordination across multiple regulators.² Similarly, the Australian Energy Market Operator maintains the National Energy Market Reform Implementation Roadmap.³

By contrast, the telecommunications sector has undergone significant amounts of regulatory change in recent years without central oversight. This has led to overlapping and duplicative obligations, as well as regulatory uncertainty. We therefore urge the ACMA to undertake a comprehensive review of regulation (including planned reforms) with a view to evaluate whether the current regulatory landscape is enabling the ACMA's enduring priorities. A grid-based approach would also enable telcos to plan, resource and implement changes more efficiently.⁴

We also respectfully encourage the ACMA to consider the findings of the Productivity Commission's Inquiry Report on 'Creating a more dynamic and resilient economy'.⁵ The report identified telecommunications regulation as a priority area for urgent review. The Commission observed that, despite rapid technology evolution, the sector has not had a genuine root-and-branch regulatory review for many years. A coordinated whole-of-government approach is essential to avoid compounding regulatory complexity. In this context, we call for targeted deregulation – not to undermine consumer protections, but to consolidate, streamline and strengthen them. Simplifying the regulatory framework enables compliance, clearer enforcement and better outcomes for consumers and industry alike.

Questions for comment

Question 1: In areas regulated by the ACMA, what have you identified as ongoing or new matters of significant public interest or concern?

Question 2: Have you identified ongoing or new matters relating to public safety that we should focus on?

Question 3: Which community safeguards do you think we should focus on?

Question 4: What do you see as being potential and actual causes of harm to consumers that we can address?

Outage regulation requires urgent review to support public safety and network resilience

We welcome the recent announcement of the Triple Zero Legislative and Regulatory Review.⁶ As part of the review, we urge consideration of both industry-specific and economy-wide regulation.

In the past 2-years, the regulatory framework governing network outages has undergone significant changes. This includes amendments to the *Telecommunications (Emergency Call Service) Determination 2019 (ECS)*, and the establishment of the *Telecommunications (Customer Communications for Outages) Industry Standard 2024 (TCCO)* and the *Security of Critical Infrastructure (Telecommunications Security and Risk Management Program) Rules 2025 (TSRMP)*. To date, there has been no holistic post-implementation assessment of how these regimes interact, or whether their combined effect strengthens the resilience and performance of telecommunications networks, including access to Triple Zero.

² Australian Government Productivity Commission (n 1).

³ Australian Energy Market Operator, 'NEM Reform Initiative Roadmap' (21 October 2025) <<https://www.aemo.com.au/initiatives/major-programs/nem-reform-implementation-roadmap>>.

⁴ Australian Government Treasury, 'Regulatory Initiatives Grid – December 2024' (18 December 2024) <<https://treasury.gov.au/publication/regulatory-initiatives-grid-december-2024>>.

⁵ Australian Government Productivity Commission (n 1).

⁶ Australian Government, 'Triple Zero Legislative and Regulatory Review' (18 March 2023) <<https://www.infrastructure.gov.au/media-communications/phone/triple-zero-custodian/triple-zero-legislative-and-regulatory-review>>.

Recent amendments to the TCCO and ECS have heavily focused on notification and communication to Government, regulators, emergency services organisations (ESOs), customer end-users and the public. This includes the *Telecommunications (Customer Communications for Outages Industry Standard Amendment) Direction 2025*, which requires the establishment of publicly available outage registers. While we recognise the importance of informing these stakeholders of outages, notification alone does not improve network resilience. At present, it is unclear what problem additional outage-register requirements are intended to solve, or how its effectiveness will be assessed. Any additional real-time notification requirements risk diverting critical resources from outage resolution and preventing recurrence, which should be a regulatory priority.

As highlighted in previous submissions, there are also practical implementation challenges associated with the TCCO framework (and by extension, ECS). In particular, the Significant Local Outage (SLO) threshold is difficult to apply for several reasons, including:

- Not all services have a definable geographic location. For example, we do not maintain location mapping for certain satellite services. We recommend retaining the term 'likely to affect', as providers cannot always determine the exact location of each impact service. Guidance should clarify that this wording recognises legitimate technical limitations in pinpointing service-specific impacts, especially for technologies without fixed service locations.
- Some products, such as voice SIP trunks, limit visibility of the total number of end-users affected. This makes it difficult to undertake the granular assessment for SLOs (such as determining whether 250 services in operation in remote Australia are impacted).

At the same time, there is also uncertainty about the role of SOCI in the management of telco network outages. Under section 8(a) of the TSRMP Rules, responsible entities must minimise or eliminate the material risk of 'a *stoppage or major slowdown of the relevant critical infrastructure asset's function for an unmanageable period*'. The CISC guidance notes that this includes 'A systemic delay of service provision whereby a 'relevant impact' arises, for example, where an incident impacts the speed of a broadband service, thereby affecting the availability, integrity, or reliability or confidentiality of the asset such that it cannot perform its function when required.'⁷ Similarly, section 8(b) of the TSRMP Rules requires responsible entities to minimise or eliminate the material risk of 'an impairment to the relevant critical infrastructure asset's functions that prejudices the social or economic stability, or national security of, Australia.' Further, the CISC guidance notes that this includes 'Where the ability to conduct the following is reduced: contact critical services, such as emergency services'.⁸

These obligations appear to overlap with telecommunications specific legislation administered by the ACMA. The telco sector needs practical guidance on how these regimes fit together. This includes guidance on the following known issues:

- Does compliance with the ECS and TCCO satisfy, in whole or in part, the requirements of sections 8(a) and (b) of the TSRMP?
- Does the Department of Home Affairs expect notification of network outages with non-malicious causes (such as natural disasters)?
- The TCCO/ECS notifications and information shared with the ACMA and/or Triple Zero Custodian may constitute 'Protected Information' under SOCI. How will this information be safeguarded in line with SOCI requirements?

By contrast, there is a much clearer regulatory approach in the financial services sector. Critical banking, superannuation and insurance assets are not required to maintain SOCI risk management plans because they are regulated under sector-specific legislation, including the Australian Prudential Regulation Authority's (APRA) CPS 230 and 234. This approach provides clarity and avoids duplication.

We strongly recommend that the Triple Zero Legislative and Regulatory Review considers telco specific and economy-wide regulation, including ECS and SOCI TSRMP obligations, with a clear mandate to harmonise and streamline regulation to achieve better consumer outcomes.

⁷ Australian Government Productivity Commission (n 1).

⁸ Ibid.

Concurrent development of different consumer protection regimes risks confusion and duplication

We support ACMA's efforts to strengthen telco-consumer protections, as well as the Federal Treasury's work to improve the ACL. However, we are concerned that the concurrent development of amendments to both regimes will create overlap, inconsistencies and confusion.

In recent years, there has been a suite of new and amended telco consumer protection regulation. This includes amendments and/or new obligations under the following:

- *Telecommunications (Consumer Complaints Handling) Industry Standard 2018*
- *Telecommunications (Financial Hardship) Industry Standard 2024*
- *Telecommunications (Domestic, Family and Sexual Violence Consumer Protections) Industry Standard 2025*

Now, the ACMA is currently considering substantial amendments to the *Telecommunications Consumer Protections Code* (C268:2019) (TCPC) and Parliament is debating legislation that would make telco industry codes directly enforceable and subject to markedly higher penalties.⁹ At the same time, the Treasury is consulting on the draft *Competition and Consumer Amendment (Unfair Trading Practices) Bill 2026*. Progressing these reforms in parallel risks creating overlapping regulatory regimes, potentially resulting in consumer confusion and increased compliance burden without delivering meaningful improvements to consumer outcomes.

We would appreciate clarification on how the ACCC and ACMA intend to coordinate compliance and enforcement activity to avoid duplication and ensure a consistent regulatory approach.

Question 5: What are the high-level risks of non-compliance that you have identified, including from technological developments?

Question 6: Are there emerging issues or concerns that we can address by encouraging compliant behaviour, deterring non-compliance or taking action to boost public confidence?

Question 7: Are there any technological or market developments that you think are testing the effectiveness of the regulatory framework?

Question 8: In what areas can we clarify the scope and application of the law?

Emerging issues

We welcome the opportunity to work with the ACMA on the development of the telco-sector Scams Prevention Framework (SPF) Code and any associated requirements. As this framework evolves, we strongly encourage a principles-based foundation to ensure that any future technical solutions are scalable, interoperable and practical for all carriers and CSPs.

Areas requiring clarification

We would appreciate clarification on the scope and application on specific aspects of the ECS Determination, including:

- **Welfare check process:** Under the ECS, CSPs are responsible for conducting welfare checks when an emergency call attempt is unsuccessful. We understand that this process is being reviewed by the Triple Zero Custodian, and we look forward to clearer guidance on the roles and responsibilities of carriers, CSPs and ESOs in performing welfare checks.
- **Management plans:** Carriers must provide the ACMA with a management plan before undertaking significant operational or network changes that could fundamentally and adversely affect the carriage of emergency calls. We would welcome guidance, including practical examples, on what types of changes require a management plan.

⁹ See *Telecommunications Amendment (Enhancing Consumer Safeguards) Bill 2025* <https://www.aph.gov.au/Parliamentary_Business/Bills_Legislation/Bills_Search_Results/Result?bld=r7358>.

We're also interested in your views on whether:

Question 9: We should extend any of our 2025–26 compliance and enforcement priority areas for a year or more – and if so, why?

Question 10: We should expand our list of enduring priorities.

We strongly support the ACMA's enduring priorities: protecting vulnerable telco consumers, minimising gambling harms, and combating spam and telco scams. These are areas where regulation delivers meaningful public benefit and where industry has a critical role to play.

More broadly, we acknowledge that the telco sector continues to face low levels of public trust.¹⁰ We are committed to rebuilding that trust in partnership with the ACMA and our industry counterparts. The sector needs to work collaboratively and proactively with the ACMA to improve the delivery of essential services to Australian communities.

Rebuilding trust also means helping consumers better understand their rights and what they can reasonably expect from their telco. Clear and consistent regulatory settings are essential to ensuring consumers are informed, protected and confident when engaging with telcos.

For further information, please contact:

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¹⁰ Roy Morgan Single Source (Australia), Risk Monitor, 12 month average to December 2025; as reported in CommsDay on 5 March 2026.