



Australian Government

Department of Communications and the Arts

Consumer Safeguards Review

Part B / Reliability of services
Consultation paper

November 2018



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Consumer Safeguards Review

The Consumer Safeguards Review will be conducted in three parts and aims to ensure that consumers:

1. Can access an effective complaints handling and redress scheme that provides transparency and accountability of telecommunications providers for their performance **(Part A)**;
2. Have reliable telecommunications services, including reasonable timeframes for connections, fault repairs and appointments **(Part B)**;

3. Are able to make informed choices and are treated fairly by their provider in areas such as customer service, contracts, billing, credit/debt management and switching providers **(Part C)**.

This consultation paper is seeking your views on proposals to support **reliability of services (Part B)**.

Have your say

The Government welcomes submissions from individuals, businesses, peak bodies and other interested organisations on the matters outlined in this consultation paper and the proposals for reform.

Submissions will be accepted until Friday 18 January 2019 via:

Email to consumersafeguardsreview@communications.gov.au

Post: Consumer Safeguards Review
Department of Communications
and the Arts
GPO Box 2154
CANBERRA ACT 2601

The information provided to the Department of Communications and the Arts in the form of an email or letter will be used to inform the Review's report and associated

recommendations. Your name, contact details and other personal information will not be provided to any other person or organisation unless required by law.

All submissions will be published on the Department's website unless a need for confidentiality is indicated. Please contact privacy@communications.gov.au to update your details.

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Visit the Department of Communications and the Arts' website www.communications.gov.au for more information on the Review and the consultation process.

Introduction

Access to broadband and voice services is increasingly the norm. We rely on these services to stay connected and to do business. Consumers expect to get easily connected and stay connected, and when this doesn't occur, expect that there will be simple, easy-to-navigate safeguards in place. This paper, *Reliability of services*, sets out the problems and complexities that consumers may face when navigating the current service reliability arrangements, and proposes a number of reforms to help address these.

Current legislative and regulatory framework

The current regulatory framework for reliability of voice services is complex, comprising a mix of legislation, standards and conditions on specific providers. It was established when most consumers had a voice service with a copper line connecting their home or business. Increasingly, Australians now have access to high speed broadband and voice services delivered over a variety of different technologies.

As set out in the background paper *Current Telecommunications Safeguards and Regulatory Environment* (www.communications.gov.au/what-we-do/internet/consumer-safeguards-review), the overarching legislative framework is established by the *Telecommunications Act 1997* (Tel Act) and the *Telecommunications (Consumer Protection and Service Standards) Act 1999* (TCPSS Act).

The Customer Service Guarantee (CSG)¹ is the main reliability safeguard for connection and repair of fixed voice services, including appointment keeping.

Two additional requirements apply only to Telstra. Firstly, Telstra must offer Priority Assistance (PA)² which offers faster connections and repairs for eligible people with a diagnosed life threatening medical condition. Secondly, under the Network Reliability Framework (NRF)³, Telstra must report on the reliability of its copper network, and fix poorly performing parts to support reliable fixed voice services.

The Wholesale Broadband Agreement (WBA) is a commercial agreement between NBN Co Limited (NBN Co) and its wholesale customers. It sets out the contractual service levels (including timeframes) that NBN Co commits to in relation to a range of CSG-like activities including wholesale connections, appointments and fault rectification. Under a recent undertaking given to the Australian Competition and Consumer Commission (ACCC), NBN Co has agreed to improve WBA rebates paid to providers for not meeting its service levels in relation to these activities. It is intended that these rebates will be passed along to consumers by providers, though there is no legislative requirement to do so.

Additionally, the Government has legislation before Parliament to introduce Statutory Infrastructure Provider (SIP) obligations, with NBN Co expected to become the default 'infrastructure provider of last resort'. Other network owners may be designated as the SIP (for example, in a new real estate development). The Minister could, if required, set standards, rules and benchmarks for SIPs on a range of matters, including timeframes for connections and fault rectification.

1 The *Telecommunications (Customer Service Guarantee) Standard 2011* is available at <https://www.legislation.gov.au/Details/F2011C00791> and the *Telecommunications (Customer Service Guarantee – Retail Performance Benchmarks) Instrument (No. 1) 2011* is available at www.legislation.gov.au/Details/F2012C00625

2 Priority Assistance is a licence condition placed on Telstra. See <https://www.legislation.gov.au/Details/F2018C00380> (clause 19) and www.telstra.com.au/consumer-advice/customer-service/priority-assistance

3 The Network Reliability Framework is a licence condition placed on Telstra. See <https://www.legislation.gov.au/Details/F2018C00380> (clauses 24-28)

Institutional arrangements

There are two regulators with responsibility for telecommunications reliability matters:

- > the Australian Communications and Media Authority (ACMA), which is responsible for enforcement of industry specific legislation and regulatory frameworks, such as the CSG; and
- > the ACCC, which as Australia's competition regulator has a specific role in regulating competition in the telecommunications industry.

The ACCC has powers to set regulated terms and conditions of access to certain telecommunications services (including NBN services) to promote the long-term interests of end users. This may include determining pricing or service level standards.

Consumers can approach the Telecommunications Industry Ombudsman (TIO) if they have an unresolved complaint involving a service connection or repair. See the related discussion paper, *Consumer Redress and Complaints Handling* at www.communications.gov.au/consumer-safeguards-review.



The problem

With a focus on voice services, current reliability safeguards do not reflect modern consumer preferences or use. Broadband services are now at least as important to consumers as voice services, yet are not subject to any formal safeguards for critical matters such as connection and fault repair. This is significant given all Australian households will be able to access high speed broadband services once the NBN rollout is completed in 2020. At that point, most consumers will be reliant on a single network provider for fixed broadband and voice services (usually NBN Co).

The TIO received 167,831 complaints from consumers and small businesses during 2017–18, an increase of 6.2 per cent on the previous year. Complaints about service reliability remain relatively high. The most common service reliability issues raised by consumers were delays establishing a service (12.8 per cent of complaints), no service (12.5 per cent), and intermittent service or drop outs (10.1 per cent).⁴

When service reliability issues occur, consumers can be left without access to critical services for an extended period of time. ACMA research indicates that during the 12 months to December 2017, 34 per cent of households connecting a new NBN service were left without a phone and/or internet service during the connection process. Of these, 14 per cent were left without a home phone, and 19 per cent without internet, for one to two weeks. Around 12 per cent of households went without a phone or internet service for more than a month.⁵

Significant steps have been taken to improve the NBN consumer experience and support migration to the NBN, but there is no systemic, integrated system of reliability safeguards in place. At the same time, the advent of a major wholesale-only provider through the NBN has introduced new and different behavioural incentives into the market which are not reflected in the current safeguards regime.

Regulatory settings

Current reliability regulations apply only to fixed voice services, and not to the broadband networks relied on by millions of Australians. Some of these safeguards (e.g. PA and NRF) are further limited to fixed voice services provided by Telstra, which limits competition and choice.

The existing safeguards generally only apply to companies that sell communication services directly to consumers, which in turn, rely on commercial agreements with companies that own and operate telecommunications networks (like NBN Co) to assist in connecting and repairing services.

Safeguards have limitations

The current safeguard framework has a number of issues that limit enforcement and compliance by the ACMA. When a fixed voice service is being offered (on its own or with other services), consumers are often asked to 'opt out' of the CSG at the point of sale. Around 23 per cent of consumers with fixed voice services are not covered by the CSG (compared to just three per cent in 2013)⁶.

Of services covered by the CSG, the majority are connected or repaired within the required timeframes. However, the extent to which individual consumers can be affected by recurring faults is less clear, as Telstra is the only provider required to identify, report on and rectify re-occurring CSG voice faults. It is also difficult to accurately gauge the impact on individual consumers of exemptions for mass service disruptions. This is because where a provider commits to meet CSG timeframes for a voice service, it can self-identify cases of extreme weather or natural disasters and get more time to connect or repair services. In 2016–17⁷ the four largest service providers claimed 226 exemptions, with a median duration of 33 days.

4 TIO, *Annual Report 2017–2018*, p.36, October 2018.

5 ACMA, *NBN consumer experience – residential research snapshot*, pp 8–11, March 2018.

6 ACMA *Communications report 2016–17*, p8

7 ACMA *Communications report 2016–17*, p111

These exemptions may include delays caused by moving technicians or equipment from other areas to respond to a disaster or weather event. There are relatively long regulated timeframes to publish exemption details and limited processes to scrutinise or review these exemptions. Consumers often find it difficult to understand why their connection or repair is taking longer than it should.

Some providers voluntarily publish network reliability statistics and notification of outages. Telstra is required to report on the percentage of time fixed voice services are available for use. It is subject to additional requirements to fix voice services with recurring faults, and to remediate the poorest performing parts of its copper network. These arrangements are of declining relevance with the rollout of the NBN.

Consumers expect minimum standards to apply

The Government expects the rollout of the NBN to be completed by 2020. This will provide a high-speed broadband network available to premises across Australia. The Government has also committed to develop options for a Universal Service Guarantee (USG), with a principle that all Australians should be able to access broadband and voice services.

Consumers are taking advantage of readily available, high quality communication services to source information, interact with government, conduct business and conveniently access services. When things go wrong and connections or repairs are not completed smoothly, consumers may face extended periods without a service, and can even incur significant costs. Consumers expect that baseline service reliability arrangements are in place so that disruption is minimised and they can get, and stay, connected.

A number of other countries have regulated reliability arrangements. These vary according to the availability of networks and services in those countries, but extend to broadband and mobile networks in some cases (further detail can be

found in the companion paper, *International and Sectoral Comparisons of Reliability of Services*, at <http://www.communications.gov.au/consumer-safeguards-review>.

New rules and standards

The ACMA recently finalised new rules to improve the consumer experience in transitioning to and using a NBN service. These rules were put in place to address key pain points for consumers in connecting, fixing and using an NBN service.

As directed by Government, the ACMA introduced a *Consumer Complaints Handling Standard* and related *Record Keeping Rules* which came into effect on 1 July 2018. Further rules include a *Service Continuity Standard*, a *Consumer Information Standard* and a *Service Migration Determination* which requires checks to ensure an NBN service is working after installation. These rules came into effect on 21 September 2018 and require all of industry, as part of NBN migration, to take greater responsibility for the provision of reliable services, and to be transparent and accountable to their customers. Arrangements based on similar principles should apply from 2020, when the vast majority of Australians will have transitioned to the NBN or an alternate network.

Data collection, analysis and reporting

Data on the reliability of services will help assess industry performance and identify systemic issues and root causes. The data can also provide insights and guidance to policy makers and regulators about the need for interventions and where these would be best targeted.

While the ACMA currently collects data and reports on existing fixed line voice reliability safeguards, the benefits are limited due to the limited scope of these safeguards, and the exemptions described above.

Proposals for reform

All proposals below would commence after the forecast completion of the NBN rollout in 2020. References to fixed networks includes fixed wireless and satellite connections. A summary comparison of existing arrangements and the proposals below is at **Appendix A**.



Proposal 1—Mandatory rules will cover how consumers and small businesses are connected, and stay connected to fixed telecommunications networks, including appointments.

- > General service reliability standards setting out mandatory rules and timeframes will be established so that consumers can be confident about the maximum time it should take to connect to their chosen network, and to get re-connected if things go wrong.⁸
 - > These standards, enforceable by the ACMA, will apply to all fixed networks and service providers, including wholesalers. Significant penalties would apply for non-compliance.⁹ These arrangements will apply so retailers are not held liable for problems that are outside their control and are the responsibility of the wholesaler (and vice versa).
 - > Under these standards, consumers will not be billed until their service is connected or restored (calculated on a daily basis). Similarly, wholesalers would be prevented from charging for any period where a network connection is not made or has a fault.
 - > Any connection or repair issues not requiring attendance or supply/repair of equipment at a premises would need to be completed no later than the next working day. Otherwise, maximum timeframes for connections and repairs would vary depending on where the service is located to reflect the potentially longer travel time to make connections or repairs.
 - > Mandatory network connection and repair timeframes would apply as proposed below.
 - > Retailers would need to clearly explain to consumers at the point of sale any additional timeframes for delivery of necessary equipment, which they would then have to meet.
-
- ⁸ Detailed rules applying to retailers and wholesalers could be set out in industry standards, service provider rules and/or through the statutory infrastructure provider arrangements currently before the Parliament.
- ⁹ For example, penalties of up to \$250,000 apply for non-compliance with an industry standard made by the ACMA.

Timeframes for network connections

Area	Existing connection or close to required infrastructure	Not close to required infrastructure
Significant Urban Areas ¹⁰	Within 2 working days	Within 10 working days
Other	Within 3 working days	Within 15 working days

Timeframes for repairs

Area	Repair time
Significant Urban Areas	End of next working day
Other	End of second working day

- > If an appointment is needed to make a new connection or fix a problem, the technician must turn up as agreed, or give the consumer 24 hours advance notice. An appointment must be made for a specific time, or within an agreed time window of no more than three hours. An appointment would be missed if the technician does not arrive within the agreed time period, or is more than 15 minutes late if there is a specific agreed time.
- > Industry could compete by offering better service levels (e.g. by offering accelerated or weekend repairs or connections) or higher levels of reliability (e.g. fixed line modems that provide a backup connection to a mobile network).
- > Where a major incident such as a natural disaster makes it impossible or unsafe for providers to comply with maximum timeframes, they would be required to provide the ACMA with a network rectification plan.
- > These plans will be made public, and must be updated at least every five days until the problem that is causing delays is completely resolved. This plan must include prioritisation of connection and repairs for any customers with an identified life threatening medical condition.



¹⁰ Australian Bureau of Statistics designation for significant town and city areas of 10,000 people or more.

Proposal 2—Providers must focus on keeping customers connected to a service if timeframes cannot be met

- > If a consumer cannot be connected, or there is a fault with the network or equipment provided to the customer which cannot be fixed within maximum timeframes, the provider must, until the issue is resolved, find another way to keep the consumer connected at no additional cost. This could include solutions such as providing devices with a built-in backup or temporarily providing an alternative service (such as a mobile).
- > Consumers must be told at the time of purchase what alternative solution they will receive if mandatory maximum connection or repair timeframes cannot be met.
- > All providers must offer and put in place arrangements to provide or arrange a backup or alternative service for consumers with a diagnosed life threatening medical condition when signing them up to help those consumers seek emergency assistance if required. A provider cannot decline to connect and/or supply a service solely on the grounds of having to provide this service.
- > If another party (such as the network provider) is responsible for a mandatory timeframe not being met, it will reimburse the retailer the cost of providing any agreed backup or alternative service. Otherwise, the retail provider will be responsible for meeting those costs.
- > If an appointment is missed the consumer must be paid \$100 by the organisation responsible for attending the appointment (retailer or wholesaler).

These proposals are based on the following principles:

Principle 1: Telecommunications is an essential service, and the entire industry needs to be responsible for keeping consumers connected.

Consumers view telecommunications in much the same way as they view utilities—they expect it to be easy to get and stay connected, so they can reliably use the services and applications they want. Consumers rely on their provider for this, so there should be clear and consistent rules applied across the whole of the industry for connections and repairs.

Principle 2: Consumer safeguards are best delivered through direct regulation to support public policy.

The Australian Government is committed to providing all premises with access to voice and

broadband services. The vast majority of Australians will have fixed voice and broadband services supplied over the NBN, or networks of other infrastructure providers. Rules should apply to wholesalers and other intermediaries so they are held to account in supporting the delivery of services within specified timeframes. Rules should be enforceable by the ACMA rather than rely on commercial agreements that are subject to constant change.

Principle 3: Consumers should get what they pay for.

All parts of the industry need to focus on solving problems and keeping their customers connected. Accordingly, consumers should not be billed if they are not connected on time, or for any periods when they do not have a working service.

Issues for comment

1. Are the proposed timeframes to connect or repair a service reasonable?
2. Will the proposed arrangements and penalties for missed appointments provide suitable incentives for industry?
3. Are there other options that could help maximise service continuity for people with a diagnosed life threatening medical condition?
4. Should providers be able to seek approval from the ACMA to offer services with different reliability timeframes on a product by product basis (which if approved would then become binding)? If so, what process and criteria would best support this?
5. Should consumers be given the option to exit their service contract without penalty where frequent or recurring faults occur?
6. How can industry best ensure consumers are not left without a working fixed connection for lengthy periods? What alternative service arrangements are reasonable?

For reference, existing CSG and PA connection and repair timeframes are at **Appendix B**.

Proposal 3—Network infrastructure providers that support the supply of retail services to consumers will be required to publish network reliability metrics and to report to the ACMA on network performance.

- > Reporting requirements should apply to all network operators, regardless of size, which support the delivery of retail services. This includes mobile network operators and fixed network providers such as NBN Co and other networks that provide 'last mile' connections¹¹.

This proposal is based on the following principle:

Principle 4: Network reliability is an important purchasing consideration and should be transparent.

Consumers and businesses should have an understanding of what level of reliability they can expect from a telecommunications provider

before entering into a contract. Requiring network operators to report on the availability of their networks (i.e. the percentage of time that consumers are able to connect to the network) helps inform decisions about whether a service will meet their needs, and acts as an incentive for network operators to minimise outages.

Issues for comment:

1. What information on network reliability is most meaningful and valuable to consumers?
2. How should network reliability information be made publicly available, and how often should providers be required to report to the ACMA?
3. If and how should consumers be advised of major outages and timeframes for remediation?



¹¹ This refers to telecommunications infrastructure used to connect a home or business, either through a fixed line or through fixed equipment designed to permanently connect a premises to a wireless or satellite network.

Proposal 4—The ACMA will be responsible for the collection of data relating to fixed connections, repairs and appointments, with reporting obligations applying at both wholesale and retail level. The ACMA will publish the results.

- > The ACMA will collect and publish information from across industry on connection, repairs and appointments, including performance against mandatory timeframes. The ACMA will be able to assess the effectiveness of industry processes in meeting connection and repair timeframes, and to review regulatory settings.
- > The data collected will also form an important evidence base for the ACMA when considering actions to improve industry performance and the customer experience.

This proposal is based on the following principles:

Principle 5: Arrangements should incorporate public accountability and transparency.

Given the critical nature of telecommunications in our daily lives, industry performance in meeting mandatory repair, connection and appointment keeping timeframes should be public and comparable.

Principle 6: Data collection, analysis and reporting should drive improved outcomes.

Collection, analysis and reporting of data should be able to pinpoint where reliability safeguards are not working. This should feed into improvements in industry processes, drive better industry performance, and allow industry and government to understand and resolve systemic issues.

The ACMA's public reporting of this data will provide consumers and industry stakeholders with visibility of this valuable information.

Issues for comment

1. What industry data should be provided to the ACMA for analysis and reporting, and how often should this be provided (for example, monthly, quarterly)?
2. How often should the ACMA publish reports and analysis (for example, monthly, quarterly or half yearly)?

General issues for comment

1. Do the proposals in this paper address the major issues of concern with the current framework for reliability of services? If not, what additional measures could be included?
2. Are there any unforeseen issues or unintended consequences of the proposals?
3. What considerations should be taken into account in implementing the proposals outlined in this paper (based on forecast completion of the NBN rollout by 2020), including practical timeframes for implementation?
4. Are there any other issues that should be brought to the Government's attention?

Appendix A

Comparison of current and proposed arrangements

	Current reliability arrangements	Proposed
Services covered	<ul style="list-style-type: none"> > Fixed voice services provided by Telstra. Other fixed voice providers may require consumers to waive CSG connection/repair safeguards (including as a condition of service). 	<ul style="list-style-type: none"> > All providers (including wholesalers) of fixed voice and broadband services.
Eligibility	<ul style="list-style-type: none"> > Consumers and small businesses with fixed voice services (subject to CSG waivers). 	<ul style="list-style-type: none"> > All consumers and small businesses.
Population areas (for connections/repairs)	<ul style="list-style-type: none"> > Urban ($\geq 10,000$) > Major rural (2,501 – 9,999) > Minor rural (201 – 2,500) > Remote (≤ 200) 	<ul style="list-style-type: none"> > Significant Urban Areas ($\geq 10,000$) > Other ($< 10,000$)
Remedies when connection/repair timeframes not met	<ul style="list-style-type: none"> > Retailers can voluntarily offer interim services (such as call redirection) or supply alternative services. > For those fixed voice services subject to the CSG, if no interim or alternative service provided, retailer pays consumers \$14.52 or businesses \$24.20 per business day once maximum connection/repair timeframes exceeded.¹² > Customer may still be charged while waiting for connection/repair. 	<ul style="list-style-type: none"> > Retail and wholesale providers prevented from charging for periods where broadband or voice service is unavailable (automatic flow through to consumers). > Retail providers to arrange remedies such as alternative or backup service where connection/repair timeframes are not met. > Consumers must be advised at point of sale of what remedies are available. > Network providers (such as NBN Co) liable to meet costs of remedies where they are responsible for timeframes not being met.
Missed appointments	<ul style="list-style-type: none"> > For those fixed voice services subject to the CSG, retailer pays consumers \$14.52 or small businesses \$24.20 for each missed appointment. 	<ul style="list-style-type: none"> > \$100 per missed appointment. > Payments to be made by the organisation responsible for attending the appointment (e.g. retailer or network provider like NBN Co).

¹² \$48.40 per business day if maximum timeframes exceeded by five or more business days.

	Current reliability arrangements	Proposed
Mass service disruptions	<ul style="list-style-type: none"> > Where a provider commits to meet CSG timeframes for a voice service, it can self-identify cases of extreme weather or natural disasters and get lengthy extensions of time to connect or repair CSG voice services. 	<ul style="list-style-type: none"> > Providers of voice and broadband services must submit and update rectification plans to the ACMA (which will be published) until they restore networks affected by natural disasters or bad weather.
Assistance for medically vulnerable consumers	<ul style="list-style-type: none"> > Telstra is the only provider required to offer enhanced connection and repair timeframes to consumers with life threatening medical conditions. 	<ul style="list-style-type: none"> > All retailers must offer assistance to medically vulnerable customers – focused on providing alternative or backup solutions. > A retailer cannot decline to connect or supply a service solely on the grounds of having to provide this service.
Network reliability	<ul style="list-style-type: none"> > Telstra required to report on performance, take steps to reduce recurring faults, and remediate the worst performing parts of its copper network. 	<ul style="list-style-type: none"> > All network operators, including mobile operators and NBN Co, to publish network reliability metrics and report to the ACMA on network performance.



Appendix B

Customer Service Guarantee and Priority Assistance

Maximum timeframe for connections – CSG:

Community	In-place connections	New service connections	
		Close to infrastructure and spare capacity	Without infrastructure or spare capacity
Urban			
(Equal to or more than 10,000 people)	Within 2 working days*	Within 5 working days*	Within 20 working days (equivalent to 1 month) after request*
Major rural			
(Between 2,501 and 9,999 people)	Within 2 working days*	Within 10 working days*	Within 20 working days (equivalent to 1 month) after request*
Minor rural			
(Between 201 and 2,500 people)	Within 2 working days*	Within 15 working days*	Within 20 working days (equivalent to 1 month) after request*
Remote			
(up to 200 people)	Within 2 working days*	Within 15 working days*	Within 20 working days (equivalent to 1 month) after request*

* If a customer's phone company makes a commitment to connect in less time than outlined in the above table, the reduced period becomes the connection time.

Maximum timeframes for repairing faults – CSG:

Community	Community size (people)	Repair time (after customer reports the fault)
Urban	Equal to or greater than 10,000 people	End of next working day
Rural	Between 201 and 9,999 people	End of second working day*
Remote	Up to 200 people	End of third working day*

* In certain circumstances, for example, where the fault can be rectified by the phone company without attending the customer's premises, the fault rectification period is the end of the next working day after report.

CSG compensation:

Customer	Services delayed	Compensation for first 5 working days (per working day)	Compensation after first 5 working days (per working day)
Residential/charity	Connection or repair of standard telephone service	\$14.52	\$48.40
	Connection or repair of enhanced call handling features to an existing service	\$7.26	\$24.20
	Connection or repair of two or more enhanced call handling features to an existing service	\$14.52	\$48.40
	Not keeping an appointment	\$14.52 for each missed appointment	
Business	Connection or repair of the standard telephone service	\$24.20	\$48.40
	Connection or repair of enhanced call handling features to an existing service	\$12.10	\$24.20
	Connection or repair of two or more enhanced call handling features to an existing service	\$24.20	\$48.40
	Not keeping an appointment	\$24.20 for each missed appointment	

Connections and repairs – Telstra's priority assistance policy:

Community	Community size (people)	Repair / connection time
Urban/rural area	A township or community grouping of 200 or more people within a standard zone.	Within 24 hours.
Remote area	A township or community grouping of less than 200 people or located outside a standard zone.	Within 48 hours.

Note: requests for priority assistance connections can be made between 8am-5pm on business days.

Appendix C

Terms of Reference

The Australian telecommunications industry has undergone extensive transformation over the last two decades, driven by new technologies, increased competition, rapidly changing consumer preferences and the rollout of the National Broadband Network (NBN). With the NBN due to be completed by 2020, it is timely to examine consumer safeguards and to ask what protections are required for consumers within this new environment.

The Consumer Safeguards Review (the 'Review') will develop the next generation of consumer safeguards. It will be conducted by the Department of Communications and the Arts in three stages and will report progressively to the Minister for Communications over the course of 2018. The full review will be completed by the end of 2018. The Review will make recommendations on the level of consumer safeguards required so that telecommunications (voice and broadband) customers:

Part A—Have access to effective consumer redress and complaint handling mechanisms, including:

- (a) The most appropriate complaints handling, resolution and redress model; and
- (b) Whole of system complaints data collection, analysis and reporting that provides transparency and holds industry accountable for its performance.

Part B—Have reliable telecommunications services that allow customers to carry out everyday activities, including:

- (a) Effective consumer protections that ensure:
 - i. reliability and performance of the underlying telecommunications networks

- ii. connections, faults repairs and appointments are performed within reasonable timeframes.

- (b) The form these protections should take (e.g. service level standards) and the appropriateness of penalties, compensation or other recourse.

Part C—Are able to exercise informed choice in selecting services and are treated fairly, including with respect to sales and customer service; contracts, billing, credit and debt management; and switching providers.

In formulating its advice and recommendations, the Review will have regard to:

- (a) the need for regulatory or institutional reform
- (b) the types of service to which safeguards should apply
- (c) existing consumer protection frameworks (e.g. Customer Service Guarantee, the Telecommunications Consumer Protections Code and Australian Consumer Law)
- (d) the Telecommunications Reform Package (including provisions that enable the Minister to make standards for a Statutory Infrastructure Provider) currently before the Parliament
- (e) whether interventions should be targeted at the wholesale or retail parts of the market
- (f) scope for innovation and for industry players to transparently differentiate their level and quality of services and
- (g) retail and wholesale competition in the provision of services.