



Terms of Reference – Triple Zero Legislative and Regulatory Review

Background

On 8 November 2023, Optus customers, and customers of Optus network resellers, were impacted by a national whole-of-network outage. The outage interrupted critical services for consumers and businesses. It also impacted essential government and public health services as well as critical safety infrastructure.

The Australian Government commissioned a post-incident review into the outage and appointed Mr Richard Bean, former Deputy Chair of the Australian Communications and Media Authority (ACMA) to lead the review.

Mr Bean submitted the Optus Outage Review final report on 21 March 2024, with 18 recommendations to address structural issues within the broader telecommunications ecosystem, with a particular focus on Triple Zero.

Recommendation 18 recommended a review of all legislation and regulation relating to Triple Zero with a clear focus on the recommendations of the review and the outcomes of ACMA's investigation regarding the 8 November 2023 Optus outage. The government accepted the review's recommendation on 30 April 2024.

To date, the government responses to 17 of the recommendations have been fully implemented or are significantly progressed. Recommendation 18 is the only outstanding recommendation. Work undertaken to acquit these recommendations has included a series of regulatory changes and the establishment of the Triple Zero Custodian function within the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts, including legislative changes to empower this new function.

Since the finalisation of the Optus Outage Review further matters with significance to Triple Zero have arisen, including complications related to the closure of 3G mobile networks, another major outage specifically affecting the carriage of Triple Zero calls in September 2025, and evidence of certain mobile phones being unable to call Triple Zero under specific circumstances on some mobile networks.

I consider it is the appropriate time to initiate this review of all legislation and regulation relating to Triple Zero to ensure this framework is fit for purpose to support an effective, accessible and accountable emergency calling system.

It is essential all callers can rely on Triple Zero when in need of assistance. The review will seek to identify whether regulatory and legislative settings remain effective in supporting delivery of this critical service now and into the future.

Review Objectives

The review will produce a final report to the Australian Government with recommendations seeking to identify opportunities to improve:

- Public access to Triple Zero
- Industry's delivery of, and access to, Triple Zero
- The legislative framework's impact on emergency services
- Government oversight of Triple Zero

The review is to identify opportunities to safeguard the delivery of Triple Zero into the future.

Recommendations are also to set out a workplan to establish a modern, scalable and adaptable framework ensuring Triple Zero meets public expectations, enabling the reliable delivery of emergency assistance while also providing industry with clear requirements.

Review Scope

The review will be undertaken by the Triple Zero Custodian and constitutes an exercise of the function conferred by section 151K(1)(c) of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*¹. The Triple Zero Custodian is to engage closely with ACMA, as the responsible regulator for Triple Zero, throughout the review.

The review will have regard to, but not be limited to, the following:

- *Telecommunications (Consumer Protection and Service Standards) Act 1999*
- Telecommunications (Emergency Call Service) Determination 2019
- *Australian Communications and Media Authority Act 2005*
- Telecommunications (Customer Communications for Outages) Industry Standard 2024
- Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling Instrument) 2025
- *Telecommunications Act 1997*
- Reports of any relevant parliamentary inquiries
- and any relevant industry codes or standards which relate to Triple Zero.

The review's focus is the effectiveness of Triple Zero and is not intended to consider broader matters covered by the instruments/documents above.

The review may have regard to state and territory government requirements in identifying opportunities for improvements to Commonwealth legislation and regulation, however recommendations for changes to state and territory legislation are not within the scope of the review.

The review will include broad consultation with stakeholders across industry, consumer representative bodies, emergency service organisations, and relevant federal, state and territory government agencies. This will include formal consultation and business as usual engagement through the Triple Zero Custodian.

Matters for Consideration

In reviewing legislation and regulation, and in undertaking stakeholder consultation, the review will consider, but is not limited to, the following issues in relation to Triple Zero:

- The effectiveness of implemented relevant Optus Outage Review recommendations
- The adequacy of ACMA's current regulatory functions and powers
- The effectiveness and appropriateness of rules requiring that customer equipment to be capable of contacting Triple Zero
- The feasibility of introducing new minimum mobile network performance standards, and other performance standards as applicable.

Final Report

The Triple Zero Custodian will provide a final report to me within 12 months of the publication of these terms of reference. The Triple Zero Custodian may provide interim reports and recommendations prior to the provision of a final report.

The final report will recommend opportunities for enhancements to the Triple Zero legislative and regulatory framework.



The Hon Anika Wells MP

Minister for Communications and Minister for Sport

Date: 17 March 2026

¹ Overseeing the effective functioning of emergency call services and the proper functioning of the ECS matters.