

Our reference: BN-06190-2025

Department of Infrastructure, Transport,
Regional Development, Communications, Sports and the Arts
GPO Box 594
Canberra, ACT 2601

By email: UOMO@infrastructure.gov.au

Dear Sir/Madam,

Consultation regarding *Telecommunications Legislation Amendment (Universal Outdoor Mobile Obligation) Bill 2025*.

I thank you on behalf of the NSW Telco Authority (NSWTA) for the opportunity to provide feedback on the draft *Telecommunications Legislation Amendment (Universal Outdoor Mobile Obligation) Bill 2025* (Bill).

NSWTA supports the approach to the Universal Outdoor Mobile Obligation (UOMO) to improve coverage for all Australians. We recognise the importance of this draft Bill for public safety and the need for broader coverage for the community to ensure people can make emergency calls.

NSWTA recommends your consideration of two key updates to the draft Bill outlined in detail below, which will ensure customers of all Mobile Network Operators (MNOs) have coverage in times of need (where there is a service available) and alignment of definitions within the related legislation.

A requirement for roaming

Section 12K of the Bill allows for circumstances in which there are only one or two primary universal outdoor mobile provider/s (PUOMP). If such a situation arises, customers of one or two of the PUOMPs may not have access to services in that area. This gap can be addressed by including a requirement in the Bill for each PUOMP to enable mobile roaming to customers of other networks on demand.

For example,

- A TPG customer is travelling to Town A where Telstra is the only PUOMP.
- If there is no coverage for the TPG customer in Town A, Telstra should offer roaming to that customer, thereby ensuring coverage.

Other private entities that have established indoor and outdoor mobile coverage will also need to be supported by the PUOMP(s) via such roaming arrangements.

Roaming should be available at all times yet would be activated by the customer if they choose to use the service for a set fee. We suggest that a pricing schedule for domestic roaming should be set by the Australian Competition and Consumer Commission to ensure fair rates and ensure that there continues to be an incentive for regional investment by mobile operators.

In terms of public safety, mobile roaming will ensure that anyone travelling to an area where their provider does not have coverage will be able to contact people important to them. However, we assert that this only should apply to standard commercial mobile services and the current

arrangements for roaming for Triple Zero calls should remain and not be subject to amendments of this Bill.

Roaming is also a requirement for a future Public Safety Mobile Broadband solution, and mandating roaming now through the Bill will prepare MNOs to manage roaming and provide tested and resilient solutions. We recommend that the Bill includes a condition that permits Emergency Services Organisations to roam at all times without an additional roaming fee.

Align definitions

Given the amendments to the *Telecommunications Act 1997* (Telco Act) and the *Telecommunications (Consumer Protection and Service Standards) Act 1999* (CPSS Act) included in the proposed Bill, there is an opportunity for the Commonwealth to align definitions between these two Acts.

In particular, the term ***mobile telecommunications service*** in the CPSS Act has a similar meaning to the term ***public mobile telecommunications service*** in the Telco Act. NSWTA recommends that a single definition is applied across all legislation.

Ensuring that there is one definition used in Commonwealth legislation to define a mobile telecommunications service (or public mobile telecommunications service) will reduce ambiguity, provide clarity, and ensure that stakeholders of the telecommunications industry have a consistent legal reference.

In subsection 5(2) of the Bill to be included in the CPSS Act:

Mobile telecommunications service if:

- (a) an end-user can use a carriage service while moving continuously between places; and
- (b) the customer equipment used for or in relation to the supply of the service is not in physical contact with any part of the telecommunications network by means of which the service is supplied; and
- (c) the service is supplied to the public;

the service is a ***mobile telecommunications service***.

In section 32 of the Telco Act:

32 Public mobile telecommunications service

(1) For the purposes of this Act, if:

- (a) an end-user can use a carriage service while moving continuously between places; and
- (b) the customer equipment used for or in relation to the supply of the service is not in physical contact with any part of the telecommunications network by means of which the service is supplied; and
- (c) the service is supplied by use of a telecommunications network that has intercell hand-over functions; and
- (d) the service is not an exempt service (as defined by subsection (2), (3) or (4));

the service is a ***public mobile telecommunications service***.

In addition, the current proposed definition for ***mobile telecommunications service*** omits the intercell hand-over functions included at section 32 (1)(c) of the Telco Act, and risks capturing unintended technologies such as Wi-Fi services.

For further information, please contact [REDACTED], Director Strategy, Policy and Governance, NSWTA at [REDACTED]

Yours sincerely

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Managing Director
NSW Telco Authority

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