

17 January 2019

Department of Communications and the Arts
Consumer Safeguards Review
Red Building, Benjamin Offices, Chan St
Belconnen ACT 2617

By email: consumersafeguardsreview@communications.gov.au

Dear Sir/Madam

Consumer Safeguards Review – Part B / Reliability of Service

Cash flow is critical to sustaining a small business. The loss of point of sale systems, EFTPOS terminals or online ordering and shopping systems for 24 or 48 hours can cripple the small business. The rules should provide the framework to secure reliable service connection and repair, increase competition in service offerings and offset lost time and business when appointments are not met.

We welcome the implementation of rules to regulate telecommunication services. While we consider the timeframes to connect or repair a service in these rules as reasonable, we do not support small business being grouped with consumers. We recommend that the rules mandate that small business be provided with backup or alternate services where connection or repair times cannot be met.

We would support plans that provide premium service to ensure no service disruption. Small businesses dependent on a 24 hour connection may be willing to pay a premium for a service that offered weekend repairs and backup connections, such as fixed line modems, to ensure reliability. The risk would be monitoring the marketing of such services to ensure the small business was aware this was an alternative, not the only, service available.

We consider the requirement for retailers or wholesalers to pay at least \$100 and a refund of service costs to the consumer for any missed appointments and the option to exit their service contracts due to recurring faults would provide additional incentive to ensure reliability of service. To ensure this has the desired impact the rules must also require retailers to clearly state in their service offering the right of their consumer to access this compensation.

Thank you for the opportunity to comment. If you would like to discuss this matter further, please contact Jill Lawrence on [REDACTED]

Yours sincerely,

[REDACTED]

Kate Carnell AO
Australian Small Business and Family Enterprise Ombudsman