



Terms of Reference

Telecommunications Consumer Safeguards Review

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:

1. **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.
2. **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.
3. **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.
4. 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.