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Universal Services Branch  
Department of Infrastructure, Transport,  
Regional Development, Communications and the Arts

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By email: [usb@communications.gov.au](mailto:usb@communications.gov.au)

**RE: Telecommunications Universal Obligation (Standard Telephone Service – Requirements and Circumstances) Determination 2022**

## INTRODUCTION

Thank you for the opportunity to express the Internet Association of Australia's (**IAA**) perspective on the draft Telecommunications Universal Obligation (Standard Telephone Service – Requirements and Circumstances) Determination 2022 (**Draft Determination**).

IAA is a member-based association representing Australia's Internet community. Our membership is largely comprised of small to medium sized Internet Service Providers, many of whom provide both internet and classical telecommunications services. Our response is in representation of these members and for the overall public good of the telecommunications industry.

In the context of the USO still being funded and the contract remaining in place, we understand the need for this Draft Determination. In general, we support moving the USG to reflect the modern standards and context of telecommunications in Australia.

In the time being, we believe a robust USO framework is important in protecting Australians' access to telecommunications services. Therefore, clarifying requirements and circumstances to ensure, where possible and reasonable, that consumers are able to access standard telephone services.

As such, we note there are some provisions in the Draft Determination that require further clarification.

- s 6(d) – we believe that further clarification of the intent behind “permanently” to mean “intent to carry on a business at the location as a going concern” is required to avoid any confusion (as per the Explanatory Statement).
- s 7(1)(a)(viii) – the sort of expectations clarified in the Explanatory Statement should be made within the instrument to avoid any risk of the primary universal service provider relying on the provision and circumstances to get out of providing the STS. An alternative wording for the provision is as below:

*“the installation or supply of the standard telephone service would contravene a law of the Commonwealth, or the applicable State or Territory, **and the primary universal service provider has considered all reasonable and practical steps available to it to lawfully avoid a potential contravention.**”*

Given the objectives of the USO, it is important the Draft Determination is clear so that consumers are not unnecessarily denied STS due to unclear provisions in the instrument.

With regard to the sunset of the Draft Determination, we recommend that it is set to sunset in 2032, in line with Telstra’s current contract. At this stage, we have not heard feedback from members regarding adapting the SIP regime for USO purposes.

Once again, IAA appreciates the opportunity to contribute to the Telecommunications Universal Obligation (Standard Telephone Service – Requirements and Circumstances) Determination 2022. We look forward to working with government, industry and other stakeholders for the development of a practical and effective USO framework.

## **ABOUT THE INTERNET ASSOCIATION OF AUSTRALIA**

The Internet Association of Australia (IAA) is a member-based association representing the Internet community. Founded in 1995, as the Western Australian Internet Association (WAIA), the Association changed its name in early 2016 to better reflect our national membership and growth.

Our members comprise industry professionals, corporations, and affiliate organisations. IAA provides a range of services and resources for members and supports the development of the Internet industry both within Australia and internationally. Providing technical services as well as social and professional development events, IAA aims to provide services and resources that our members need.

IX-Australia is a service provided by the Internet Association of Australia to Corporate and Affiliate members. It is the longest running carrier neutral Internet Exchange in Australia. Spanning six states and territories, IAA operates over 30 points of presence and operates the New Zealand Internet Exchange on behalf of NZIX Inc in New Zealand.

IAA is also a licenced telecommunications carrier, and operates on a not-for-profit basis.

Yours faithfully,

Narelle Clark  
Chief Executive Officer  
Internet Association of Australia