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To: Committee Secretary
Senate Standing Committees on Environment and Communications

PO Box 6100
Parliamentary House
Canberra ACT 2600

By submission:

https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Environment_and_Communications/NBNPublicOwnershipbill

RE: National Broadband Network (Companies Amendment (Commitment to Public Ownership) Bill 2024

The Internet Association of Australia (**IAA**) thanks the Senate Standing Committees on Environment and Communications (**Committee**) for the opportunity to respond to its inquiry on the *National Broadband Network (Companies Amendment (Commitment to Public Ownership) Bill 2024* (**Bill**).

IAA is a member-based association representing Australia's Internet community. Our membership is largely comprised of small to medium sized Internet service providers (**ISPs**). Many of our Members are retail service providers (**RSPs**) of the National Broadband Network (**NBN**) operated by NBN Co Limited (**NBN Co**). To that end, our response to Committee's Inquiry is in representation of our members. In addition, as a not-for-profit organization committed to the Internet, we are also keen to ensure the public benefit of the Internet.

To that end, in general, we support the Bill and the intention of the Australian Government to recognise that NBN Co remains in public ownership. We consider that public ownership is most likely to ensure that the NBN stays true to its purpose as a network built to provide universal, fast, high quality broadband that is simultaneously affordable to improve the lives of all Australians and the Australian economy.

Furthermore, with the extensive consultations on the NBN Co Special Access Undertaking (**SAU**) that were only finalised recently in 2023, we consider it important to implement legislative protections to impede any privatisation of NBN Co and thus prevent instability for RSPs and end-users.

Having this legislative provision would have been immensely helpful during the SAU consultations as NBN Co's commitment to its provision of high-quality services at an equitable and reasonable price was a key issue during the consultations. The existing objects under section 3(1)(b) of the *National Broadband Network Companies Act 2011* (Cth) meant that one of the key outcomes in the development of the regulatory framework would be to ensure NBN Co "has the opportunity to earn the minimum revenues it needs to meet its legitimate financing objectives, including to transition to a

stand-alone investment grade credit rating.” This was despite the Government’s statement that it expects to retain NBN Co’s public ownership for the foreseeable future. In discussions on price and service levels, there was repeated focus on NBN Co’s ability to earn revenues, which at times was not in line with its social licence to deliver broadband for Australians at a reasonable price.

Thus, as NBN Co continues with its service improvement plan and initiatives such as the Low-Income and Digital Inclusion Forum, and in its Wholesale Broadband Agreement offers, we additionally hope that this Bill will encourage NBN Co to remain true to its original purpose, and reflect its social licence as a publicly owned entity whose primary objective should be to benefit Australians.

Once again, IAA appreciates the opportunity to contribute to the Committee’s inquiry on the *National Broadband Network (Companies Amendment (Commitment to Public Ownership) Bill 2024*.

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,

Internet Association of Australia