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Authority Secretariat
Australian Communications and Media Authority

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By submission: <https://www.acma.gov.au/consultations/2025-01/compliance-priorities-2025-26>

RE: Compliance Priorities 2025-26

The Internet Association of Australia (**IAA**) thanks the Australian Communications and Media Authority (**ACMA**) for the opportunity to contribute to the ACMA's Compliance Priorities for 2025-26.

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 also provide other telecommunications services.

We recognise the importance of the ACMA's work in monitoring and enforcing compliance, particularly to decrease consumer harm in relation to the communications and media industry. However, we note that smaller entities are disproportionately burdened by regulation and need targeted assistance in ensuring their compliance with relevant obligations. In addition, we strongly believe that compliance is not only or perhaps is not best achieved through increasing enforcement efforts. Rather than focusing on deterrence via enforcement measures, we recommend finding other avenues to encourage industry compliance, including (but not limited to):

- increased resources such as guidance and education materials for both industry and end-user consumers; and
- meaningful community and industry engagement to raise awareness and increase collaboration on effective and efficient mechanisms to combat issues.

We believe this would be especially helpful for smaller telecommunications entities such as our members in uplifting their compliance efforts and thereby contributing to the health of the telecommunications sector.

ACMA should work with industry to provide TCP Code compliance guides

We expect that compliance with the revised Telecommunications Consumer Protections Code (**the Code**) will be a priority for the ACMA in 2025-56, should the Code be registered. In this case, we request that the ACMA work with Communications Alliance and other industry representatives to develop guidance material that sets out the changes in a manner that is easy for entities to understand. Especially as the Code will become directly enforceable following the likely passage of the *Telecommunications Amendment (Enhancing Consumer Safeguards) Bill 2025*, it is crucial that

providers have a clear understanding of their new requirements in order to effectively and efficiently comply with the revised Code. Again, we note the difficulties that smaller providers will particularly face in implementing what are some of the most substantive regulatory changes to the Code.

ACMA should review and update existing guides

In addition, we also request the ACMA regularly reviews and updates its material, to ensure updated and accurate information is provided to telecommunications providers to assist with their compliance. As pointed out to the ACMA previously, the ACMA's Carrier Licence Application Form sets out in Section 6, 'Compliance Information' has not been updated despite major changes in the regulatory space for the telecommunications industry since 2022.

For example, under the information about the *Telecommunications (Interception and Access) Act 1979*, it is suggested that the Communications Access Coordinator is still managed by the Department of Home Affairs, although this now falls under the Attorney-General's portfolio. In addition, there is no information about telecommunications now being deemed a 'critical infrastructure' sector, and the various obligations that a carrier must comply with under the Security of Critical Infrastructure Act 2018. We note that various changes to this section 6 will be required given legislative reform to the security of critical infrastructure (**SOCI**) framework.

ACMA should collaborate to produce compliance lists

We would also greatly appreciate if the ACMA could collaborate with other government departments and agencies to compile a list of compliance obligations that are specifically related to telecommunications providers, such as in relation to the SOCI framework, scams, and online safety. This would be very helpful given the increasingly complex regulatory landscape that telecommunications operators face.

Once again, IAA appreciates the opportunity to contribute to the ACMA 2025-26 Compliance Priorities. As we continue to support the work of the ACMA in ensuring the safety of consumers and the resilience of Australia's communications industry, we emphasise the importance of taking a holistic approach to ensuring compliance, including a concerted educative approach. We sincerely look forward to continue working with the ACMA, industry, government and other stakeholders for this purpose.

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.

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

Yours faithfully,
Internet Association of Australia