



## **Telecommunications (Customer Service Guarantee) Direction 2023**

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I, Michelle Rowland, Minister for Communications make the following direction.

Dated 17 July 2023

Michelle Rowland  
Minister for Communications

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## 1 Name

This instrument is the *Telecommunications (Customer Service Guarantee) Direction 2023*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument.	The day after this instrument is registered.	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under section 124 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*.

## 4 Definitions

In this instrument:

**Act** means the *Telecommunications (Consumer Protection and Service Standards) Act 1999*.

**ACMA** means the Australian Communications and Media Authority.

**CSG Standard** means an instrument made under sections 115, 117 and 120 of the Act.

**new CSG Standard** means the legislative instrument to be made by ACMA subject to the direction in section 6.

**2011 CSG Amendment Standard** means the *Telecommunications (Customer Service Guarantee) Amendment Standard 2011 (No. 1)*.

**2011 CSG Standard** means the *Telecommunications (Customer Service Guarantee) Standard 2011*, as in force immediately before the day on which the new CSG Standard commences.

**TIO** means the Telecommunications Industry Ombudsman.

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## 5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## 6 Direction to make a new CSG Standard

- (1) I direct ACMA to make a new CSG Standard to commence on or before 1 October 2023 in substantially the same terms as the 2011 CSG Standard (as amended by the 2011 CSG Amendment Standard), subject to subsection (2) and the terms as set out in Schedule 1.
- (2) A new CSG standard made by ACMA must:
  - (a) repeal the 2011 CSG Standard in accordance with subsection 125(2) of the Act;
  - (b) cease the day after the end of the period of 36 months beginning on the day the standard commences; and
  - (c) be made in accordance with the directions set out in Schedule 1.
- (3) For the avoidance of doubt, in making a new CSG standard:
  - (a) any corrections of grammatical, typographical or formatting errors in the 2011 CSG Standard;
  - (b) any additional ‘notes’ to a provision ACMA considers reasonable to include to assist with explaining the operation of the provision (including any definitions);
  - (c) any formatting matters ACMA considers reasonable to make; and
  - (d) any transitional matters ACMA considers reasonable to include, including but not limited to, accommodating the repeal of 2011 CSG Standard and the 2011 CSG Amendment Standard,would be consistent with subsection (1).

## Schedule 1—Terms of new CSG Standard

Without limiting subsection 6(3), ACMA must make the new CSG Standard in accordance with the terms as set out in the table below:

Directions for new CSG Standard		
Item	Column 1	Column 2
	Relevant provision of <i>Telecommunications (Customer Service Guarantee) Standard 2011</i>	Amendment
1	Section 2 of Part 1 (including the ‘note’)	<ul style="list-style-type: none"> <li>(a) remove the references to “Federal Register of Legislative Instruments” and replace with “Federal Register of Legislation”;</li> <li>(b) remove the reference to “<i>Legislative Instruments Act 2003</i>” and replace with “<i>Legislation Act 2003</i>”; and</li> <li>(c) remove the reference to “See <a href="http://www.frli.gov.au">http://www.frli.gov.au</a>”.</li> </ul>
2	Section 3 of Part 1	Remove section 3.
3	Subsection 4(1) of Part 1	<ul style="list-style-type: none"> <li>(a) remove the ‘note’ to the definition of ‘CSG service’;</li> <li>(b) add “business day” as having the same meaning as in section 2B of the <i>Acts Interpretation Act 1901</i> after the definition of “building”;</li> <li>(c) amend the definition of “exemption” so that it means an exemption made under the new CSG Standard or under the 2011 CSG Standard;</li> <li>(d) add “new CSG Standard” as having the same meaning as defined in this direction after the definition of “interim service”;</li> <li>(e) remove the definition of “remote location” (including the ‘note’ to the definition);</li> <li>(f) remove the definition of “standard zone”;</li> <li>(g) remove the definition of “satellite service”;</li> <li>(h) remove the definition of “working day”;</li> <li>(i) add “2011 CSG Standard” as having the same meaning as defined in this direction after the definition of “TIO”; and</li> <li>(j) remove the references to “approved standard marketing plan” and “universal service area” in ‘note 1’ to subsection 4(1) and add “satellite service” after “primary universal service provider”.</li> </ul>
4	Subsection 4(2) of Part 1	Remove references to “working day” and replace with “business day”.
5	‘Note’ to subsection 6(2) of Division 1, Part 2	Remove the reference to “in a telephone directory” and replace with “on a carriage service provider’s website”.
6	Subsection 8(2) of Division 2, Part 2	<ul style="list-style-type: none"> <li>(a) remove the ‘note’ to subsection 8(2); and</li> <li>(b) amend subsection 8(2) such that the “guaranteed</li> </ul>

<b>Directions for new CSG Standard</b>		
<b>Item</b>	<b>Column 1</b>	<b>Column 2</b>
	<b>Relevant provision of <i>Telecommunications (Customer Service Guarantee) Standard 2011</i></b>	<b>Amendment</b>
		maximum connection period” for the purposes of subsection 8(2) refers to a period within 20 business days from the date of the customer’s request, instead of a period determined in “in accordance with an approved standard marketing plan for a primary universal service provider for the universal service area in respect of a service obligation where the service is supplied or is being offered to be supplied”.
7	Section 11 of Division 3, Part 2	(a) remove all references to “working day” and replace with “business day”; and  (b) at the note to subsection 11(6), remove the reference to “Statistical Geography: Volume 3 – Australian Standard Geographical Classification (ASGC) Urban Centres/Localities, 2006, Cat. No. 2909.0” and replace with the ABS publication, “Australian Statistical Geography Standard (ASGS) Edition 3”.
8	Section 12 of Division 3, Part 2	Remove the reference to “working day” and replace with “business day”.
9	Section 19, Part 3 (including the ‘note’)	Remove the reference to the “ <i>Telecommunications (Emergency Call Service) Determination 2009</i> and replace with “ <i>Telecommunications (Emergency Call Services) Determination 2019</i> .”
10	Section 23, Part 3	Remove the reference to “working day” and replace with “business day”.
11	Section 24, Part 3	Remove all references to “working day” and replace with “business day”.
12	Section 25, Part 3	(a) remove the requirement to publish a notice in a daily newspaper circulating in the capital or region of the relevant State or Territory in subsection 25(1), and replace with a requirement for a carriage service provider to publish a notice on its website that is accessible by each customer of the carriage service provider; and  (b) remove subsection 25(5).
13	Section 31 of Part 5	Remove all references to “working day” and replace with “business day”.
14	Section 32 of Part 6	(a) amend definition of “commencement day” to mean the day on which the new CSG Standard commences;  (b) remove definition of “former Standard”;  (c) remove definition of “new Standard”; and  (d) remove definition of “pre-31 October 2006 Standard”.
15	Section 33 of Part 6	Remove section 33.

<b>Directions for new CSG Standard</b>		
<b>Item</b>	<b>Column 1</b>	<b>Column 2</b>
	<b>Relevant provision of <i>Telecommunications (Customer Service Guarantee) Standard 2011</i></b>	<b>Amendment</b>
16	Section 34 of Part 6	(a) replace all references to “new Standard” with references to the “new CSG Standard”; (b) replace all references to “former Standard” with references to the “2011 CSG Standard”; and (c) replace references to “subsection 22A(1) of the former Standard” in paragraphs 34(1)(a) and 34(2)(a) with references to “subsection 22(1) of the 2011 CSG Standard”.
17	Section 35 of Part 6	(a) replace all references to “new Standard” with references to the “new CSG Standard”; (b) replace the reference to the “former Standard” with a reference to the “2011 CSG Standard”; (c) amend the reference to “subsection 24(3) of the new Standard” to refer to the relevant provision of the new CSG Standard which is equivalent to subsection 24(3) of the 2011 CSG Standard; and (d) amend the reference to “paragraph 24(1)(b) of the new Standard” to refer to the relevant provision of the new CSG Standard which is equivalent to paragraph 24(1)(b) of the 2011 CSG Standard, being the requirement to provide certain information to ACMA and TIO.
18	Section 36 of Part 6	Remove section 36 which refers to the contraventions and damages payable under the <i>Telecommunications (Customer Service Guarantee) Standard 2000 (No.2)</i> as in force immediately before the day on which the <i>Telecommunications (Customer Services Guarantee) Amendment Standard 2006 (No.1)</i> commenced.
19	Section 37 of Part 6	(a) replace all references to “former Standard” with references to “2011 CSG Standard”; (b) remove paragraph 37(b) which refers to section 36 of the 2011 CSG Standard; and (c) replace references to “new Standard” with references to “new CSG Standard”.
20	Part 7	Remove Part 7.
21	‘Note’ to subsection 102(2) of Part 1, Schedule 1	Remove the reference to “Statistical Geography: Volume 3 – Australian Standard Geographical Classification (ASGC) Urban Centres/Localities, 2006, Cat. No. 2909.0” and replace with the ABS publication, “Australian Statistical Geography Standard (ASGS) Edition 3”.
22	Part 2 of Schedule 1	Remove all references to “working day” and replace with “business day”.

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**Directions for new CSG Standard**

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<b>Item</b>	<b>Column 1</b>	<b>Column 2</b>
	<b>Relevant provision of <i>Telecommunications (Customer Service Guarantee) Standard 2011</i></b>	<b>Amendment</b>
23	Part 2 of Schedule 2	Remove all references to “working day” and replace with “business day”.

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## **Schedule 2—Repeals**

### ***Telecommunications (Customer Service Guarantee) Direction (No. 1) 2011***

#### **1 The whole of the instrument**

Repeal the instrument.