

Telecommunications (Complaints Handling Industry Standard Amendment) Direction 2024

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

Dated 21 August 2024

Michelle Rowland

Minister for Communications

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1 Name

 This instrument is the *Telecommunications (Complaints Handling Industry Standard Amendment) Direction 2024.*

2 Commencement

 This instrument commences the day after this instrument is registered.

3 Authority

 This instrument is made under subsection 125AA(4) of the *Telecommunications Act 1997*.

4 Definitions

Note: A number of expressions used in this instrument are defined in section 7 of the Act, including the following:

1. ACMA;
2. carriage service provider;
3. carrier;
4. Telecommunications Industry Ombudsman;
5. network unit;
6. telecommunications network

 In this instrument:

***Act*** means the *Telecommunications Act 1997*.

***2018 Standard*** means the *Telecommunications (Consumer Complaints Handling) Industry Standard 2018*.

***consumer*** has the same meaning as in the 2018 Standard.

***provider*** means:

1. carriage service providers; and
2. carriers responsible for network units that are used in the supply of services by carriage service providers.

5 Direction to the ACMA

1. I direct the ACMA under subsection 125AA(1) of the Act to amend the 2018 Standard, to give effect to the objectives provided in section 6 of this Direction.
2. The amendments to the 2018 Standard are to:
3. be determined by 30 April 2025; and
4. commence in full at the earliest practical opportunity and no later than 30 June 2025.
5. I direct that the ACMA may vary the 2018 Standard as it considers necessary from time to time, provided that the standard as varied complies with this instrument.
6. The 2018 Standard may be amended to:
7. deal with matters differently for different classes of providers;
8. exempt certain classes of providers from particular provisions of the standard; or
9. deal with matters differently for different classes of consumers.

6 Objectives and content of the amendments to the 2018 Standard

 *Objectives of the amendments to the 2018 Standard*

1. The 2018 Standard is to be amended to give effect to the following objectives, as they relate to the telecommunications activities of providers:
2. that the definition of ‘complaint’ appropriately includes consumers who contact a provider in relation to a network outage;
3. that providers appropriately prioritise complaints from consumers affected by network outages; and
4. that providers should have in place, and implement, complaints handling policies and processes that:
5. are fit-for-purpose;
6. provide for consumer focused, efficient, effective and professional handling and resolution of consumer complaints;
7. provide for transparency;
8. provide for appropriate processes for the internal escalation of complaints; and
9. ensure that consumers are provided with clear and sufficient information at appropriate times in relation to avenues for external dispute resolution.

 *Content of the amendments to the 2018 Standard*

1. The amended 2018 Standard may include rules on the following matters as they relate to the telecommunications activities of providers:
2. requirements for:
3. user-friendly policies and processes for the making of complaints;
4. the availability and display of policies and processes;
5. policies and processes to be accessible for all consumers; and
6. the proactive provision of information to consumers about complaints handling policies and processes and options for external dispute resolution;
7. requirements for the resolution of complaints, that are commensurate with keeping consumers connected to an essential service;
8. requirements to implement policies and processes that:
9. prioritise resolving complaints quickly;
10. minimise waiting time, call transfers and consumers dealing with multiple persons to resolve the complaint; and
11. keep the consumer updated and informed about the progress of their complaint and resolution; and
12. other matters that the ACMA considers give effect to the objectives set out at section 6(1).
13. In amending the 2018 standard, the ACMA may define any terms that it considers appropriate or necessary, including terms used in this direction but not defined in section 4.
14. The standard may confer any functions and powers on the Telecommunications Industry Ombudsman to meet the objectives set out at section 6(1).