Australian Government | acma Australian Communications and Media Authority

Chair and Agency Head

Mr Luke Coleman
Chief Executive Officer
Australian Telecommunications Alliance
GPO Box 444
Milsons Point NSW 1565

Via email: l.coleman@austelco.org.au

Dear Mr Coleman

(a) Decision on the draft Telecommunications Consumer Protections Code submitted for registration, and

(b) Notice under section 125 of the *Telecommunications Act 1997*

Thank you for submitting the draft industry code C628:2025 Telecommunications Consumer Protections Code (draft TCP Code) for the Australian Communications and Media Authority's (ACMA) consideration for registration.

Decision on the draft Telecommunications Consumer Protections Code submitted for registration

The Authority acknowledges the industry's commitment to revising the Telecommunications Consumer Protections Code C628:2019 Incorporating Variation no. 1/2022 (2019 TCP Code) and that the draft TCP Code is a marked improvement on the existing TCP Code. However, after careful deliberation, the ACMA is ultimately not satisfied that the draft TCP Code meets the standard of providing appropriate community safeguards for the matters covered by the code as required under subparagraph 117(1)(d)(i) of the *Telecommunications Act 1997* (**Tel Act**). Therefore, the ACMA has decided not to register the draft TCP Code. As a result of this decision the 2019 TCP Code remains in force.

Notice under section 125 of the Telecommunications Act 1997

The ACMA has afforded industry a great deal of time, guidance and opportunity to produce a draft TCP Code that adequately addresses the issues and provides appropriate community safeguards.

In addition to deciding not to register the draft TCP Code, the ACMA has found that the registered 2019 TCP Code is not operating to provide appropriate community safeguards or otherwise operating to regulate adequately participants in the telecommunications industry to which it applies in a range of areas.

The ACMA, being satisfied that the 2019 TCP Code is deficient within the meaning of subsection 125(7) of the Tel Act, hereby encloses a notice given under subsection 125(1) of the Tel Act requesting that the ATA address those deficiencies within the 30 day period stipulated in the notice.

The ACMA has set a 30 day period, which is the minimum required under the Tel Act, as the Authority's expectations for the draft TCP Code have been made clear to Communications Alliance, now the Australian Telecommunications Alliance (ATA), through extensive communications, including in letters dated 5 July 2023 (accompanied by our *What consumers want –Consumer expectations for telecommunications safeguards: A position paper for the telecommunications sector* paper), 1 February 2024, 9 April 2024, 29 August 2024, 4 November 2024, 3 October 2024, 4 November 2024, 16 December 2024, 8 April 2025 and 9 July 2025.

The ACMA contact officer is Ms Samantha Yorke, Consumer Lead, Authority Member. Ms Yorke can be contacted on (02) 9334 7704 or at samantha.yorke@acma.gov.au.

Yours sincerely

Adam Suckling

Acting Chair

23 October 2025

Encl: Notice under subsection 125(1) of the *Telecommunications Act 1997*