

AUSTRALIAN TELECOMMUNICATIONS ALLIANCE OPERATING MANUAL

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Australian Telecommunications Alliance

Operating Manual

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1. GENERAL

1.1 PURPOSE

- 1.1.1 This Operating Manual describes the processes by which the Australian Telecommunications Alliance (ATA) conducts its work, including its deliberations and operations for the development of codes, standards, guidelines, and other documents developed for the purpose of industry compliance with regulation, the establishment of best practice or similar (hereafter jointly referred to as ATA Publication(s)).¹
- 1.1.2 For the purpose of this Operating Manual, ATA submissions and position papers or similar are not ATA Publications.
- 1.1.3 The Operating Manual is consistent with and in support of the objectives of the ATA as stipulated in the ATA Constitution.

1.2 APPLICATION

- 1.2.1 Where relevant and applicable, this Operating Manual applies to work undertaken by the ATA irrespective of whether the work is intended to result in the publication of an ATA Publication.

1.3 APPROACH

- 1.3.1 For the development of ATA Publications, this Operating Manual aims to ensure that the processes for the development of these documents:
- a. adopt disciplines of project management for the control and monitoring for the development of processes to:
 - enable development in a timely manner and within the timeframe approved in the respective *ATA Project Sheet*;
 - enable the development against the background of the anticipated resources required to be allocated as per the respective *ATA Project Sheet*;
 - b. are flexible, open, and transparent;
 - c. encourage and facilitate consultation with all relevant stakeholders;
 - d. have the objective of achieving a consensus outcome; and
 - e. where applicable, meet the relevant legislative requirements (refer to section 1.4 for further detail).

¹ Not all ATA Publications are publicly available. Some ATA Publications may be available to ATA Members only.

1.4 LEGISLATIVE REQUIREMENTS

- 1.4.1 For the development of codes to be submitted for registration to the regulator, this Operating Manual aims to ensure that the processes for the development of these codes:
- a. meet the requirements of Part 6 the *Telecommunications Act 1997* or Part 9 of the *Online Safety Act 2021*, as appropriate
 - b. where applicable and practicable, comply with the requirements of the Australian Communications and Media Authority (ACMA) *Guide to developing and varying telecommunications codes for registration*.
- 1.4.2 For the development of standards, guidelines, or other standards-related documents, this Operating Manual aims to ensure that the processes for the development of these standards, guidelines, or other standards-related documents, where appropriate, meet the requirements of Part 21 of the *Telecommunications Act 1997*.

1.5 REQUIREMENTS AS A STANDARDS DEVELOPMENT ORGANISATION

- 1.5.1 The ATA is a Standards Development Organisation and complies with respective requirements as contained in the *ATA Requirements as an SDO for developing Australian Standards*.

1.6 MERGER WITH AMTA

- 1.6.1 The ATA and the Australian Mobile Telecommunications Association (AMTA) propose to enter into a full merger whereby the ATA will become the sole member of AMTA as documented in the Merger Implementation Deed between the parties (Merger).
- 1.6.2 Section 2.11 of this Operating Manual documents additional processes that are to be implemented following Completion (as defined in the Merger Implementation Deed) of the Merger.
- 1.6.3 The documentation of these processes in this Operating Manual intends to incorporate the activities of AMTA into the ATA until the next scheduled review of this Operating Manual (see section 1.7).
- 1.6.4 The provisions of this Operating Manual in respect of the Merger do not supersede provisions contained in the ATA's Constitution, the Merger Implementation Deed entered into by the parties, or any other binding document associated with the Merger.

1.7 REVIEW

- 1.7.1 This Operating Manual and the document development and management processes described therein will be reviewed within 12 months of the Completion (as defined in the Merger Implementation Deed) of the Merger of the ATA and AMTA, and every five years thereafter, or earlier if the circumstances require this. Where required, the Operating Manual will be revised to ensure continuing effectiveness in meeting its objectives.

1.8 APPROVAL

- 1.8.1 This Operating Manual and any subsequent variations (other than editorial changes) must be approved by the ATA Board.

1.9 PUBLICATION

- 1.9.1 This Operating Manual will be published on the [ATA website](#).

1.10 AI, TRANSCRIPTION, AND SIMILAR TOOLS

- 1.10.1 Unless expressly permitted, the ATA does not permit the use of artificial intelligence (AI), transcription, or similar tools by Members of the ATA or non-ATA member meeting participants during meetings of ATA groups.
- 1.10.2 For the avoidance of doubt, the ATA may use such tools for the purpose of conducting its activities effectively and efficiently.

1.11 MISCELLANEOUS

- 1.11.1 References to ATA-internal or external documents apply to versions of such documents as amended from time to time.
- 1.11.2 The ATA may use ATA group documents for purposes not related to the work of the respective ATA group.
- 1.11.3 References to ‘Member(s) of the ATA’ refers to member(s) of the organisation and are to be distinguished from references to ‘member(s)’ (i.e., participant organisation) of ATA groups. Similarly, ‘non-ATA Member(s)’ refers to member(s) of an ATA group that are not Member(s) of the organisation.
- 1.11.4 References to members of an ATA group include references to all representatives of those member organisations.
- 1.11.5 ATA staff are not members of the respective groups that they manage or advise and do not have voting rights.

2. GOVERNANCE FRAMEWORK FOR ATA ACTIVITIES AND DOCUMENT DEVELOPMENT PROCESSES

2.1 ATA BOARD

- 2.1.1 The ATA Constitution describes the role and governs powers of the ATA Board.
- 2.1.2 Nothing in this Operating Manual is intended to supersede or be inconsistent with the ATA Constitution. In case of any inconsistencies, the ATA Constitution and any by-laws prevail.

2.2 OPERATIONS COUNCIL (OC)

2.2.1 Purpose

- 2.2.1.1 The Operations Council (OC):
 - a. provides a forum for representatives of all Members of the ATA to discuss current and planned activities of the ATA, including matters that affect the telecommunications sector more broadly;
 - b. provides an opportunity to exchange experiences and seek guidance;
 - c. may provide guidance on external stakeholder engagement;
 - d. considers interdependencies between ATA activities undertaken by the respective Advisory Groups (AGs), Working Committees (WCs), and Working Groups (WGs); and
 - e. provides a forum for any other discussions not otherwise facilitated in other groups or fora.

2.2.2 Constitution and Membership

- 2.2.2.1 Only Members of the ATA have the right to nominate (and the CEO may admit) one or more representatives of their respective organisations for the OC. The CEO has the right to limit the number of representatives per ATA Member to maintain operational efficiency and balance.
- 2.2.2.2 The chairpersons of the AGs are ex-officio members of the OC even if they are not Members of the ATA.
- 2.2.2.3 The CEO may invite non-ATA Members to the OC.

2.2.3 Chairperson

- 2.2.3.1 The CEO is the chairperson of the OC.

2.2.4 Voting within the OC

- 2.2.4.1 The OC is not intended to be a decision-making group with formal voting procedures. However, the OC provides guidance and may face diverging opinions in its deliberations.
- 2.2.4.2 The OC seeks to operate by consensus. Where consensus on a matter cannot be achieved, the CEO retains the final authority to decide the matter, including through referral of the matter to

the ATA Board.

2.2.5 Oversight

2.2.5.1 The OC is accountable to the CEO at all times.

2.2.6 OC responsibilities

2.2.6.1 Any deliberations and documents of the OC are confidential and must not be disclosed outside of the OC, except to the extent that disclosure within an OC member's organisation is required to ensure the member's effective participation in the OC, or to the extent that disclosure is required to facilitate ATA processes. AG documents must not be used by OC members for any purpose not-related to the work of the OC, unless otherwise agreed by the OC.

2.2.6.2 All OC members must maintain the integrity of the OC process at all times.

2.2.6.3 OC members agree to adhere to good meeting principles, including punctuality, regular attendance, availability of delegates, and timely completion of action items.

2.2.7 Meeting frequency, format, quorum, and administration

2.2.7.1 The OC meets every eight weeks or as otherwise agreed by the OC members.

2.2.7.2 The meeting format (in-person, virtual, hybrid) is to be determined by the OC.

2.2.7.3 A quorum of more than 50% of OC members is required to constitute a formal AG meeting.

2.2.7.4 ATA staff are to produce minutes for each OC meeting. The minutes are to be circulated for review and subsequent approval by the OC members. Minutes may be produced with the assistance of AI, transcription tools, or other assistive technology.

2.3 ADVISORY GROUPS (AG)

2.3.1 Purpose

2.3.1.1 AGs advise the CEO, where applicable, on the:

- a. establishment of WCs and WGs to deliver its work, including advice to develop a new or to revise, amend, vary, reconfirm, seek deregistration, or withdraw an existing ATA Publication (through a WC);
- b. work required to meet the objectives of the ATA Constitution;
- c. content of existing ATA Publications;
- d. due process, quality, and timing of ATA Publications;
- e. general developments in the industry which have an impact on matters falling within the scope of ongoing or future work of the ATA and the objectives of the ATA Constitution.

2.3.2 Terms of Reference and powers

2.3.2.1 The AG recommends terms of reference for the AG to the CEO. Final approval of the terms of reference rests with the CEO.

2.3.3 Establishment

2.3.3.1 The CEO may establish AGs at any time to further the ATA's objectives.

2.3.3.2 Upon the decision to establish an AG, ATA staff are to seek nominations for membership of the AG through appropriate means and/or fora.

2.3.4 Constitution and membership

2.3.4.1 The constitution of AGs must be approved by the CEO.

2.3.4.2 All Members of the ATA have the right to nominate (at the CEO may admit) one or more representatives for an AC. The CEO has the right to limit the number of representatives per ATA Member to maintain operational efficiency and balance.

2.3.4.3 AG members must be appointed by the CEO and must be:

- a. selected from the nominees with relevant subject matter expertise of Members of the ATA; and/or
- b. representative of the parties interested in and/or affected by the subject matter, including AG members from within the same category of AG membership who represent differing views; and
- c. able to contribute to the work of the AG; and
- d. to the greatest extent possible, a balance of representatives from the industry sectors involved in the work of that AG as set out in the terms of reference for that AG.

2.3.4.4 An AG can include in its membership voting and non-voting positions:

- a. voting members of the AG are eligible to participate in any of the AG's decision making and voting process (i.e., their views must be taken into account in determining consensus or in any more formal voting process).
 - Members of the ATA are voting members of the AG, unless otherwise agreed by the CEO.
- b. non-voting members of the AG may be regulators or any other stakeholders. Non-voting members are ineligible to participate in the AG's decision making and voting process.
 - AG members that are not Members of the ATA are non-voting members, unless otherwise agreed by the CEO, or unless necessitated by the requirements for SDOs (refer to section 1.5) .

2.3.5 Chairperson

2.3.5.1 The CEO appoints the chairperson of the AG.

2.3.5.2 All AG members and the CEO have the right to nominate one or more chairpersons.

2.3.5.3 AG chairpersons are non-voting members and are to take an independent role in relation to an AG's debate, to ensure the fair and equitable operation of the AG. The AG member whose representative is the AG chairperson may nominate an additional representative to be the voting member of the AG if the chairperson ordinarily would fall into the category of voting members.

2.3.5.4 The chairperson and deputy chairperson (where appointed) are to be appointed for a term of two years, unless agreed otherwise by the AG and the (deputy) chairperson-elect.

2.3.6 Voting within AGs

2.3.6.1 AGs are to work by consensus to the greatest extent possible.

2.3.6.2 Irrespective of the number of representatives, each AG member only has one vote.

2.3.6.3 In the exceptional case of a formal vote within the AG, the following applies:

- a. For proposals to develop a new or to revise, amend, vary, reconfirm, seek deregistration, or withdraw an existing ATA Publication, the proposal in question is agreed to
 - if at least 50% of AG members eligible to vote have voted; and
 - at least two thirds of votes cast support the proposal; and
 - AG members are ready to commit the resources required to progress/implement the proposal.

If less than 50% of AG members eligible to vote have voted, the vote will be deferred until the next meeting or a formal ballot will be undertaken to allow members time to consider the proposal.

- b. For other votes during AG meetings and debate, a simple majority is sufficient to decide the matter subject to the vote.

2.3.7 Oversight

2.3.7.1 AGs are accountable to the CEO at all times.

2.3.8 AG responsibilities

2.3.8.1 Any deliberations and documents of the AG are confidential and must not be disclosed outside of the AG, except to the extent that disclosure within an AG member's organisation is required to ensure the member's effective participation in the AG, or to the extent that disclosure is required to facilitate ATA processes. AG documents must not be used by AG members for any purpose not-related to the work of the AG, unless otherwise agreed by the AG.

2.3.8.2 All AG members must maintain the integrity of the AG process at all times.

2.3.8.3 AG members agree to adhere to good meeting principles, including punctuality, regular attendance, availability of delegates, and timely completion of action items.

2.3.8.4 AGs must not alter the content of an ATA Publication that has been agreed in a Working Committee or Working Group.

2.3.9 Meeting frequency, format, quorum, and administration

2.3.9.1 AGs meet on a three-monthly basis or as otherwise agreed by the AG members.

2.3.9.2 The meeting format (in-person, virtual, hybrid) is to be determined by the AG.

2.3.9.3 A quorum of more than 50% of voting members is required to constitute a formal AG meeting. If a quorum cannot be attained, the meeting may go ahead but the lack of a quorum is to be documented in the minutes.

2.3.9.4 ATA staff are to produce minutes for each AG meeting. The minutes are to be circulated for review and subsequent approval by the AG members. Minutes may be produced with the assistance of AI, transcription tools or other assistive technology.

2.3.10 AG sub-groups

- 2.3.10.1 The AG may establish sub-groups to discharge of its responsibilities and to organise its activities.
- 2.3.10.2 AG sub-groups may/may not produce minutes of its meetings at its discretion.
- 2.3.10.3 Membership of AG sub-groups must be drawn from the members of the AG but does not require the same representatives.
- 2.3.10.4 AG sub-groups may take decisions by consensus independently but remain accountable to the AG.
- 2.3.10.5 If an AG sub-group is unable to reach a decision by consensus, it must refer the matter to the AG for decision. The voting (and any other relevant) requirements for AGs apply.

2.3.11 Disbanding of AGs

- 2.3.11.1 All AGs may vote to recommend to the CEO to disband the AG. The voting procedures and requirements as per section 2.3.6.3 apply.
- 2.3.11.2 The final decision to disband an AG rests with the CEO.

2.3.12 Current AGs

- 2.3.12.1 Irrespective of their titles (which may result from historical circumstances) and independent of the processes that have led to their establishment, terms of reference, constitution etc., the following ATA groups are considered AGs:
- a. Communications Security Reference Panel (CSRP);
 - b. Customer Equipment and Cable Reference Panel (CECRP);
 - c. Industry Consumer Advisory Group (ICAG);
 - d. Network Reference Panel (NRP);
 - e. Operations Reference Panel (ORP);
 - f. Satellite Services Working Group (SSWG); and
 - g. Government Affairs and Policy Working Group (GAP WG)
- 2.3.12.2 Further AGs may be established or existing AGs may be disbanded. Such changes would be reflected in scheduled revisions of the Operating Manual.

2.4 WORKING COMMITTEES FOR STANDARDS (STANDARDS WC)²

2.4.1 Purpose

- 2.4.1.1 Standards WCs are established to develop, revise, amend, reconfirm, or withdraw standards, guidelines, or other standards-related documents. For ease of reference, this work is hereafter referred to as a Standards Project but it is noted that, unless otherwise specified, section 2.4

² For ease of reference, these Working Committees are referred to as Standards WCs. However, as per section 2.4.1.1, the scope of Standards WCs also extends to guidelines and standards-related documents.

also applies to guidelines and standards-related documents.

- 2.4.1.2 A standard ought not to duplicate an existing Australian Standard. Where such duplication occurs, justification or explanation must be included in the standard.

2.4.2 Establishment

- 2.4.2.1 A Standards WC can only be established upon recommendation to the CEO by an AG.
- 2.4.2.2 The Standards Project to be executed by the Standards WC requires the approval of the CEO.
- 2.4.2.3 ATA staff are to develop all required Standards Project documentation, including the *ATA Project Sheet* and the terms of reference for Standards WCs (also refer to section 2.4.3.1) for approval of the Standards Project by the CEO. The *ATA Project Sheet* considers the net benefit of the Standards Project.
- 2.4.2.4 Upon the decision to establish a Standards WC, ATA staff are to seek nominations for membership of the Standards WC through appropriate means and/or fora.
- 2.4.2.5 If there are significant proposed (or actual) changes in the project timeline, resources, risks, terms of reference, or similar, ATA staff are to appraise the CEO of these changes and seek re-approval of the revised *ATA Project Sheet* (and other documents as the case may be) by the CEO.

2.4.3 Terms of Reference and powers

- 2.4.3.1 The AG that recommended the establishment of the Standards WC is to develop the terms of reference for a Standards WC with assistance from ATA staff.

2.4.4 Constitution and membership

- 2.4.4.1 The constitution of Standards WCs must be approved by the CEO.
- 2.4.4.2 All Members of the ATA have the right to nominate (and the CEO may admit) one or more representatives for the Standards WC. The CEO has the right to limit the number of representatives per ATA Member to maintain operational efficiency and balance.
- 2.4.4.3 Non-ATA Members will be invited to nominate (and the CEO may admit) one or more representatives if and as required to ensure appropriate representation and/or where deemed necessary to further the objectives of the Standards WC.
- 2.4.4.4 If a Standards WC member has nominated (and the CEO admitted) more than one representative, it must designate a principal representative which is to be recorded on the *ATA Working Committee Nomination Form*.
- 2.4.4.5 In approving the establishment Standards WCs, including its voting members, the CEO must take into account:
- a. whether representatives from each industry sector together with other interested parties were given the opportunity to indicate their interest to become a member of the Standards WCs;
 - b. the need for a balance of representation from each of the interested sectors without undue domination by one sector; and
 - c. other matters that may be appropriate in the circumstances.
- 2.4.4.6 A Standards WC ought to be representative of all parties who have a stake in or are affected by

the subject matter of the proposed Standards Project, but ought to remain limited to a size that is consistent with its effective operation. This does not mean that there will be individual representatives from all stakeholders; rather the objective of appropriate representation can be met by admitting (a) representative(s) of a number of stakeholders into the membership of the Standards WC.

- 2.4.4.7 Members of Standards WCs are to be drawn from interest categories as per *SDAC-001 Requirements for the Accreditation of a Standards Development Organisation* and other stakeholders, to the extent applicable for the Standards Project under consideration. For this purpose, ATA staff must invite nominations in accordance with the *ATA Working Committee Member Categories List*.
- 2.4.4.8 No one party or interest category is to have a disproportionate representation in a Standards WC.
- 2.4.4.9 Membership of a Standards WC is not conditional upon membership in any organisation (including the ATA), nor can it be unreasonably restricted on the basis of technical or professional qualifications or other such requirements.
- 2.4.4.10 A Standards WC can include in its membership voting and non-voting positions:
- a. voting members of the Standards WC are eligible to participate in any of the Standards WC's decision making and voting process (i.e., their views must be taken into account in determining consensus or in any more formal voting process).
 - Members of the ATA are voting members of the Standards WC, unless otherwise agreed by the CEO.
 - b. non-voting members of the Standards WC may be regulators or any other stakeholders. Non-voting members are ineligible to participate in the Standards WC's voting process.
- 2.4.4.11 The Standards WC may permit additional expert participants and regulators to attend meetings as observers or advisers to the Standards WC's work.

2.4.5 Chairperson

- 2.4.5.1 The Standards WC appoints its chairperson.
- 2.4.5.2 All Standards WC members and the CEO have the right to nominate one or more chairpersons
- 2.4.5.3 The Standards WC seeks to select a chairperson by consensus. If no consensus can be reached, the chairperson is elected by simple majority vote.
- 2.4.5.4 Standards WC chairpersons are non-voting members and are to take an independent role in relation to an Standards WC's debate, to ensure the fair and equitable operation of the Standards WC. The Standards WC member whose representative is the Standards WC chairperson may nominate an additional representative to be the voting member of the Standards WC if the chairperson ordinarily would fall into the category of voting members
- 2.4.5.5 The chairperson and deputy chairperson (where appointed) are to be appointed for the duration of the Standards Project, unless agreed otherwise by the Standards WC and the (deputy) chairperson-elect.

2.4.6 Voting within Standards WCs

- 2.4.6.1 Standards WCs are to work by consensus to the greatest extent possible.

- 2.4.6.2 Irrespective of the number of representatives, each Standards WC member only has one vote.
- 2.4.6.3 In case the Standards WC cannot reach consensus, with the exception of the ballot of the final ATA Publication that the Standards WC intends to submit for approval for publication or registration with a regulator (as the case may be) to the ATA Board, a simple majority will be sufficient to decide the matter subject to a vote within the Standards WC. Any one of the representatives of a Standards WC can cast the (single) vote for that respective member of the Standards WC.
- 2.4.6.4 If negative votes are received during ballot of the final ATA Publication, the Standards WC is to make all reasonable efforts to resolve the issues that led to the negative vote. If, following attempted resolution, one or more negative votes remain, the ATA Publication is to be submitted for approval for publication to the ATA Board if:
- a minimum of two-thirds of the Standards WC members eligible to vote have voted; and
 - at least 80% of votes cast are in the affirmative; and
 - no major interest group involved with the subject of the ATA Publication has collectively maintained a negative vote.
- 2.4.6.5 Notwithstanding section 2.4.6.3, for the ballot of the final ATA Publication, the designated principal representative for the member of the Standards WC must cast the vote.

2.4.7 Oversight

- 2.4.7.1 Standards WCs are accountable to the CEO at all times.

2.4.8 Standards WC responsibilities

- 2.4.8.1 Standards WCs must have regard to the *ATA Guidelines for Developing Standards*.
- 2.4.8.2 Any deliberations and documents of the Standards WC are confidential and must not be disclosed outside of the Standards WC, except to the extent that disclosure within a Standards WC member's organisation is required to ensure the member's effective participation in the Standards WC, or to the extent that disclosure is required to facilitate ATA processes. Standards WC documents must not be used by Standards WC members for any purpose not-related to the work of the Standards WC, unless otherwise agreed by the Standards WC.
- 2.4.8.3 All Standards WC members must maintain the integrity of the Standards WC process at all times.
- 2.4.8.4 Standards WC members agree to adhere to good meeting principles, including punctuality, regular attendance, availability of delegates, and timely completion of action items.
- 2.4.8.5 Standards WCs are responsible for the content of the ATA Publication that they are developing.

2.4.9 Meeting proceedings

- 2.4.9.1 Prior to commencing its activities within a Standards WC, ATA staff are to request all Standards WC members take note of, and ensure all members have consented to, all items listed in the *ATA Checklist for Standards Development Working Committees*, including granting permission that any contributions made to the standards, guidelines, or other standards-related documents developed become property of the ATA. Standard WC members' understanding of and consent to the matters listed in the *ATA Checklist for Standards Development Working Committees* is to be discussed at the first meeting of the Standards WC and recorded in the minutes of that

meeting.

- 2.4.9.2 Standards WCs meet as necessary and agreed by the Standards WC members, with view to the timelines as set out in the *ATA Project Sheet*.
- 2.4.9.3 The meeting format (in-person, virtual, hybrid) is to be determined by the Standards WC.
- 2.4.9.4 A quorum of more than 50% of voting members is required to constitute a formal Standards WC meeting.
- 2.4.9.5 ATA staff are to produce minutes for each Standards WC meeting. The minutes are to be circulated for review and subsequent approval by the Standards WC members. Minutes may be produced with the assistance of AI, transcription tools, or other assistive technology.
- 2.4.9.6 Draft documents are to be circulated to all Standards WC members for review at the next meeting (or as otherwise agreed by the Standards WC) to ensure that all members have an equal opportunity to engage and no one interest has a disproportionate influence in the Standards WC.
- 2.4.9.7 ATA staff or management must not unduly influence or direct the Standards WC with respect to the content of the drafts or final version of ATA Publication that the Standards WC is developing.

2.4.10 Standards WC sub-groups

- 2.4.10.1 The Standards WC may establish sub-group(s) to discharge of its responsibilities and to organise its activities.
- 2.4.10.2 The constitution and operation of such sub-groups must not conflict with the requirements for and operation of the establishing Standards WC.
- 2.4.10.3 Standard WC sub-groups may/may not produce minutes of its meetings at its discretion.
- 2.4.10.4 Standards WC sub-groups may take decisions by consensus independently but remain accountable to the Standards WC.
- 2.4.10.5 If a Standards WC sub-group is unable to reach a decision by consensus, it must refer the matter to the Standards WC for decision. The voting (and any other relevant) requirements for Standards WCs apply.

2.4.11 Disbanding of Standards WCs

- 2.4.11.1 A Standards WC is disbanded upon completion of the Standards Project, unless further related work has been identified and the CEO has approved the continuation of the Standards WC.
- 2.4.11.2 To the greatest extent possible, members of disbanded Standards WCs ought to be available to address queries that may arise in relation to the standard that the disbanded WC has developed.

2.5 PROCESS FOR STANDARDS PROJECTS

2.5.1 General approach

- 2.5.1.1 For the development of standards the process must comply with the requirements as set out in section 1.5. and meet the requirements of Part 21 of the *Telecommunications Act 1997*, as applicable.
- 2.5.1.2 For ease of reference, the work of a Standards WC is hereafter referred to as a Standards Project

but it is noted that, unless otherwise specified, sections 2.4 and 2.5 also apply to guidelines and standards-related documents.

2.5.1.3 The Standards WC is to consider the commencement of the standard in the context of existing regulatory arrangements and legal requirements.

2.5.1.4 The Standards WC is to make all reasonable efforts to avoid conflicting requirements between standards on the same or similar subjects.

2.5.1.5 AG recommendation

2.5.1.6 The appropriate AG recommends the Standards Project pursuant to section 2.4.2.

2.5.2 Establishment and constitution of the Standards WC

2.5.2.1 The CEO approves the establishment of the WC pursuant to sections 2.4.2 to 2.4.4.

2.5.3 Election of a Chairperson

2.5.3.1 The Standards WC elects a chairperson pursuant to section 2.4.5.

2.5.4 Development of draft ATA Publications

2.5.4.1 The Standards WC meets pursuant to section 2.4.9 to progress the drafting of the respective ATA Publication.

2.5.5 Public consultation for standards

2.5.5.1 The Standards WC seeks to agree by consensus that the draft standard is to be released for public consultation. If consensus cannot be achieved, the matter proceeds to a formal vote by simple majority (also refer to section 2.4.6).

2.5.5.2 The period for public consultation is at least 60 days, excluding the first day the document is available to the public.

2.5.5.3 The requirements for public consultation do not apply to guidelines and standards-related documents.

2.5.6 Post-public consultation phase

2.5.6.1 After the conclusion of the public comment period:

- a. all feedback received during public consultation must be considered by the Standards WC and the draft standard amended as agreed as a result of the consideration. The Standards WC must record the reasons for not incorporating feedback in the amended draft document in meeting minutes or other appropriate document, and advise the author of the feedback in writing (unless the author is a member of the Standards WC and has not requested such advice) or, alternatively, publish the reasons on the ATA website; and
- b. if a change made during or after the public consultation phase to the draft standard that was published for public consultation is likely to have an additional significant impact (beyond any impact that would have arisen from the public consultation version of the document), a second public consultation process may be required. ATA staff is to seek advice from the regulator as appropriate.

2.5.7 Approval of the final document by the Standards WC

- 2.5.7.1 Once the Standards WC agrees that the post-public consultation document has been completed, ATA staff is to initiate a ballot of the final document pursuant the requirements of section 2.4.6.

2.5.8 Approval by the ATA Board³

- 2.5.8.1 The CEO of the ATA must meet regularly with the respective ATA staff to be appraised of the process and progress of the Standards WC, including during public consultation and at ballot phase, with a view to ensuring that due process is being followed.
- 2.5.8.2 If the CEO is satisfied that due process has been followed and following the completion of a formal ballot of the final document in the affirmative, the CEO is to assure the ATA Board that due process has been followed and seek approval from the ATA Board for the publication of the document.
- 2.5.8.3 The ATA Board is responsible for the final approval (or disapproval as the case may be, refer to section 2.5.8.4) to publish the document.
- 2.5.8.4 The ATA Board may decide not to approve the publication of the document if special circumstances warrant this. Such circumstances include, but are not limited to, irreconcilable conflicts within the Standards WC or serious concerns from a regulator. If the ATA Board exercises its right not to approve the publication, the circumstances and reasons for this decision must be documented in the proceedings of the ATA Board.
- 2.5.8.5 The ATA Board may examine the content of the document but must not alter the content of the document under any circumstances.
- 2.5.8.6 Unless special circumstances pursuant to section 2.5.8.4 apply, in its deliberations whether to approve publication, the ATA Board must only consider whether due process has been followed.
- 2.5.8.7 If the ATA Board is not satisfied that due process has been followed, or in its view the contents have shortcomings that it deems remediable by the Standards WC, it is to direct the Standards WC to return to the appropriate phase in the development process.

2.5.9 Post-ATA Board approval phase

- 2.5.9.1 ATA staff are to prepare the document for publication on the ATA website .
- 2.5.9.2 Upon publication of a standard, ATA staff will alert the regulator to the publication. The regulator, at its discretion, may then initiate processes to translate the standard into law.
- 2.5.9.3 ATA staff are to provide Standards Australia with the a copy of the published Australian Standard.
- 2.5.9.4 The ATA will publicise the publication and/or translation of the standard into law through its newsletter and/or other appropriate means.

³ The approval processes described in this section have been delegated by the ATA Board to the Regulation and Government Relations Board Advisory Committee.

2.6 WORKING COMMITTEES FOR CODES (CODES WC)⁴

2.6.1 Purpose

- 2.6.1.1 Codes WCs are established to develop, revise, vary, reconfirm, or request deregistration of codes, guidelines, or codes-related documents. For ease of reference, this work is hereafter referred to as a Codes Project but it is noted that, unless otherwise specified, sections 2.6 and 2.7 also apply to guidelines (that do not relate to standards) and codes-related documents.

2.6.2 Establishment

- 2.6.2.1 A Codes WC can only be established upon recommendation to the CEO by an AG.
- 2.6.2.2 The Codes Project to be executed by the Codes WC requires the approval of the CEO.
- 2.6.2.3 ATA staff are to develop all required Codes Project documentation, including the *ATA Project Sheet* and the terms of reference for Codes WCs (also refer to section 2.6.3.1) for approval of the Codes Project by the CEO.
- 2.6.2.4 Upon the decision to establish a Codes WC, ATA staff are to seek nominations for membership of the Codes WC through appropriate means and/or fora.
- 2.6.2.5 If there are significant proposed (or actual) changes in the project timeline, resources, risks, terms of reference or similar, ATA staff are to appraise the CEO of these changes and seek re-approval of the revised *ATA Project Sheet* (and other documents as the case may be) by the CEO.

2.6.3 Terms of Reference and powers

- 2.6.3.1 The AG that recommended the establishment of the Codes WC is to develop the terms of reference for a Codes WC with assistance from ATA staff.

2.6.4 Constitution and membership

- 2.6.4.1 The constitution of Codes WCs must be approved by the CEO.
- 2.6.4.2 All Members of the ATA have the right to nominate (and the CEO may admit) one or more representatives for the Codes WC. The CEO has the right to limit the number of representatives per ATA Member to maintain operational efficiency and balance.
- 2.6.4.3 Non-ATA Members are to be invited to nominate representatives if and as required to ensure appropriate representation and/or where deemed necessary by the ATA to further the objectives of the Codes WC.
- 2.6.4.4 In approving the establishment Codes WCs, including its voting members, the CEO must take into account:
- whether representatives from each industry sector together with other interested parties were given the opportunity to indicate their interest to become a member of the Codes WCs;
 - the need for a balance of representation from each of the interested sectors without undue domination by one sector;

⁴ For ease of reference, these Working Committees are referred to as Codes WCs. However, as per section 2.6.1, the scope of Codes WCs also extends to guidelines and codes-related documents.

- c. the requirements for representation of industry sections for the development of industry codes of Part 6 of the *Telecommunications Act 1997* or Part 9 of the *Online Safety Act 2021*, as applicable; and
- d. other matters that may be appropriate in the circumstances.

- 2.6.4.5 A Codes WC ought to be representative of all parties who have a stake in or are affected by the subject matter of the proposed Codes Project, but ought to remain limited to a size that is consistent with its effective operation. This does not mean that there will be individual representatives from all stakeholders; rather the objective of appropriate representation can be met by admitting a representative of a number of stakeholders into the membership of the Codes WC.
- 2.6.4.6 No one party or interest category is to have a disproportionate representation in a Codes WC.
- 2.6.4.7 Membership of a Codes WC is not conditional upon membership in a professional standards organisation, nor can it be unreasonably restricted on the basis of technical or professional qualifications or similar requirements.
- 2.6.4.8 A Codes WC can include in its membership voting and non-voting positions:
- a. voting members of the Codes WC are eligible to participate in any of the Codes WC's decision making and voting process (i.e., their views must be taken into account in determining consensus or in any more formal voting process).
 - Members of the ATA are voting members of the Codes WC, unless otherwise agreed by the CEO.
 - b. non-voting members of the Codes WC may be nominees of regulators or any other stakeholders. Non-voting members are ineligible to participate in the Codes WC's decision making and voting process.
 - Codes WC members that are not Members of the ATA are non-voting members, unless otherwise agreed by the CEO.
- 2.6.4.9 The WC may agree to permit expert participants and regulators to attend meetings as observers or advisers to the Codes WC's work.

2.6.5 Chairperson

- 2.6.5.1 The Codes WC appoints its chairperson.
- 2.6.5.2 All Codes WC members and the CEO have the right to nominate one or more chairpersons.
- 2.6.5.3 The Codes WC seeks to select a chairperson by consensus. If no consensus can be reached, the chairperson is elected by simple majority vote.
- 2.6.5.4 Codes WC chairpersons may be voting members. ATA staff may perform the role of the chairperson but may not vote.
- 2.6.5.5 The chairperson and deputy chairperson (where appointed) are to be appointed for the duration of the Codes Project, unless agreed otherwise by the Codes WC and the (deputy) chairperson-elect.

2.6.6 Voting within Codes WCs

- 2.6.6.1 Codes WCs are to work by consensus to the greatest extent possible.

- 2.6.6.2 Irrespective of the number of representatives, each Codes WC member only has one vote. Any one of the representatives of a Codes WC can cast the (single) vote for that respective member of the Codes WC.
- 2.6.6.3 In case the Codes WC cannot reach consensus, with the exception of the ballot of the final ATA Publication that the Codes WC intends to submit for approval for publication or registration with a regulator (as the case may be) to the ATA Board, a simple majority is sufficient to decide the matter subject to a vote within the Codes WC.
- 2.6.6.4 If negative votes are received during ballot of the final ATA Publication, the Codes WC is to make all reasonable efforts to resolve the issues that led to the negative vote. If, following attempted resolution, one or more negative votes remain, the ATA Publication is to be submitted for approval for publication or registration with a regulator (as the case may be) to the ATA Board if:
 - a. a minimum of two-thirds of the Codes WC members eligible to vote have voted; and
 - b. at least 80% of votes cast are in the affirmative; and
 - c. no major interest group involved with the subject of the ATA Publication has collectively maintained a negative vote.

2.6.7 Oversight

- 2.6.7.1 Codes WCs are accountable to the CEO at all times.

2.6.8 Codes WC responsibilities

- 2.6.8.1 Any deliberations and documents of the Codes WC are confidential and must not be disclosed outside of the Codes WC, except to the extent that disclosure within a Codes WC member's organisation is required to ensure the member's effective participation in the Codes WC, or to the extent that disclosure is required to facilitate ATA processes. Codes WC documents must not be used by Codes WC members for any purpose not-related to the work of the Codes WC, unless otherwise agreed by the Codes WC.
- 2.6.8.2 All Codes WC members must maintain the integrity of the Codes WC process at all times.
- 2.6.8.3 Codes WC members agree to adhere to good meeting principles, including punctuality, regular attendance, availability of delegates, and timely completion of action items.
- 2.6.8.4 Codes WCs are responsible for the content of the ATA Publication that they are developing.

2.6.9 Meeting proceedings

- 2.6.9.1 Codes WCs meet as necessary and agreed by the Codes WC members, with view to the timelines as set out in the *ATA Project Sheet*.
- 2.6.9.2 The meeting format (in-person, virtual, hybrid) is to be determined by the Codes WC.
- 2.6.9.3 A quorum of more than 50% of voting members is required to constitute a formal Codes WC meeting.
- 2.6.9.4 ATA staff are to produce minutes for each Codes WC meeting. The minutes are to be circulated for review and subsequent approval by the Codes WC members. Minutes may be produced with the assistance of AI, transcription tools, or other assistive technology.
- 2.6.9.5 Draft documents are to be circulated to all Codes WC members for review at the next meeting (or as otherwise agreed by the Codes WC) to ensure that all members have an equal opportunity

to engage and no one interest has a disproportionate influence in the Codes WC.

- 2.6.9.6 ATA staff or management must not unduly influence or direct the Codes WC with respect to the content of the drafts or final version of ATA Publication that the Codes WC is developing.

2.6.10 Codes WC sub-groups

- 2.6.10.1 The Codes WC may establish sub-group(s) to discharge of its responsibilities and to organise its activities.
- 2.6.10.2 The constitution and operation of such sub-groups must not conflict with the requirements for and operation of the establishing Codes WC.
- 2.6.10.3 Codes WC sub-groups may/may not produce minutes of its meetings at its discretion.
- 2.6.10.4 Codes WC sub-groups may take decisions by consensus independently but remain accountable to the Codes WC.
- 2.6.10.5 If a Codes WC sub-group is unable to reach a decision by consensus, it must refer the matter to the Codes WC for decision. The voting (and any other relevant) requirements for Codes WCs apply.

2.6.11 Disbanding of Codes WCs

- 2.6.11.1 A Codes WC is disbanded upon completion of the Codes Project, unless further related work has been identified and the CEO has approved the continuation of the Codes WC.

2.7 PROCESS FOR CODES PROJECTS

2.7.1 General approach

- 2.7.1.1 For the development of codes to be submitted for registration to the regulator, the process must
- meet the requirements of Part 6 the *Telecommunications Act 1997* or Part 9 of the *Online Safety Act 2021*, as applicable;
 - where applicable and practicable, comply with the requirements of the Australian Communications and Media Authority (ACMA) *Guide to developing and varying telecommunications codes for registration*.
- 2.7.1.2 For ease of reference, the work of a Codes WC is hereafter referred to as a Codes Project but it is noted that, unless otherwise specified, sections 2.6 and 2.7 also apply to guidelines (that do not relate to standards) and codes-related documents.

2.7.2 AG recommendation

- 2.7.2.1 The appropriate AG recommends the Codes Project pursuant to section 2.6.2.

2.7.3 Establishment and constitution of the Codes WC

- 2.7.3.1 The CEO approves the establishment of the WC pursuant to sections 2.6.2 to 2.6.4.

2.7.4 Election of a Chairperson

- 2.7.4.1 The Codes WC elects a chairperson pursuant to section 2.6.5.

2.7.5 Development of draft ATA Publications

2.7.5.1 The Codes WC meets pursuant to section 2.6.9 to progress the drafting of the respective ATA Publication.

2.7.6 Public consultation for codes

2.7.6.1 The Codes WC seeks to agree by consensus that the draft code is to be released for public consultation. If consensus cannot be achieved, the matter proceeds to a formal vote by simple majority (also refer to section 2.6.6).

2.7.6.2 The period for public consultation is at least 30 days, excluding the first day the document is available to the public.

2.7.6.3 The requirements for public consultation do not apply to guidelines and codes-related documents.

2.7.7 Post-public consultation phase

2.7.7.1 After the conclusion of the public comment period:

- a. all feedback received during public consultation must be considered by the Codes WC and the draft code amended as agreed as a result of the consideration. The Codes WC must record the reasons for not incorporating feedback in the amended draft document in meeting minutes or other appropriate document, and advise the author of the feedback in writing (unless the author is a member of the Codes WC and has not requested such advice) or, alternatively, publish the reasons on the ATA website; and
- b. if a change made during or after the public consultation phase to the draft code that was published for public consultation is likely to have an additional significant impact (beyond any impact that would have arisen from the public consultation version of the document), a second public consultation process may be required. ATA staff are to seek advice from the regulator as appropriate.

2.7.8 Approval of the final document by the Codes WC

2.7.8.1 Once the Codes WC agrees that the post-public consultation document has been completed, ATA staff will initiate a ballot the final document pursuant the requirements of section 2.6.6.

2.7.9 Approval by the ATA Board⁵

2.7.9.1 The CEO of the ATA must meet regularly with the respective ATA staff to be appraised of the process and progress of the Codes WC, including during public consultation and at ballot phase, with a view to ensuring that due process is being followed.

2.7.9.2 If the CEO is satisfied that due process has been followed and following the completion of a formal ballot of the final document in the affirmative, the CEO is to assure the ATA Board that due process has been followed and seek approval from the Board for the publication or submission for registration of the document with a regulator (as the case may be).

2.7.9.3 The ATA Board is responsible for the final approval (or disapproval as the case may be, refer to section 2.7.9.4) to publish the document or submit the document for registration with a

⁵The approval processes described in this section have been delegated by the ATA Board to the Regulation and Government Relations Board Advisory Committee.

regulator.

- 2.7.9.4 The ATA Board may decide not to approve the publication of the document if special circumstances warrant this. Such circumstances include, but are not limited to, irreconcilable conflicts within the Codes WC or serious concerns from a regulator. If the ATA Board exercises its right not to approve the publication, the circumstances and reasons for this decision must be documented in the proceedings of the ATA Board
- 2.7.9.5 The ATA Board may examine the content of the document but must not alter the content of the document in any circumstances.
- 2.7.9.6 Unless special circumstances pursuant to section 2.7.9.4 apply, in its deliberations whether to approve publication or submission for registration with a regulator, the ATA Board must only consider whether due process has been followed.
- 2.7.9.7 If the ATA Board is not satisfied that due process has been followed, or in its view the contents have shortcomings that it deems remediable by the Codes WC, it is to direct the Codes WC to return to the appropriate phase in the development process.

2.7.10 Post-ATA Board approval phase

- 2.7.10.1 ATA staff are to prepare the ATA Publication for publication on the ATA website and/or submission for registration to a regulator.
- 2.7.10.2 The ATA will publicise the publication and/or registration by a regulator of the ATA Publication through its newsletter and/or other appropriate means.

2.8 WORKING GROUPS (WG)⁶

2.8.1 Purpose

- 2.8.1.1 Working Groups progress work that is not intended to result in an ATA Publication. This work can relate to any of ATA's activities but must not be:
 - a. inconsistent with the objectives of the ATA's Constitution; and
 - b. duplicate or be inconsistent with activities carried out in other ATA groups or committees.

2.8.2 Establishment

- 2.8.2.1 WGs will be established on the basis of expressions of interest to perform work in a specific area from Members of the ATA. Such interest may be expressed in any of ATA's fora or processes, including through the ATA Board, Operations Council, AGs, Standards or Codes WCs, or other WGs.
- 2.8.2.2 WGs can be established informally through ATA staff but require CEO approval. Such approval can be sought informally and without the need for additional documentation.
- 2.8.2.3 The ATA may seek nominations for WGs but is not required to formally do so. Members of the ATA will be made aware of the intention to establish a new WG.

⁶ Working Groups may have other titles that may not indicate that they are operating as a Working Group.

2.8.3 Terms of Reference

2.8.3.1 WGs may adopt terms of reference but are not required to do so.

2.8.4 Constitution and membership

2.8.4.1 All Members of the ATA have the right to nominate (and the CEO may admit) one or more representatives for the WG. The CEO has the right to limit the number of representatives per ATA Member to maintain operational efficiency and balance.

2.8.4.2 The CEO may delegate the approval of the constitution and membership of a WG to ATA staff.

2.8.4.3 WG constitutions and memberships are not subject to specific requirements around sector or stakeholder representation.

2.8.4.4 WG constitutions and memberships are not subject to specific requirements around sector or stakeholder representation.

2.8.4.5 WGs may agree to permit expert participants and regulators to attend meetings as observers or advisers to the WG's work.

2.8.5 Chairperson

2.8.5.1 WGs may elect a chairperson but are not required to do so.

2.8.6 Voting within WGs

2.8.6.1 WGs are to work by consensus to the greatest extent possible.

2.8.6.2 Irrespective of the number of representatives, each WG member only has one vote. Any one of the representatives of a WG can cast the (single) vote for that respective member of the WG.

2.8.6.3 Only ATA Members are eligible to vote.

2.8.6.4 In the exceptional case of a formal vote within a WG, the following applies to decide the matter put to vote in the affirmative:

- a. a quorum of at least 50% of members eligible to vote; and
- b. a simple majority WG of voting members.

2.8.7 Oversight

2.8.7.1 WGs are accountable to the CEO at all times.

2.8.8 WG responsibilities

2.8.8.1 Any deliberations and documents of the WG are confidential and must not be disclosed outside of the WG, except to the extent that disclosure within a WG member's organisation is required to ensure the member's effective participation in the WG, or to the extent that disclosure is required to facilitate ATA processes. WG documents must not be used by WG members for any purpose not-related to the work of the WG, unless otherwise agreed by the WG.

2.8.8.2 WG members agree to adhere to good meeting principles, including punctuality, regular attendance, availability of delegates, and timely completion of action items.

2.8.9 Meeting proceedings

2.8.9.1 WGs meet as necessary and agreed by the WG members.

- 2.8.9.2 The meeting format (in-person, virtual, hybrid) is to be determined by the WG.
- 2.8.9.3 A quorum of more than 50% of members eligible to vote ought to be achieved in order to proceed with a WG meeting. If such quorum cannot be achieved for a meeting, the meeting may proceed but any output of the meeting is contingent upon the acceptance by the other WG members at a following meeting.
- 2.8.9.4 WG meetings do not require the production of minutes, unless otherwise agreed by the WG.
- 2.8.9.5 Draft documents are to be circulated to all WG members for review at the next meeting (or as otherwise agreed by the WG) to ensure that all members have an equal opportunity to engage and no one interest has a disproportionate influence in the WG.
- 2.8.9.6 ATA staff or management must not unduly influence or direct the WG.
- 2.8.9.7 WGs are responsible for the content of any document that it may be developing.

2.8.10 Disbanding of WGs

- 2.8.10.1 A WG is disbanded upon completion of the activities for which it was established.

2.9 SPECIAL COMMITTEES

- 2.9.1 The ATA Board may at its sole discretion establish special committees which may not follow the operating requirements and processes for ACs, WC, or WGs of this Operations Manual (Special Committees).
- 2.9.2 For Special Committees, the ATA Board may:
 - a. determine, and limit, the eligibility for membership in Special Committees;
 - b. determine special fees and/or levies that are applied to members of Special Committees, for the purpose of carrying out the specific activities of that Special Committee; and
 - c. delegate authority to the Special Committee to make independent decisions within a defined scope, to allow the Special Committees to set their own priorities and direction.
- 2.9.3 Once established and unless otherwise specified by the ATA Board, a Special Committee must develop essential operating requirements and processes, including in relation to its terms of reference, voting procedures, a chairperson, and meeting frequency and administration.
- 2.9.4 The operating requirements and processes must not delegate authority to dissolve a Special Committee to the CEO. The decision to dissolve a Special Committee always rests with the ATA Board.
- 2.9.5 The operating requirements and processes are to be documented. The CEO has the final authority to approve/disapprove the operating requirements and processes.
- 2.9.6 For the determination of such operating requirements and processes for Special Committees, the Special Committee is to work by consensus to the greatest extent possible. If a vote is required, the following applies to decide the matter put to vote in the affirmative:
 - a. a quorum of at least 50% of members eligible to vote; and
 - b. a simple majority of Special Committee voting members.

- 2.9.7 Irrespective of the number of representatives, each Special Committee member only has one vote. Any one of the representatives of a Special Committee can cast the (single) vote for that respective member of the Special Committee.
- 2.9.8 Special Committees cannot develop standards, guidelines, or standards-related documents, or establish groups tasked to undertake such work.
- 2.9.9 Special Committees cannot develop codes for submission for registration with a regulator, or establish groups tasked to undertake such work.

2.10 DEVELOPMENT OF SUBMISSIONS

2.10.1 Decision whether to make a submission

- 2.10.1.1 The ATA group(s) most closely aligned in its activities with the subject matter of a submission ought to make a decision whether a submission is warranted.
- 2.10.1.2 A submission ought only to be made if a significant number of affected ATA Members believe a submission is warranted and are able to actively participate in the development process.
- 2.10.1.3 No ATA Member has the right to veto the development of a submission. (Also refer to section 2.10.3.4)

2.10.2 Development of the submission

- 2.10.2.1 The development of submissions can be undertaken by any ATA group, i.e., AGs, WCs, WGs, and Special Committees, including their respective sub-groups (as applicable).
- 2.10.2.2 The development of submissions may occur through a combination of email correspondence with the relevant ATA group(s) and meetings.
- 2.10.2.3 Meetings for the development of submissions do not require the production of minutes, unless otherwise agreed by the developing ATA group.
- 2.10.2.4 Draft submissions are to be circulated to all relevant ATA group members for review to ensure that all members have an equal opportunity to engage and no one interest has a disproportionate influence in the submission.
- 2.10.2.5 ATA staff or management must not unduly influence or direct the ATA group developing the submission.
- 2.10.2.6 The ATA group developing the submission is responsible for the content of the submission.

2.10.3 Voting on the final version of a submission

- 2.10.3.1 ATA groups developing submissions will work by consensus to the greatest extent possible.
- 2.10.3.2 ATA Members participating in the development of the submission are to indicate differing views and/or suggested additional feedback in a timely manner, as appropriate for the respective development process. Within the constraints of consultation timeframes, members will be afforded sufficient time to review draft submissions and provide feedback on iterative versions of the draft submission and/or ATA member comments. Against this background, silence of ATA Members that are part of the group developing the submission will be taken as consent for the approval of iterative and the final version of a submission.

- 2.10.3.3 In the exceptional case of a formal vote on the final version of a submission, a simple majority of members of the ATA group developing the submission is sufficient to decide whether the version presented for vote is to be submitted. (Also refer to section 2.10.1.3 and 2.10.3.4.)
- 2.10.3.4 Where an ATA Member wishes to indicate that the ATA Member has not participated in the development of the submission or does not share the views put forward in the submission, the submission is to include disclaimers or similar to indicate this.

2.11 FORMER AMTA COMMITTEES AND GROUPS

- 2.11.1 As set out in the Merger Implementation Deed, ATA and AMTA acknowledge and agree that the committees of AMTA will be reviewed and reformulated as part of the Merger.
- 2.11.2 ATA will continue to operate the Core Services (as defined in the Merger Implementation Deed) of AMTA for a period of at least 6 months after Completion (as defined in the Merger Implementation Deed) as set out in this clause 2.11.
- 2.11.3 Prior to the Merger, the current AMTA committees and groups are:
- a. MobileMuster Program (i.e. Recycling Committee);
 - b. Mobile Carriers Forum;
 - c. Policy Committee;
 - d. Health and Safety Committee;
 - e. Spectrum Committee; and
 - f. IMEI Blocking arrangements,
- (together, AMTA Committees).
- 2.11.4 On Completion (as defined in the Merger Implementation Deed), the following AMTA Committees will be incorporated:
- a. AMTA's Policy Committee will be merged with an ATA AG, WC, or WG that overlaps in purpose and substance; and
 - b. AMTA's Health and Safety Committee will be incorporated into AMTA's Mobile Carriers Forum.
- 2.11.5 On Completion (as defined in the Merger Implementation Deed), the following AMTA Committees will be established within the ATA:
- a. the Spectrum Committee will be established as a new committee within the ATA;
 - b. the MobileMuster Program will be established as a new committee within the ATA;
 - c. the Mobile Carriers Forum (which includes the Health and Safety Committee) will be established as a new committee within the ATA; and
 - d. the IMEI Blocking arrangements will be handled through a (or as part of another) new committee within the ATA.

- 2.11.6 AMTA Committees will continue to be operated by the ATA in the same manner as the AMTA Committees are operating as at the Effective Date (as defined in the Merger Implementation Deed), including operations requirements and processes, until such time as the ATA performs its organisational review of the Merger in accordance with the Merger Implementation Deed.
- 2.11.7 The Spectrum Committee, MobileMuster Program, Mobile Carriers Forum, and the committee handling the IMEI arrangements will receive delegated authority from the ATA Board to:
- a. make independent decisions within a scope clearly defined by the ATA Board to allow the committee to set their own priorities and direction; and
 - b. approve changes to, or the dissolution of, the committee.
- 2.11.8 Notwithstanding the above, the ATA Board has the discretion to alter the operational requirements and processes, membership and special fees (if any) of the AMTA Committees to the extent reasonably necessary to ensure ATA can continue to provide quality services to the ATA Members and Former AMTA Members (as defined in the Merger Implementation Deed) and remain solvent.
- 2.11.9 Notwithstanding the above, after a period of six months from the Completion (as defined in the Merger Implementation Deed) of the Merger, the ATA Board has the discretion to dissolve any AMTA Committee.
- 2.11.10 Any other committees or groups between the ATA and AMTA that overlap in purpose and substance will be merged with the respective ATA AG, WC, or WG, as applicable.
- 2.11.11 Any other AMTA Committees or groups that do not overlap in purpose and substance, but excluding AMTA Committees listed at section 2.11.5, may continue to exist within the ATA or be disbanded, at the ATA Board's discretion.

