



Australian Government

**Department of Infrastructure, Transport,
Regional Development and Communications**

Mr Jason Lange
Executive Director
Office of Best Practice Regulation
Department of the Prime Minister and Cabinet
helpdesk-OBPR@pmc.gov.au

Dear Mr Lange

OBPR Reference: 22-01977

I am writing to the Office of Best Practice Regulation (OBPR) regarding five payphone instruments at **Attachment A** which, as per the *Legislation Act 2003*, had been scheduled to sunset on 1 April 2022. However, it has been decided that the instruments are to be consolidated and remade with only minor amendments.

There are statutory obligations in the *Telecommunications (Consumer Protection and Service Standards) Act 1999* to ensure that payphones are reasonably accessible to all people in Australia on an equitable basis, wherever they reside or carry on business. There are also associated contractual arrangements in place between the Commonwealth and Telstra in relation to USO payphones. Given this, the Department of Infrastructure, Transport, Regional Development and Communications certifies that, collectively, the instruments are operating effectively and efficiently, and that therefore a Regulation Impact Statement is not required for the instruments to be remade.

The assessment that the instruments are operating effectively and efficiently has been informed by a consultation process over the period 17 December 2021 to 18 February 2022 and consideration of submissions from stakeholders set out at **Attachment A**.

The regulatory burden to business, community organisations or individuals has been quantified using the Australian Government's Regulatory Burden Measurement framework. Reflecting the minor amendments undertaken in remaking, regulatory reductions are estimated to achieve the net cost savings provided below.

Average annual regulatory costs (from business as usual)				
Change in costs (\$ million)	Business	Community organisations	Individuals	Total change in costs
Total, by sector	-\$294,180	\$ Nil	\$ Nil	-\$294,180

I acknowledge that OBPR will publish this letter for transparency purposes.

If you have any queries about this advice, please contact Garth Donovan on 02 6271 1044, or garth.donovan@communications.gov.au

Yours sincerely



Richard Windeyer
Deputy Secretary, Communications and Media Group
Department of Infrastructure, Transport, Regional Development and Communications

20 March 2022

Payphone instruments

- *Telecommunications Universal Service Obligation (Payphone Performance Standards) Instrument (No. 1) 2011*
- *Telecommunications Universal Service Obligation (Payphone Performance Benchmarks) Instrument (No. 1) 2011*
- *Telecommunications Universal Service Obligation (Location of Payphones) Determination 2011*
- *Telecommunications Universal Service Obligation (Public Consultation on the Location or Removal of Payphones) Determination 2011*
- *Telecommunications Universal Service Obligation (Payphone Complaint Rules) Determination 2011*

Stakeholder consultation

Submissions were received from:

- Telstra
- Optus
- NBN Co
- Australian Local Government Association
- Australian Communications Consumer Action Network
- National Rural Women's Coalition
- Regional, Rural and Remote Communications Coalition

