



Australian Government

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

Mr Jason Lange
Executive Director
Office of Impact Analysis
Department of Prime Minister and Cabinet

Dear Mr Lange

Telecommunications (Customer Service Guarantee – Retail Performance Benchmarks) Instrument (No. 1) 2011

I am writing to the Office of Impact Analysis regarding the *Telecommunications (Customer Service Guarantee – Retail Performance Benchmarks) Instrument (No. 1) 2011*, which, as per the *Legislation Act 2003*, had been scheduled to sunset on 1 October 2023. I note that this sunset date was provided for by the *Legislation (Telecommunications Customer Service Guarantee Instruments) Sunset-altering Declaration 2021*, which also altered the sunset date of other instruments made under the Customer Service Guarantee (CSG) scheme. However, it has been decided that the instrument is to be remade without significant amendments.

I note that on June 7 2023, the Minister for Communications publicly announced that the Department and the Australian Communications and Media Authority (ACMA) would roll over sunseting CSG instruments for a further three years. This was with a view to continuing protections for consumers of fixed telephone services while allowing long-term arrangements to be further considered while complementary protections at the wholesale level are bedded down.

In light of this, the Department of Infrastructure, Transport, Regional Development, Communications and the Arts (the Department) certifies that the instrument is operating effectively and efficiently, and that therefore Impact Analysis is not required for this legislation to be remade.

The assessment that the legislation is operating effectively and efficiently has been informed by a consultation process on the thematic review of the Customer Service Guarantee instruments which involved stakeholders from industry, government, consumer groups and members of the public over the period 17 February – 27 March 2023. The Department also briefly consulted key stakeholders Telstra, Optus and the ACMA on the detailed drafting of the replacement instrument.

I also note that the regulatory burden to business, community organisations or individuals has been quantified using the Australian Government's *Regulatory Burden Measurement framework*. As detailed below, the Department has assessed that the proposed changes to the Instrument will not result in any change to regulatory costs across all sectors.

Average annual regulatory costs (from business as usual)				
Change in costs	Business	Community organisations	Individuals	Total change in costs
Total by sector	\$0	\$0	\$0	\$0

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

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

Yours sincerely



Richard Windeyer
Deputy Secretary
Communications and Media Group

18 August 2023