



Committee Secretary
Senate Standing Committees on Environment and Communications
PO Box 6100
Parliament House
CANCERRA, ACT 2600

Dear Secretary,

Submission regarding the Telecommunications Legislation Amendment (Universal Outdoor Mobile Obligation) Bill 2025

I welcome the opportunity to make a submission to the Senate Environment and Communications Legislation Committee's inquiry into the Telecommunications Legislation Amendment (Universal Outdoor Mobile Obligation) Bill 2025.

The Bill amends the *Telecommunications (Consumer Protection and Service Standards) Act 1999* to establish a Universal Outdoor Mobile Obligation (UOMO) requiring baseline mobile services (voice calls and SMS) to be available across the country.

This is a welcome addition to the existing universal service regime, which has slowly fallen out of sync with the reality of modern life as landlines and payphones have been replaced by mobile phones. In 2026, mobile phones are central to our day-to-day lives: we run our businesses on them, participate in telehealth appointments on them and authenticate our identities on them. Perhaps most crucially, we contact emergency services on them.

Every year since being elected, poor connectivity has been one of the most common issues raised with me by my constituents. Reliable mobile service is not merely a convenience for those of us in regional Australia, it determines how easily and safely we can live, work and travel across vast distances. A statutory service guarantee is potentially life-changing for my electorate and I support the passage of the Bill.

However, I am concerned that the Bill lacks clarity and relies too heavily on optimistic assumptions about how implementation will occur. In this submission, I outline four proposed amendments to strengthen the operation of the Bill and ensure it delivers on the objective of improving connectivity for all Australians (attached in full at Attachment A):

- Explicitly including affordability and accessibility as aspects of a service being available on an equitable basis.
- Requiring the Minister to have regard to fault rectification timelines when setting performance benchmarks.
- Requiring the Minister to provide a statement explaining the reasons for a determination that the Uomo does not apply in particular circumstances.

- Giving the Minister an explicit power to make rules requiring temporary disaster roaming during emergencies.

Affordability and accessibility of services

The Bill requires that mobile coverage be reasonably available outdoors to all people in Australia on an equitable basis. There is significant uncertainty about what it will mean in practice for coverage to be 'reasonably available' on an 'equitable basis', especially where this depends on new and emerging technologies such as Low Earth Orbit Satellites (LEOSats).

It is easy to foresee situations where coverage may be technically available but not genuinely accessible – for example, because it is only compatible with certain devices that are prohibitively expensive. The Explanatory Memorandum to the Bill states that coverage may not be available where a consumer has made 'a choice ... not to purchase an appropriate handset'.¹ I acknowledge that the UOMO framework must account for genuine technical and practical barriers to access, but it is unfair and unacceptable to shift the responsibility entirely to individual consumers whose choices may be limited. Telstra's direct-to-device LEOSat technology is currently only available on the most recent smartphone models, many of which retail for more than \$1000.² The median weekly household income in my electorate at the last census was \$1367.³

The Bill inserts a general power enabling the Minister to make standards that could include the price of a designated service,⁴ but there is no guarantee the power would be used or that the resulting instrument would protect consumers. If affordability and accessibility are not explicitly addressed in the primary legislation, there is a real risk of creating a two-tiered system where supposedly universal obligations are weaker or non-existent for certain communities or consumer groups.

Recommendation 1: the Bill should be amended to explicitly include affordability and accessibility as aspects of a service being available on an equitable basis.

Fault rectification timelines

The Bill allows the Minister to determine minimum benchmarks for compliance with standards they have made.⁵ These are intended to address consumer issues as well as wholesale market and technical matters,⁶ so they will be a powerful tool in ensuring the UOMO delivers real, tangible outcomes for end-users.

Fault rectification is a significant issue in regional Australia where faults take much longer to fix than in metropolitan Australia.⁷ The relevant standards could include the maximum period for rectifying faults or service difficulties.⁸ Any maximum period should be reinforced by a measurable benchmark.

¹ Explanatory Memorandum, p 13.

² Compatible devices are listed at <https://www.telstra.com.au/coverage-networks/mobile-technology/satellite-to-mobile>.

³ <https://abs.gov.au/census/find-census-data/quickstats/2021/CED223>.

⁴ See 12Q(1)(a).

⁵ See 12Q.

⁶ Explanatory Memorandum, p. 26.

⁷ <https://www.infrastructure.gov.au/sites/default/files/documents/thematic-review-of-the-customer-service-guarantee-csg-february2023.pdf>.

⁸ See 12Q1(e).

Recommendation 2: the Bill should be amended to require the Minister to have regard to fault rectification timelines when setting performance benchmarks.

Providing reasons for a determination that the UOMO does not apply

The Bill gives the Minister the power to determine circumstances in which the UOMO does not arise.⁹ There are practical reasons to include this power, and it is consistent with existing universal service arrangements, but carveouts unarguably weaken the universality of the UOMO.

While there is a general requirement under the *Legislation Act 2003* for a legislative instrument to be accompanied by an explanatory statement explaining its purpose and operation, an instrument limiting the application of an otherwise universal obligation warrants additional scrutiny. To support the transparency and integrity of the universal service regime, the Minister should be explicitly required to explain why they have limited the application of the UOMO and what the consequences of doing so are likely to be. Clear and visible decision-making will guard against the erosion of the UOMO.

Recommendation 3: the Bill should be amended to require any instrument made under 12F(4) to be accompanied by a statement setting out the Minister’s reasons for making the determination and the impact it is expected to have.

Temporary disaster roaming

The Bill is intended to ‘provide underlying connectivity to support Australians to communicate, particularly in times of emergency and provide significant public safety benefits’.¹⁰ One of the clearest ways to do this would be to require service providers to facilitate temporary disaster roaming (TDR).

TDR allows the end-user of a telecommunications service to access any available network during a natural disasters and other emergencies. The 2024 Regional Telecommunications Review recommended mandating TDR at the earliest opportunity.¹¹ The Australian Competition and Consumer Commission previously concluded that TDR can be achieved in Australia.¹²

The Minister has advised that industry is developing TDR capability and expects it to be in operation in time for the 2026-27 high-risk weather season.¹³ While this would be a positive development, TDR is simply too important to be left to industry alone. Connectivity during emergencies is not a commercial issue, it is a matter of public safety. The Government has a responsibility to take action that will help to protect lives.

Recommendation 4: the Bill should be amended to give the Minister an explicit power to make rules requiring temporary disaster roaming during emergencies.

⁹ See 12F(3)(b).

¹⁰ Explanatory Memorandum, p 8.

¹¹ <https://www.rtrc.gov.au/sites/default/files/documents/rtrc-report-2024-recommendations.pdf>.

¹² <https://www.accc.gov.au/inquiries-and-consultations/finalised-inquiries/regional-mobile-infrastructure-inquiry-2022-23/final-report> (p 82).

¹³ Minister for Communications, answer to Question in Writing No. 78 (2 March 2026).

Conclusion

The Bill is an important step in modernising Australia’s telecommunications framework and has the potential to support truly universal mobile coverage. Unfortunately, as drafted, it risks entrenching a two-tiered system and failing to deliver reliable service to those who need it most. I urge Parliament to adopt these sensible amendments to ensure the Bill delivers on its objective of improving connectivity for all Australians.

Yours sincerely,

Dr Helen Haines MP

Attachment A

2025-2026

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Telecommunications Legislation Amendment (Universal Outdoor Mobile Obligation) Bill 2025

(Dr Haines)

- (1) Schedule 1, item 7, page 4 (after line 15), after the definition of *designated mobile telecommunications service* in subsection 5(2), insert:

equitable basis, in relation to the availability of mobile coverage or a designated mobile telecommunications service, includes:

 - (a) the affordability of the service for end-users; and
 - (b) the ability of end-users to obtain and use the service, including the availability of compatible devices and service plans.

[affordable access]
- (2) Schedule 1, item 7, page 5 (after line 6), after the definition of *primary universal outdoor mobile provider* in subsection 5(2), insert:

temporary disaster roaming means temporary access to a mobile telecommunications network other than the network ordinarily used for an end-user's service, provided to the end-user in an affected area during an emergency period to enable voice calls and short message service communications.

[temporary disaster roaming]
- (3) Schedule 1, item 16, page 9 (after line 6), at the end of section 12F, add:
 - (5) A legislative instrument made under subsection (4) must be accompanied by a statement setting out:
 - (a) how the circumstances or matters referred to in that subsection were determined; and
 - (b) the expected impacts of the determination on the reasonable availability of the universal outdoor mobile obligation.

[consultation]
- (4) Schedule 1, item 16, page 9 (line 25) to page 9 (line 27), omit subsection 12H(2), substitute:
 - (2) A designated mobile telecommunications service is *available* outdoors at a location if the service is available in a manner that enables end-users to access and use the service in practice, including:
 - (a) the technical capability of the service to be used at a location; and

- (b) the affordability of the service for end-users; and
- (c) the accessibility of the service, including the availability of compatible devices and service plans necessary to use the service.

[affordable access]

(5) Schedule 1, item 16, page 16 (after line 15), after paragraph 12Q(1)(a), insert:

- (aa) the affordability of designated mobile telecommunications services for end-users, including the availability of service plans and compatible devices necessary to use the services in practice;

[affordable access]

(6) Schedule 1, item 16, page 17 (after line 24), after subsection 12R(1), insert:

- (1A) In making a determination under subsection (1), the Minister must have regard to the need to ensure that designated mobile telecommunications services supplied in fulfilment of the universal outdoor mobile obligation are supported by fault rectification timeframes that are reasonable having regard to the location of the service, including in regional, rural and remote areas.

[minimum performance standards]

(7) Schedule 1, item 16, page 18 (after line 5), after section 12R, insert:

12RA Temporary disaster roaming

- (1) The Minister may, by legislative instrument, make rules requiring a primary universal outdoor mobile provider to provide temporary disaster roaming to end-users in an affected area during an emergency period.
- (2) Rules under subsection (1) may prescribe any or all of the following:
 - (a) the definition of ***affected area*** and ***emergency period***, including by reference to an instrument made under any other Act;
 - (b) timeframes for temporary disaster roaming;
 - (c) minimum service performance requirements for designated mobile telecommunications services supplied by means of temporary disaster roaming;
 - (d) information-sharing and operational coordination between carriers and carriage service providers reasonably necessary to implement temporary disaster roaming;
 - (e) wholesale arrangements reasonably necessary to implement temporary disaster roaming, including terms as to price, technical interfaces and dispute resolution;
 - (f) record-keeping and reporting requirements.
- (3) Rules made under subsection (1) may confer a power on the ACMA to make a legislative instrument in relation to technical, operational or performance matters for the purposes of this section.

[temporary disaster roaming]