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Australian Government

**Australian Government response to the Senate
Environment and Communications Committee
report:**

**National Broadband Network Companies
Amendment (Commitment to Public Ownership) Bill
2024 [Provisions]**

October 2025

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Overview

The Australian Government welcomes the report by the Senate Environment and Communications Committee (the Committee) into the National Broadband Network Companies Amendment (Commitment to Public Ownership) Bill 2024 [Provisions]. This Response seeks to address the recommendations made by the Australian Greens in their additional comments. The Committee's sole recommendation was passage in the Senate.

The National Broadband Network Companies Amendment (Commitment to Public Ownership) Bill 2024 passed both Houses on 26 March 2025. The *National Broadband Network Companies Amendment (Commitment to Public Ownership) Act 2025* (the Act) amends the *National Broadband Network Companies Act 2011* to recognise the Government's existing policy that NBN Co Limited (NBN Co), the company that operates the National Broadband Network (NBN), remains in public ownership.

The Act repealed the legislative pathway for privatising NBN Co, which comprised the following steps:

1. Communications Minister declaration the NBN is built and operational
2. Productivity Commission report on NBN Co's regulatory setting as the national wholesaler
3. Joint Parliamentary Committee to consider the Productivity Commission's report
4. Finance Minister declaration that conditions are market suitable to conduct a sale of NBN Co

The Act does not change NBN Co's operation or governance arrangements, wholesale service requirements, business activity restrictions, or the Australian Competition and Consumer Commission's oversight of the NBN through the Special Access Undertaking.

The Act came into force on 28 March 2025 after receiving Royal Assent.

Australian Government response

The Australian Government's response to the Australian Greens' additional comments within the National Broadband Network Companies Amendment (Commitment to Public Ownership) Bill 2024 [Provisions] report are set out in detail below.

Recommendation 1:

1.6 That the bill be amended to recognise the NBN as a universal service, requiring NBN Co to provide the national broadband network in a way that is accessible and affordable to all people in Australia on an equitable basis, wherever they reside or carry on business.

The Government **does not support** this recommendation.

The proposed amendment is unnecessary given the Statutory Infrastructure Provider (SIP) obligations set out in the *Telecommunications Act 1997* (the Act) on NBN Co and on other carriers servicing areas with high-speed broadband networks. The SIP regime in effect imposes universal service obligations. On reasonable request from a carriage service provider, NBN Co (and where relevant, other SIPs) must connect premises to their networks and supply wholesale services that allow retail providers to supply high-speed broadband to the end-users at the premises. On fixed line and fixed wireless networks, SIPs must also supply wholesale services that support voice services. The Government is also considering the modernisation of the universal telecommunications service regime through its consultation process last year.

The *Competition and Consumer Act 2010* also establishes mechanisms to regulate the terms on which retailers can access NBN Co's wholesale services. NBN Co's Special Access Undertaking (SAU) is the key mechanism regulating access to NBN Co's services. In October 2023, the ACCC accepted a variation to NBN Co's SAU, having regard to the long-term interests of end users, which included new rules to determine the maximum wholesale prices NBN Co can charge to retailers. Additionally, the Government's Statement of Expectations (SoE) for NBN Co already sets out related objectives that NBN Co meet the current and future needs of Australians wherever they live, in a reliable and affordable way.

Recommendation 2:

1.7 That the bill be amended to cap executive bonuses

The Government **does not support** this recommendation.

NBN Co's remuneration and payment of incentives are the responsibility of the NBN Co Board. The position of NBN Co CEO is listed as a Principal Executive Office (PEO) Band E under the *Remuneration Tribunal Act 1973*. The CEO's contract of employment, including remuneration and incentives, is already 'capped' as it is set by the NBN Co Board, working within the salary ranges set for it as a PEO by the Remuneration Tribunal.

The Government's Statement of Expectation for NBN Co requires the board to set a remuneration structure that is transparent, aligned to key performance indicators, consistent with relevant industry benchmarks, and is restrained and justifiable to Parliament and the Australian public.

Recommendation 3:

1.8 That the Australian Government upgrade the National Broadband Network as needed to ensure all Australians have affordable access to high speed, reliable internet.

The Government **notes** this recommendation.

The Government has already committed up to \$3 billion to finish the job of upgrading the fibre to the node (FTTN) fixed line footprint. This investment is about replacing the ageing copper lines with high speed, reliable, and resilient fibre connections. The Government's commitment to upgrade the final 622,000 premises within the fixed line footprint will mean more families, communities, and businesses will have access to faster and more reliable NBN, allowing more Australians to take advantage of an increasingly digital global economy.

In addition to the Government's fibre upgrade investment, NBN Co have also signed an agreement with Amazon's Project Kuiper to transition customers in the current Sky Muster Satellite footprint to Low Earth Orbit Satellite (LEOSat) services, delivering high speed broadband to regional communities in the most remote parts of Australia. NBN Co's partnership with Amazon's Project Kuiper will ensure continuity of fixed broadband internet service for approximately 75,000 premises currently served by Sky Muster satellites and approximately 307,000 eligible premises in the satellite footprint. A trial service is expected to be launched by 2026, with customer migrations anticipated to begin from late 2026 and continue through to 2028.

Recommendation 4:

1.9 That the Australian Government provide cost of living relief to Australians struggling to afford essential communications services

The Government **notes** this recommendation.

The Government continues to provide support and assistance for Australians to access telecommunications services helping them to connect, boosting opportunities for education and training, employment, jobs and business and improving access to services and information.

- The School Student Broadband Initiative is providing around 30,000 eligible families free broadband services, to boost education opportunities and narrow the digital divide. This cost of living measure has been extended until June 2028.
- The NBN Free Community Wi-Fi Program is providing 23 remote First Nations Communities with free access to community Wi-Fi, also until 30 June 2028. Each community is supported by a digital mentor to improve access to online services and build digital literacy skills.
- The Telephone Allowance, administered by Services Australia, is a supplementary allowance that provides financial assistance to eligible income support recipients who are telephone subscribers, to help with the cost of maintaining a telephone service and a home internet connection. The rate of Telephone Allowance is indexed annually on 20 September in line with the Consumer Price Index.
- The Government imposes a carrier licence condition on Telstra to maintain a suite of products and services for people on low incomes. Telstra's 'Access for Everyone' package includes a range of products, discounts and free services for eligible consumers.

Additionally, the Australian Communications and Media Authority (ACMA) has issued the Telecommunications Financial Hardship Industry Standard, which requires telecommunications providers to proactively identify consumers who may be experiencing financial hardship, and provide tailored and appropriate assistance. Telecommunications providers are also required to ensure consumers in financial hardship can continue to access services.

More generally, consumers are able to access a number of independent websites that provide information about the cost, flexibility and control of various internet plans, such as www.whistleout.com.au and www.youcompare.com.au. The Australian Communications Consumer Action Network (ACCAN) also provides information online to help customers choose their preferred mobile or internet plan.