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Australian Government

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

Ref: MC24-018544

Timothy Chant

via: [REDACTED]@ [REDACTED]

Dear Mr Chant

Thank you for your email of 30 October 2024 to the Hon Michelle Rowland MP, Minister for Communications, about the 3G switch off. The Minister has asked me to reply on her behalf. I apologise for the delay in my response.

Telstra, Optus, and TPG Telecom have each made the commercial decision to switch off their 3G networks. This will free up radiofrequency spectrum to boost the capacity, speed, and reliability of their 4G and 5G networks. That means that Australians, particularly in the regions, can expect better-quality service with the same geographic coverage that 3G delivers presently. 3G was well-suited for telephone calls, text messages, and access to basic online content. 4G and 5G are better-suited for delivering the range of data-intensive online applications that Australians now expect.

The Australian Government's top priority in the lead up to the switch off has been to protect public safety by ensuring that all mobile phones connected to mobile networks are able to call Triple Zero. As such, Minister Rowland directed the Australian Communications and Media Authority (ACMA) to amend the *Telecommunications (Emergency Call Service) Determination 2019* (the ECS Determination) to require service providers to identify mobile phones that are unable to access Triple Zero, to notify the user, and cease providing a service to the affected device. Only mobile phones are subject to these amendments.

The direction was made to implement the Government's review into the 8 November 2023 Optus Outage and protect public safety of end users as the 3G networks are switched off. In practice, some people will need to upgrade to a mobile handset that can make 4G VoLTE Triple Zero calls in Australia. Industry and government have been urging Australians to upgrade for some time now. Past network transitions have likewise seen Australians upgrade devices. Australians will continue to have a wide variety of handset options that they can purchase through their mobile network operator, or from a third-party vendor.

Responsibility for the identification of impacted devices lies with the mobile network operators. The Minister made her expectation clear to the industry that devices affected by the 3G switch off are reliably identified, and the industry has adopted a suite of

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methodologies to this effect. The mobile network operators have used multiple data sources, including examining call records, engaging with device manufacturers and international industry associations, and additional testing and analysis to understand devices' capability and behaviour to determine whether specific devices will be impacted. Telstra, Optus and TPG Telecom's methodologies for identifying impacted devices were independently verified as based on sound and established industry practices.

The Minister's direction to the ACMA does not require a carriage service provider to only provide services to handsets that they themselves have sold to the end user. Australians will continue to have a wide variety of handset options that they can purchase through their mobile operator or from a third-party vendor. All mobile phones imported into Australia for the first time or modified after April 2020 are required to have VoLTE emergency calling capability. The service providers have advised that all of the mobile handsets they have sold in the Australian market since 2021 will work on all of the mobile networks in Australia. However, when an end user brings a device into Australia, there is a risk that it may not meet Australian standards, or it may not be fully compatible with the Australian mobile networks.

The Department forwarded your query to your service provider, Telstra, which indicated that your device was blocked because the make and model you indicated you have is unable to make emergency calls across all mobile networks. Telstra considers that after-market modifications to mobile phones pose an unacceptable risk to the general public.

The ECS Determination does not prevent you from engaging directly with your network provider if you consider the service to your handset has been blocked in error. If you are unsatisfied with your provider's response to your concerns, then you could raise these concerns with the Telecommunications Industry Ombudsman (TIO). The TIO is the free and independent alternative dispute resolution body for small businesses and residential consumers in Australia with unresolved complaints about their telephone or internet services. The TIO can be contacted through their website at www.tio.com.au/complaints, or by calling 1800 062 058.

Finally, I also note your concerns about potential e-waste associated with the 3G switch off. The Australian telecommunications industry voluntarily funds the free MobileMuster program that enables people to recycle their old phones and accessories, either from home or at a drop-off location. More information is available at www.mobilemuster.com.au.

Thank you for taking the time to write and I trust that this information will be of assistance.

Yours sincerely

Daniel Abraham
A/g Assistant Secretary
Competition and Spectrum Branch
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