



Telecommunications (Customer Communications for Outages) Industry Standard 2024

The Australian Communications and Media Authority makes the following industry standard under subsection 125AA(1) of the *Telecommunications Act 1997*.

Dated: 12 November 2024

Samantha York
[signed]
Member

Cathy Rainsford
[signed]
General Manager

Australian Communications and Media Authority

Part 1—Preliminary

1 Name

This instrument is the *Telecommunications (Customer Communications for Outages) Industry Standard 2024*.

2 Commencement

This instrument commences on 31 December 2024.

3 Authority

This instrument is made under subsection 125AA(1) of the *Telecommunications Act 1997* and in accordance with subsection 5(1) and section 6 of the *Telecommunications (Customer Communications for Outages Industry Standards) Direction 2024*.

Note: The *Telecommunications (Customer Communications for Outages Industry Standards) Direction 2024* was given to the ACMA by the Minister under subsection 125AA(4) of the Act.

4 Application

For the purpose of subsection 125AA(1) of the Act, this instrument:

- (a) applies to the section of the telecommunications industry consisting of carriers whose telecommunications networks are used to supply carriage services to end-users, and carriage service providers that supply carriage services to end-users;
- (b) deals with the information and advice a carrier must provide to other carriers, carriage service providers, the public and relevant stakeholders, in the event of a major outage;
- (c) deals with the information and advice a carriage service provider must provide to end-users and the public, in the event of a major outage; and
- (d) is intended to give effect to the objectives set out in subsection 6(1) of the Direction and address the matters set out in subsection 6(2) of the Direction as they relate to the carriers and carriage service providers referred to in paragraph (a).

5 Definitions

In this instrument:

Act means the *Telecommunications Act 1997*.

Direction means the *Telecommunications (Customer Communications for Outages Industry Standards) Direction 2024*.

easily accessible form means a form of communicating, notifying or informing that is easy to understand and accessible, including to a person with a disability, from a culturally or linguistically diverse background or with other special needs.

Note: A carrier or carriage service provider does not need to communicate, notify or inform a person in multiple languages, however it should provide guidance on how a person may access translation or interpretation services.

emergency call person for 000 and 112 means the emergency call person who is the recognised person who operates an emergency call service for the emergency service numbers 000 and 112.

Note: At the time this instrument was made, the emergency call person for 000 and 112 was Telstra Limited (ACN 086 174 781).

emergency call person for 106 means the emergency call person who is the recognised person who operates an emergency call service for the emergency service number 106.

Note: At the time this instrument was made, the emergency call person for 106 was Concentrix Services Pty Ltd (ACN 166 171 991).

major outage means any unplanned adverse impact to a telecommunications network used to supply carriage services to end-users that:

- (a) results in an end-user being unable to establish and maintain a carriage service; and
- (b) affects, or is likely to affect:
 - (i) 100,000 or more services in operation; or
 - (ii) all carriage services supplied using the telecommunications network in a State or Territory; and
- (c) is expected to be, or is, of a duration longer than 60 minutes.

material change means a change to the scale, geographic area, number or type of carriage services impacted or expected time of rectification of a major outage, that is likely to result in a significant increase or decrease in the severity of a major outage, or in the time taken to rectify a major outage.

natural disaster means an emergency event (such as a fire, flood, storm, or an earthquake) that:

- (a) causes widespread disruption to a community; and
- (b) requires a significant and coordinated response.

near real-time communications are any mode of telecommunications:

- (a) that are not real-time communications; and
- (b) in which all users can exchange information with minimal latency or transmission delays.

other media includes:

- (a) newspapers;
- (b) radio and television broadcasting services;
- (c) electronic services (including services provided through the internet) that are similar to newspapers, radio or television broadcasts.

real-time communications are any mode of telecommunications in which all users can exchange information instantly or with negligible latency or transmission delays.

relevant stakeholders include:

- (a) the emergency call person for 000 and 112 and the emergency call person for 106;
- (b) the ACMA;
- (c) the Department administered by the Minister administering the Act; and
- (d) the Telecommunications Industry Ombudsman.

responsible carrier means a carrier that detects a major outage affecting a telecommunications network owned by the carrier.

services in operation means carriage services that are:

- (a) connected to a telecommunications network, or would, but for a major outage, be connected to a telecommunications network; and
- (b) provided to an end-user under an arrangement between a carriage service provider and the end-user.

social media means internet-based technology or applications, where:

- (a) the sole or primary purpose of the technology or application is to enable social interaction between two or more end-users; and
- (b) the technology or application allows end-users to link to, or interact with, some or all of the other end-users; and
- (c) the technology or application is a means by which a person may create and share content generated by the person.

Note: A number of other expressions used in this instrument are defined in the Act, including the following:

- (a) ACMA (section 7);
- (b) carriage service (section 7);
- (c) carriage service provider (section 87);
- (d) carrier (section 7);
- (e) emergency call person (section 7);
- (f) emergency call service (section 7);
- (g) emergency service number (section 7);
- (h) telecommunications network (section 7).

6 References to other legislative instruments

In this instrument, unless the contrary intention appears a reference to any other legislative instrument is a reference to that other legislative instrument as in force from time to time.

Note 1: For references to Commonwealth Acts, see section 10 of the *Acts Interpretation Act 1901*; and see also subsection 13(1) of the *Legislation Act 2003* for the application of the *Acts Interpretation Act 1901* to legislative instruments.

Note 2: All Commonwealth Acts and legislative instruments are registered on the Federal Register of Legislation.

Note 3: See also section 598 of the Act.

Part 2—Notification, communication and assistance requirements

Division 1 Notification and communication requirements

Subdivision 1.1 Carriers

7 Application

- (1) This Subdivision applies to:
 - (a) a responsible carrier; and
 - (b) a carrier who is not a responsible carrier but has received a notification under this Part from a responsible carrier.
- (2) For the avoidance of doubt and unless otherwise specified, a reference to a carrier in this Subdivision is a reference to both a responsible carrier and a carrier notified by a responsible carrier under this Part.

8 Requirement to notify other carriers and carriage service providers

As soon as practicable after a carrier detects a major outage, or receives a notification about a major outage, the carrier (*the first carrier*) must:

- (a) notify each other carrier or carriage service provider with whom the first carrier has a commercial arrangement for the supply of carriage services, if:
 - (i) where the first carrier's arrangement is with another carrier – end-users of carriage services supplied by a carriage service provider using that carrier's network are affected by the major outage; and
 - (ii) where the first carrier's arrangement is with a carriage service provider – end-users of carriage services supplied by that provider are affected by the major outage; and
- (b) include in the notification the information set out in subsection 13(1).

9 Requirement to communicate with the public

- (1) As soon as practicable after a carrier detects a major outage, or receives a notification about a major outage, the carrier must communicate information (in an easily accessible form) about the major outage to the public using the carrier's website and at least one of the following channels:
 - (a) the carrier's primary social media account; or
 - (b) one or more types of other media.
- (2) The information communicated under subsection (1) must include the information set out in subsection 13(1).

10 Requirement to communicate with relevant stakeholders

A responsible carrier who detects a major outage must communicate to relevant stakeholders:

- (a) the information set out in in subsection 13(1), as soon as practicable after the carrier detects the major outage; and
- (b) updates about the major outage provided at the same times as specified under subsection 14(3); and

- (c) information about the restoration of all services affected by the major outage, or the rectification of the major outage, as soon as practicable after the services are restored or the major outage is rectified.

Subdivision 1.2 Carriage service providers

11 Application

This Subdivision applies to a carriage service provider that has received a notification from a carrier under section 8.

12 Requirement to notify and communicate with end-users and the public

- (1) As soon as practicable after a carriage service provider receives a notification, the carriage service provider must:
 - (a) in accordance with subsection (2), and subject to subsection (5), attempt to notify each of its end-users affected or likely to be affected by the major outage, of the major outage;
 - (b) in accordance with subsection (3), communicate with the public about the major outage; and
 - (c) include in a notification or communication under paragraph (a) or (b), the information set out in subsections 13(1) and (2).

Note: An end-user may include the customer or relevant account holder of a carriage service provider's services or products. Products may include an Internet of Things device, machine to machine devices.

- (2) The carriage service provider must attempt to notify (in an easily accessible form) its end-users using at least one of the following methods of communication:
 - (a) an application that the carriage service provider makes available to its end-users to subscribe to, which relates to the carriage service it provides to the end-user;
 - (b) email; or
 - (c) SMS.

Note: SMS is short for short message service.

- (3) The carriage service provider must also make information (in an easily accessible form) about the major outage available to the public using:
 - (a) the carriage service provider's website;
 - (b) the carriage service provider's call centres; and
 - (c) at least one of the following communications channels:
 - (i) the carriage service provider's primary social media account; or
 - (ii) one or more types of other media.
- (4) The carriage service provider must take reasonable steps to ensure that the methods of communication used under subsection (2) and the communication channels used under subsection (3) include the method or channel that it considers is most likely to reach an end-user or the public, based on the carriage service provider's understanding of the major outage.
- (5) Where the carriage service provider supplies carriage services to a person other than an individual (*relevant customer*), the relevant customer is taken to be the end-user for the purposes of complying with paragraph (1)(a).

Note: If, for example, the relevant customer is a government entity that obtains carriage services for its staff, the carriage service provider may attempt to notify the relevant account holder rather than each of the entity's staff.

Subdivision 1.3 Contents and timing of notifications, communications and updates

13 Contents of a notification or communication

- (1) A carrier or carriage service provider required to notify or communicate under Subdivision 1.1 or 1.2 must include as much of the following information about the major outage as is available to the carrier or carriage service provider at the time of notifying or communicating:
 - (a) the scale or suspected scale of the major outage;
 - (b) subject to subsection (3), the cause or likely cause of the major outage;
 - (c) the geographic areas impacted or likely to be impacted by the major outage;
 - (d) the types of carriage services impacted or likely to be impacted by the major outage;
 - (e) the estimated timeframes for updates in relation to the major outage; and
 - (f) the estimated timeframe for rectification of the major outage.
- (2) A carriage service provider required to notify or communicate under section 12 must also include in the notification or communication the following details about how end-users can obtain additional information or assistance during the major outage:
 - (a) contact information such as an email address, a phone number or social media account details;
 - (b) a website or webpage that is accessible to the public; and
 - (c) where available – easily accessible contact channels that enable an end-user to contact the carriage service provider using real-time communications or near real-time communications if the end-user requires urgent assistance during the major outage.

Note: Section 16 provides that a carriage service provider who is required to comply with section 12, must, during a major outage and as far as is reasonably practicable, make available to its end-users one or more contact methods to enable the end-user to seek assistance from the carriage service provider using real-time communications or near real-time communications.
- (3) The carrier or carriage service provider is not required to give information about the cause or likely cause of a major outage if it has reasonable grounds to believe that disclosing this information could compromise its telecommunications network security or national security.

14 Requirement to provide regular updates – carriers and carriage service providers

- (1) This section applies to:
 - (a) a carrier who is required to:
 - (i) notify a carrier or carriage service provider under section 8; or
 - (ii) communicate with the public under subsection 9(1); and
 - (b) a carriage service provider who is required to communicate with the public or notify an end-user under subsection 12(1).
- (2) Until a major outage is fully rectified, the carrier or carriage service provider must provide updates about the major outage, at the times specified in subsection (3) and containing the information specified in subsection (4), to the following persons:
 - (a) in the case of a carrier:
 - (i) the carriers and carriage service providers the carrier was required to notify under section 8; and
 - (ii) the public; and
 - (b) in the case of a carriage service provider:

- (i) the public; and
 - (ii) each end-user the carriage service provider was required to notify under paragraph 12(1)(a).
- (3) For the purposes of subsection (2), the times are:
 - (a) if there is a material change that relates to the outage – as soon as practicable after the carrier or carriage service provider becomes aware of the material change; or
 - (b) otherwise, as frequently as the carrier or carriage service provider considers an update is necessary, and at least:
 - (i) once every six hours for the first 24 hours of the major outage; and
 - (ii) once during each subsequent 24-hour period.
- (4) For the purposes of subsection (2) the information is:
 - (a) if the update relates to a material change – details about the material change; or
 - (b) otherwise – a statement that there has been no material change to the major outage.
- (5) An update provided under subsection (2) to a person must be notified or communicated in the same manner as a notice or communication previously provided to the same person.

15 Requirement to notify rectification of major outage – carriers and carriage service providers

- (1) This section applies to:
 - (a) a carrier who is required to:
 - (i) notify a carrier or carriage service provider under section 8; or
 - (ii) communicate with the public under subsection 9(1); and
 - (b) a carriage service provider who is required to communicate with the public or notify an end-user under subsection 12(1).
- (2) As soon as practicable after a carrier or carriage service provider considers that all services affected by a major outage have been restored or fully rectified, the carrier or carriage service provider must notify, and communicate to, the following persons about the rectification or restoration:
 - (a) in the case of a carrier:
 - (i) the carriers and carriage service providers the carrier was required to notify under section 8; and
 - (ii) the public; and
 - (b) in the case of a carriage service provider:
 - (i) the public; and
 - (ii) each end-user the carriage service provider was required to notify under paragraph 12(1)(a).
- (3) A notification or communication provided to a person under subsection (2) must be provided in the same manner as a notification or communication previously provided under section 8, 9 or 12 to the person.

Division 2 Real-time or near real-time assistance

16 Requirement to provide real-time or near real-time assistance – carriage service provider

- (1) A carriage service provider who is required to comply with section 12 must, during a major outage and as far as is reasonably practicable, make available to its end-users one or more contact methods to enable the end-user to seek assistance from the carriage service provider using real-time communications or near real-time communications.
- (2) For the purposes of subsection (1), a contact method may include:
 - (a) for real-time communications – a phone number;
 - (b) for near real-time communications – live chat.

Note: A carriage service provider may use other alternative communications methods as real-time or near real-time communications, as long as the alternative method is a real-time communication or near real-time communication.

- (3) The carriage service provider must ensure that any contact method used to comply with the requirement in subsection (1):
 - (a) is easily accessible;
 - (b) is resourced adequately; and
 - (c) is capable of responding immediately to requests for urgent assistance from end-users; and
 - (d) does not use artificial intelligence.

Division 3 Exemptions

17 Major outage during natural disasters

- (1) This section applies where the sole or predominant cause of a major outage is a natural disaster.
- (2) A carrier (other than the responsible carrier) or a carriage service provider is not required to comply with any of the requirements in Divisions 1 or 2 in relation to the major outage.
- (3) The responsible carrier is only required to comply with subsection (4) in relation to the major outage.
- (4) The responsible carrier must, as soon as is practicable after the carrier detects the major outage, publish as much of the information in subsection 13(1) as the carrier has available, on its website.

Part 3—Written procedures for communicating during a major outage

18 Written procedures regarding communications during major outages – carriers

- (1) Carriers that own a telecommunications network that is used to supply carriage services to an end-user must have written procedures in place that outline how the carrier will communicate with the public, other carriers, carriage service providers and relevant stakeholders during a major outage.
- (2) The written procedures under subsection (1) must be published on the carrier’s website and be in an easily accessible form.
- (3) Subject to subsection (4), a carrier must comply with the written procedures, if the carrier:
 - (a) is a responsible carrier; or
 - (b) is not a responsible carrier, but that has received a notification under section 8 from a responsible carrier.
- (4) To the extent that there is any inconsistency between a carrier’s written procedures and a requirement in Part 2, the carrier must comply with the requirement in Part 2.

19 Written procedures regarding communications during major outages – carriage service providers

- (1) Carriage service providers who supply carriage services to end-users must have written procedures in place that outline how they will:
 - (a) communicate with end-users and the public during a major outage; and
 - (b) manage real time communications or near real-time communications with end-users who require urgent assistance during a major outage.
- (2) The written procedures under subsection (1) must be published on the carriage service provider’s website and be in an easily accessible form.
- (3) Subject to subsection (4), a carriage service provider must comply with the written procedures, if the carriage service provider receives a notification from a carrier that there is a major outage.
- (4) To the extent that there is any inconsistency between a carriage service provider’s written procedures and a requirement in Part 2, the carriage service provider must comply with the requirement in Part 2.