



Telecommunications (Domestic, Family and Sexual Violence Consumer Protections Industry Standard) Direction 2024

I, Michelle Rowland, Minister for Communications, make the following direction.

Dated 3 December 2024

Michelle Rowland
Minister for Communications

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1 Name

This instrument is the *Telecommunications (Domestic, Family and Sexual Violence Consumer Protections Industry Standard) Direction 2024*.

2 Commencement

This instrument commences the day after this instrument is registered.

3 Authority

This instrument is made under subsection 125AA(4) of the *Telecommunications Act 1997*.

4 Definitions

Note: A number of expressions used in this instrument are defined in section 7 of the Act, including the following:

- (a) ACMA;
- (b) carriage service;
- (c) carriage service provider;
- (d) carrier;
- (e) Telecommunications Industry Ombudsman.

In this instrument:

Act means the *Telecommunications Act 1997*.

5 Direction to the ACMA

- (1) I direct the ACMA to determine a standard under subsection 125AA(1) of the Act that gives effect to the objectives set out in section 7 of this instrument.
- (2) The standard is to:
 - (a) be determined no later than six months after the commencement of this instrument; and
 - (b) commence in full at the earliest practicable opportunity.
- (3) I direct that the ACMA may vary the standard as it considers necessary from time to time, provided that the standard as varied complies with this instrument.

6 Application of the standard

- (1) The standard is to apply, as relevant, to:
 - (a) carriage service providers in their dealings with relevant consumers; and
 - (b) carriers in their supply of carriage services to carriage service providers.
- (2) The standard may:
 - (a) deal with matters differently for different classes of carriers or carriage service providers; or

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- (b) exempt certain classes of carriers or carriage service providers from particular provisions of the standard; or
 - (c) deal with matters differently for different classes of consumers.

7 Objectives of the standard

- (1) The standard is to be drafted to give effect to the following objectives, as they relate to the telecommunications activities of carriage service providers:
 - (a) that the safety of relevant consumers who are, or may be, affected by domestic and family violence, and where relevant, sexual violence, is prioritised;
 - (b) that carriage service providers take a tailored and appropriate approach to ensure and maintain the privacy of personal information and the security of accounts of relevant consumers who are, or may be, affected by domestic and family violence, and where relevant, sexual violence;
 - (c) that staff of carriage service providers are appropriately trained to:
 - (i) identify and support relevant consumers who are, or may be, affected by domestic and family violence, and where relevant, sexual violence; and
 - (ii) consider the specific needs of consumers belonging to groups who are, or may be, disproportionately affected by domestic and family violence, and where relevant, sexual violence;
 - (d) that staff of carriage service providers are appropriately supported in connection with their work relating to domestic and family violence, and where relevant, sexual violence;
 - (e) that carriage service providers offer prompt, sufficient and appropriate assistance that is tailored to the individual needs and preferences of relevant consumers who are, or may be, affected by domestic and family violence, and where relevant, sexual violence, including to:
 - (i) stay safe; and
 - (ii) stay connected to or be reconnected to appropriate services being provided by the carriage service provider; and
 - (iii) minimise the ongoing impact of domestic and family violence and sexual violence;
 - (f) that carriage service providers have policies, systems and processes in place that:
 - (i) meet minimum requirements, as provided in the standard; and
 - (ii) are trauma-informed; and
 - (iii) safely and appropriately support relevant consumers who are, or may be, affected by domestic and family violence, and where relevant, sexual violence; and
 - (iv) are tailored for consumers belonging to groups who are, or may be, disproportionately affected by domestic and family violence, and where relevant, sexual violence; and
 - (v) are regularly reviewed and updated, as appropriate;
 - (g) that carriage service providers comply with the policies and processes referenced in paragraph (f);

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- (h) that carriage service providers review their existing and proposed systems, processes and products to identify risks they may pose to relevant consumers who are, or may be, affected by domestic and family violence, and where relevant, sexual violence, and take action to reduce those risks;
 - (i) that carriage service providers promote information about where relevant consumers who are, or may be, affected by domestic and family violence, and where relevant, sexual violence, can seek assistance;
 - (j) where appropriate, that carriage service providers undertake relevant consultation and collaboration with relevant groups and organisations in the implementation of obligations in the standard, such as:
 - (i) domestic and family violence support services and organisations, and where relevant, sexual violence support services and organisations; and
 - (ii) those with lived experience of domestic and family violence, and where relevant, sexual violence; and
 - (iii) groups who are, or may be, disproportionately affected by domestic and family violence, and where relevant, sexual violence; and
 - (iv) other sectors with experience in implementing responses to domestic and family violence, and where relevant, sexual violence; and
 - (v) other carriage service providers;
 - (k) that carriage service providers keep and maintain relevant records to demonstrate compliance with the requirements of the standard; and
 - (l) if appropriate, that carriage service providers implement policies and processes relating to their engagement with alleged perpetrators of domestic and family violence, and where relevant, sexual violence.
- (2) The standard is to be drafted to give effect to the objective, as it relates to the telecommunications activities of carriers and carriage service providers, that carriers and carriage service providers take action to limit or prevent the disclosure of information on customer invoices, bills and other customer facing materials which may contribute to safety risks to relevant consumers who are, or may be, affected by domestic and family violence, and where relevant, sexual violence.
- (3) The standard may deal with arrangements for handling consumer complaints relating to domestic, family and sexual violence matters and may confer functions and powers on the Telecommunications Industry Ombudsman.
- (4) In determining the standard, the ACMA may define any terms that it considers appropriate or necessary, including terms used in this instrument but not defined in section 4.