

17 December 2013

The Hon Malcolm Turnbull MP
Minister for Communications

Dear Minister

Invitation to provide feedback on deregulation in the communications sector

Thank you for your correspondence of 26 November 2013 (received here on 3 December 2013) about Deregulation: Initiatives in the Communications Sector.

The Telecommunications Industry Ombudsman (TIO) welcomes the opportunity to contribute to the Government's reform initiative in the Communications sector.

The TIO's role

As you are aware, the TIO is an industry ombudsman, and our primary role is to resolve consumer disputes quickly, independently and in a non-bureaucratic way. The information we collect and record when dealing with complaints is a valuable community resource to inform reforms within the communications sector.

Communication with members

We have informed all TIO members about your request for advice concerning redundant regulation, reducing regulation and the cost of regulation, using our regular member communication [Member News](#). If there is any other information about this initiative you wish to be conveyed to TIO Members, we would be pleased to provide further assistance.

Regulatory reform

Because the TIO is not a carrier or carriage service provider, we are not well placed to comment on compliance, operational or technical regulation within the communications sector that is redundant or may have outlived its usefulness.

We agree with the comments in the *Deregulating in the Communications Portfolio Framing Paper* that rapid change in the communications sector makes it timely to consider whether the current regulatory framework remains appropriate. We are aware, from our own work, of the issues raised for existing regulatory structures from rapid technological change and innovation. While the primary objectives for telecommunications policy remain a touchstone for the TIO in undertaking relevant functions, the tensions highlighted in the Paper are also evident.

"... providing independent, just, informal and speedy resolution of complaints"

Telecommunications Industry Ombudsman Ltd ABN 46 057 634 787

Website: www.tio.com.au
Email: tio@tio.com.au

Postal address:
PO Box 276
COLLINS ST WEST VIC 8007

Street address:
Level 3
595 Collins Street
MELBOURNE VIC 3000

Tel freecall*: 1800 062 058
Fax freecall*: 1800 630 614
Telephone: (03) 8600 8700
Fax: (03) 8600 8797
TTY: 1800 675 692

*calls from mobile phones may incur charges



**Telecommunications
Industry
Ombudsman**

**Simon Cohen
Ombudsman**

While it may not be appropriate for us to make particular policy suggestions given the TIO's dispute resolution role, for any specific areas that the Government is proposing to reform, we would be pleased to provide whatever information and perspective is evident in complaints made to the TIO.

Measuring and quantifying the cost of regulation

We note the various costs – in administration, compliance and delay – that the Government proposes to consider in measuring and quantifying the cost of regulation. In addition to these costs, a consideration of the costs and benefits to consumers and to the community more broadly will be relevant when measuring and quantifying the cost impact of any regulations.

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Yours faithfully



Simon Cohen
Ombudsman