

14 May 2025

Department of Infrastructure, Transport,
Regional Development, Communications and the Arts
GPO Box 594
Canberra ACT 2601

By email: sip@infrastructure.gov.au

To whom it may concern

TIO Submission - Statutory Infrastructure Provider regulated broadband speeds consultation paper

Thank you for the opportunity to comment on the Department's consultation on Statutory Infrastructure Provider (SIP) regulated broadband speeds.

Access to reliable and fast internet is essential for participation in modern society. Australians rely on their internet for connecting with friends and family, entertainment, study, work and accessing essential government services. It is important that obligations on SIPs to deliver fast broadband services reflect the way Australians use and rely on internet.

Our submission supports an increase in minimum peak broadband speeds to reflect how Australians use their internet, greater flexibility around the setting of fees in the regulatory framework, and the progression of SIP service standards so consumers have clear rights when speeds are not met.

1. Increasing the SIP speed requirements will benefit consumers

Between 1 April 2024 and 30 April 2025, we received 3,260 complaints about slow data speeds for internet services.¹

Through complaints to the TIO, we see consumers who are frustrated by the current 25Mbps minimum requirements. Some consumers require fast connections but have limited maximum speeds due to the underlying technology used to provide a service to their address.

While this is becoming less of an issue as Fibre to the Node is replaced with Fibre to the Premises and improvements are made to Fixed Wireless, we continue to receive complaints from consumers about their broadband speed. Increasing the SIP speed requirements may give consumers more options for how they use their services (for example, running their business at home).

¹ This figure is based on TIO data as of 7 May 2025. This figure is based on complaints registered against the TIO's "slow data speed" keyword where the complaint is about internet services.

Some of the issues raised by consumers impacted by slow data speeds include:

- Difficulty with remote work, sometimes leading to loss of employment
- Problems accessing important online services such as social services or banking
- Inability to access online media such as streaming platforms or broadcast television.

2. We support an increase to the current legislated peak upload speed

The current legislated peak upload speed creates frustration for consumers who work or run a business from home and need to upload high amounts of data. For example, businesses that produce digital media face barriers to operating at premises where high upload speeds are not available, because this can make it slow or impracticable to send large files to clients.

Increasing the legislated minimum peak upload speed could provide greater flexibility to businesses and their employees and boost productivity by enabling them to operate in more locations.

3. Legislating speed requirements may prevent flexibility and responsiveness to the changing needs of Australians

The current approach to legislating minimum speed requirements may hinder the Government's ability to efficiently respond to the changing needs of Australians. The Department should consider whether minimum speeds should be instead specified in a subordinate instrument rather than through primary legislation. This could allow them to be updated more easily as the needs and expectations of the Australian community grow.

4. Government should progress service standards for an effective SIP regime

We continue to support the development of benchmarks and standards that address the quality of services being delivered, including speed. Consumers should have recourse when services fail to meet those standards.

While we are pleased to see that changes under the Telecommunications Legislation Amendment (Enhancing Consumer Safeguards and Other Measures) Act 2024 (the 2024 Amendment Act) allow a compensation framework to be established, there are still no clear rules and processes for compensating consumers where SIP obligations are not met. We recommend prioritising the introduction of clear benchmarks, rules and standards to address assessing quality of service (speed, reliability and voice capability) and providing for consumers to be compensated where SIP obligations are not met.

The 2024 Amendment Act also provided for the issuing of evidentiary certificates by either the ACMA or TIO where a SIP has contravened a compensable standard or designated compensable rule. As per our previous submissions on this matter, we welcome clarity about how and when evidentiary certificates may be used and how evidentiary certificates may interact with our current complaint handling processes.²

² TIO (February 2024), [Submission to the Senate Inquiry into the Telecommunications Legislation Amendment \(Enhancing Consumer Safeguards and Other Measures\) Bill 2023](#), pg.2.

We look forward to the outcome of this consultation.

Yours sincerely,

Cynthia Gebert
Telecommunications Industry Ombudsman