



**Telecommunications
Industry
Ombudsman**

Consultation on Universal Outdoor Mobile Obligation (UOMO) draft legislation

**TIO submission to the Department of Infrastructure,
Transport, Regional Development, Communications,
Sport and the Arts**

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1 Introduction

Thank you for the opportunity to comment on the Department's draft Telecommunications Legislation Amendment (Universal Outdoor Mobile Obligation) Bill 2025 (**UOMO Bill**). The Telecommunications Industry Ombudsman (**TIO**) supports the Government's Universal Outdoor Mobile Obligation (**UOMO**) as a crucial step in incorporating mobile services into Australia's universal services framework.

Australians rely on their mobile services for work, study, business, social connection, and to connect them with help in the event of an emergency. In September 2025, we published our Universal Services Policy Position Statement (**Position Statement**), which reflects the importance of mobile services, supporting their inclusion in the Australian universal services framework.¹

Complaints received by our office continue to reflect the importance of mobile services to the Australian community. Our recently released 2024-25 Annual Report² shows mobile remains the most complained-about service type, representing at least 44.7% of all complaints to our office in FY25.³ Complaints marked with our 'poor mobile coverage' keyword increased 22.7% year on year in FY25⁴ (to a total of 3,141 complaints), driven in part by complaints relating to the October 2024 shutdown of Australia's remaining 3G mobile networks.⁵

¹ Our position statement can be accessed on our website [here](#).

² Our 2024-25 Annual Report can be accessed on our website [here](#).

³ For reporting purposes, we categorise complaints to our office as belonging to one of the five service types Mobile, Internet, Landline, Property, and Multiple. Complaints categorised in the Multiple service type are those that relate to more than one of the other four service types. Accordingly, the 44.7% of all complaints received in FY25 that were categorised in the Mobile service type were those that related *only* to mobile services.

⁴ This figure refers to the percentage increase across all complaints, including those categorised in the Mobile service type *and* the Multiple service type. When considering only complaints categorised in the Mobile service type, the year-on-year increase was 25.2%.

⁵ Telstra and Optus shut down their 3G networks in October 2024. TPG/Vodafone shut down its 3G network in January 2024.



We welcome the UOMO Bill as the first step in introducing the UOMO to the universal services framework. The UOMO will support access to essential mobile services (initially voice and SMS services) by requiring ‘primary universal outdoor mobile providers’ (**PUOMPs**)⁶ to ensure those services are reasonably available outdoors across almost all of Australia.⁷ The UOMO will also have an important role in supporting access to Triple Zero and emergency services. Requiring that mobile coverage be reasonably available outdoors across the Australian continent will complement the *Telecommunications (Emergency Call Service) Determination 2019* by helping to ensure Australians can call Triple Zero in as many locations as reasonably possible.

Our submission supports a flexible UOMO framework that can evolve with the reasonable expectations of the community and technological change. Such a UOMO should have the scope to incorporate in-vehicle coverage, regulation of mobile coverage maps, and enforceable performance standards for UOMO services.

2 We support a flexible UOMO Bill, provided important issues are addressed in subordinate instruments

The UOMO Bill’s proposed amendments to the *Telecommunications (Consumer Protection and Service Standards) Act 1999* (**TCPSS Act**) set the broad framework for the UOMO, while leaving the detail of its rules to be determined in subordinate instruments. We are pleased to see the proposed amendments allow broad scope for the Minister to determine rules and standards for the implementation of the UOMO, along with other matters such as additional service types to which the UOMO may apply in future. As we highlighted in our Position Statement, it is important Australia’s universal services framework keeps pace with the needs and expectations of the Australian public. Placing the detail of the UOMO obligations in subordinate instruments will help ensure the obligations are amended as appropriate from time to time.

To ensure the UOMO is enforceable and achieves tangible outcomes for consumers, the subordinate instruments must be sufficiently specific about what PUOMPs are required to do in order to comply. They must also be specific about what consumers can do to access the UOMO’s protections or seek redress if PUOMPs do not meet their obligations.

⁶ The UOMO Bill defines each of Australia’s mobile network operators Telstra, Optus, and TPG/Vodafone as a default PUOMP.

⁷ We note the proposed ‘general Australian outdoor mobile coverage area’ to which the UOMO will apply excludes the radio quiet zone (RQZ) defined in the *Radiocommunications (Australian Radio Quiet Zone Western Australia) Frequency Band Plan 2023*.

Ultimately, we would support instruments addressing matters such as:

- the circumstances in which an end-user is taken to be able to ‘use’ a service such that the service is available outdoors at a location (under proposed subsection 12H(2) of the TCPSS Act)
- what (specifically) is required for a service to be ‘reasonably’ available outdoors at a location (under proposed section 12F of the TCPSS Act)
- clear and enforceable service standards setting base requirements for mobile coverage maps, reasonable limits on network congestion, and timeframes for the rectification of faults affecting UOMO services
- accessibility requirements, for example to ensure that if particular mobile handsets are required to access coverage under the UOMO, compatible handsets are available that are affordable and appropriately designed for end-users with diverse needs
- how the obligations will apply to services supplied by mobile virtual network operators (**MVNOs**), who resell mobile services supplied using the mobile network of a PUOMP.

We look forward to contributing further to future consultation about the UOMO (including consultation on any subordinate instruments) as the Government continues to develop it. The remainder of our submission offers observations on how the UOMO Bill could be improved. These observations are based on our experience dealing with telecommunications complaints.

3 The UOMO Bill should provide scope for in-vehicle coverage to be included in the UOMO in future

Under proposed section 12F of the TCPSS Act, the UOMO is an obligation that only applies to mobile coverage ‘outdoors’. The UOMO Bill’s definition of ‘outdoors’ limits the scope of the UOMO by explicitly excluding mobile coverage in buildings, vehicles, aircraft or vessels.

We understand the intention of this drafting is to exclude from the UOMO areas where it is not reasonable to require PUOMPs to ensure coverage, due to the limitations of current telecommunications technologies. We appreciate that current direct-to-device (**D2D**) low earth orbit satellite (**LEOSat**) technologies require an end-user's device to have direct line of sight to the sky in order to function. However, we also anticipate the relevant technologies may one day evolve to the point where it would not be unreasonable for the UOMO to apply when an end-user is driving down a road.⁸

In our experience, where consumers in regional areas encounter problems with mobile coverage, their coverage can be problematic when they travel by vehicle between towns. Consumers affected by these problems sometimes feel they need to purchase expensive vehicle signal booster equipment so they can remain connected while travelling. This can represent a significant additional cost to consumers, particularly where the equipment does not function as intended.

Case Study – Paul* was unable to call emergency services while driving between rural towns

Paul lives in regional Victoria and relies on his mobile service for work.

In late 2023, Paul was travelling between towns when his car swerved off the road, injuring him and immobilising his car. He attempted to call emergency services, but as he was between towns, he was unable to receive any mobile coverage. He instead was stuck in the vehicle for over 6 hours before help arrived.

**Names of all parties have been changed. This case study appeared in [our submission to the 2024 Regional Telecommunications Review](#).*

The UOMO Bill does not appear to provide scope for the Minister to alter the exclusion of in-vehicle coverage from the UOMO. The Bill should give the Minister authority to expand the UOMO to include in-vehicle coverage, should this be reasonable in future. This will help ensure the UOMO is adaptable and keeps pace with the reasonable expectations of the community as the applicable technologies evolve. Should the relevant technologies eventually make this practicable, we would support the UOMO being expanded to include coverage inside terrestrial vehicles such as cars and trucks.

⁸ We understand the Department to have made a similar observation on page 4 of its consultation paper.

4 The Department should consider a connectivity test for ‘designated mobile telecommunications services’

For the UOMO to be effective in ensuring Australians stay connected outdoors, it is important the services supplied under it can make calls to, and receive calls from, services connected using any carrier network. Accordingly, the Department should consider including a connectivity test as part of the UOMO Bill’s definition for ‘designated mobile telecommunications service’.

The drafting for the proposed Division 2A of Part 2 of the TCPSS Act mirrors that of that of the existing Division 2, which deals with the Universal Service Obligation (**USO**). The USO (defined in section 9 of the Act) refers in part to the obligation to ‘ensure that standard telephone services are reasonably accessible to all people in Australia on an equitable basis, wherever they reside or carry on business.’ In this context, the ‘standard telephone services’ covered by the USO are generally known as ‘landline services’, although they may be delivered using any technology (including wireless technologies), provided all the relevant requirements are met.

The UOMO Bill’s proposed obligations are structured in a similar form, but apply to ‘designated mobile telecommunications services’, rather than ‘standard telephone services’.⁹

One important aspect of the TCPSS Act’s definition for ‘standard telephone service’¹⁰ is the requirement that a ‘standard telephone service’ satisfy the ‘connectivity test’ in subsection 6(2) of the Act. Subsection 6(2) says:

A service passes the connectivity test if an end-user supplied with the service for a purpose mentioned in paragraph 1(a), (b), or (c) is ordinarily able to communicate, by means of the service, with each other end-user who is supplied with the same service for the same purpose, whether or not the end-users are connected to the same telecommunications network.

The connectivity test plays an important role in ensuring the interoperability of ‘standard telephone services’. One of the effects of the connectivity test is that a landline service supplied under the USO must be able to both make and receive telephone calls. Such a service must also be able to connect to any other landline service, irrespective of the networks used to connect those services. That is, a landline service will not satisfy the connectivity test if it can only connect to landline services that are themselves connected using the same network – it must also be able to connect to landline services on other networks.

⁹ Under proposed subsection 12F(2), the UOMO includes the obligation to supply each kind of ‘designated mobile telecommunications service’ such that the service is reasonably available outdoors throughout Australia.

¹⁰ In section 6 of the Act.

The proposed amendments do not include a similar connectivity test for ‘designated mobile telecommunications services’ under the UOMO. Without such a requirement, there is a risk that the services supplied by a PUOMP to comply with the UOMO may not be fully interoperable with the telecommunications services supplied using the networks of other carriers.

We acknowledge it is likely that any service delivered under the UOMO using a PUOMP’s terrestrial mobile network will be interoperable with other telecommunications networks, as is the case with Australian mobile services generally. However, it is not yet clear how LEOSat D2D technologies (or other future technologies) may be operationalised by PUOMPs to comply with the UOMO. If there is no connectivity test for UOMO services, there will be a risk that these services are not interoperable, or (for example) that they will not be able to both make and receive calls across networks.

5 UOMO Standards should allow for requirements relating to information to be given to *prospective* customers

Information standards for UOMO services must be able to cover information such as mobile coverage maps, which are provided not only to existing customers but also to prospective customers and the public more broadly. The UOMO Bill should be amended to clarify that ‘a customer’ in proposed paragraph 12N(1)(g) of the TCPSS Act includes ‘a prospective customer’.

In our Position Statement, we argue that an important part of making mobile services universally accessible to Australians is ensuring they have access to reliable information about the level and quality of mobile coverage available to them. We receive complaints from consumers who tell us their telco’s coverage map does not accurately reflect the mobile coverage available to them. We support regulatory change to require greater accuracy in coverage maps.

Case Study – Chloe* relied on an inaccurate coverage map when purchasing a mobile service

Chloe lives in a rural, hilly area in NSW. She planned to purchase a new mobile service from ArcTel, but was conscious that she might have poor mobile coverage where she lives. Before buying the service, she double-checked ArcTel’s coverage maps and confirmed she should receive 4G voice and data coverage at her home.

After signing up for the service, Chloe found while her service worked in town, she had poor coverage at her home address. Her calls frequently dropped out or could not connect, and she received no data coverage. She contacted ArcTel for assistance, who said the 4G service flagged on the coverage map was only for voice calls and not data.



Chloe contacted the TIO because she felt the information on ArcTel's coverage map was misleading. Through our referral, Chloe agreed to stay with ArcTel as long as they discounted her monthly bills to reflect her diminished service.

**Names of all parties have been changed. This case study appeared in [our submission to the 2024 Regional Telecommunications Review](#).*

We are pleased to see that proposed paragraph 12N(1)(g) of the TCPSS Act would give the Minister the power to make standards about information a PUOMP must give to 'a customer' of a 'designated mobile telecommunications service'. This provision is likely broad enough to allow for the creation of standards relating to coverage maps. However, we are concerned the proposed language does not explicitly indicate whether 'a customer' in this context includes a prospective customer. The UOMO Bill does not include a definition for 'customer', and nor does the TCPSS Act or the *Telecommunications Act 1997*.

6 The UOMO Bill should explicitly provide that the ACMA can make performance standards for UOMO services under section 115 of the TCPSS Act

The UOMO Bill should explicitly state (for the avoidance of doubt) that section 115 of the TCPSS Act can be used to make performance standards for 'designated mobile telecommunications services' provided under the UOMO.

In the long term, we support the development of enforceable service standards for all services covered by Australia's universal services framework, such that consumers are entitled to compensation when telcos do not meet those standards. The *Telecommunications (Customer Service Guarantee) Standard 2023 (CSG Standard)* currently provides such an enforceable standard for landline services.

Because the CSG Standard was made as a performance standard under section 115 of the TCPSS Act, consumers are entitled to damages under section 116 (subject to various exceptions) when telcos do not meet the Standard's mandatory connection and repair timeframes. Where a consumer's landline service is covered by the CSG Standard, the Standard provides an incentive for their telco to repair faults in a timely manner. It also provides appropriate compensation to the consumer where this does not occur.

As we discussed in our submission to the 2024 Regional Telecommunications Review,¹¹ when consumers living in regional areas complain about poor mobile service quality, the outcomes their telcos offer can fall short of their expectations. Under current regulatory arrangements, a telco's obligation to repair a mobile service is typically a contractual obligation. This means a telco can opt to release the consumer from their contract rather than repair the service. This can be an unsatisfactory outcome for the consumer, as those living in regional areas typically have little choice in the mobile service providers available to them.

Case Study – Barbara* has limited options to resolve her mobile issues

Barbara lives in regional South Australia and relies on her mobile service for communication. In early 2024, she began experiencing coverage issues with her mobile. She contacted her telco, JasperNet, for assistance. Through a troubleshooting process, JasperNet identified a problem with its network infrastructure. As there was no estimated timeframe to repair the network, JasperNet offered to release Barbara from her contract and suggested she try a satellite service instead. Barbara declined this offer, since there were no other carriers that offered a service where she worked, and satellite options were too expensive. She instead negotiated for a discount and a partial refund.

Despite the discounted services, Barbara was ultimately unsatisfied with her ongoing services, and she went back to JasperNet to discuss more options. Since the service was working until the infrastructure was damaged, Barbara wanted JasperNet to ask the carrier to repair the network or provide her with an antenna at their cost. JasperNet declined both options.

The TIO ultimately had to decide that JasperNet had met its obligations under the Australian Consumer Law and was not required to provide any of the outcomes Barbara was requesting. This is because there were no obligations to compel JasperNet to repair the infrastructure, and no other external obligations to provide a mobile service to Barbara. With stronger obligations to provide a working mobile service, Barbara may have been able to push for a more satisfactory outcome.

**Names of all parties have been changed. This case study appeared in [our submission to the 2024 Regional Telecommunications Review](#).*

¹¹ See page 18 of our submission to the Review [here](#).

The UOMO should go some way to addressing this concern. We understand it will create regulatory obligations for PUOMPs to provide outdoor mobile coverage that go beyond what is generally required under mobile service contracts, and we support this. In the long term, we would also support the development of performance standards (like the CSG Standard) for UOMO services. This would bolster the UOMO's obligations and appropriately reflect the essentiality of mobile services. We acknowledge it may be quite some time before it is reasonable for such performance standards to apply to UOMO services (given current technological constraints). However, it is important the legislative framework is capable of supporting this kind of UOMO performance standard in future.

Section 115 of the TCPSS Act allows the ACMA (when directed to do so by the Minister) to make performance standards in relation to various matters related to specified carriage services. These matters include (among other matters) timeframes for the connection of services, timeframes for the rectification of faults or service difficulties, and 'any other matter concerning the supply, or proposed supply, of a carriage service to a customer.'

The language of section 115 appears to be sufficiently broad to allow the ACMA (at the direction of the Minister) to develop performance standards relating to the 'designated mobile telecommunications services' referred to in the UOMO Bill. This is because a 'designated mobile telecommunications service' is a kind of carriage service. However, section 115 is located structurally in a different part of the TCPSS Act to the proposed Division 2A of Part 2. Section 115 is located in Part 5 of the Act (labelled 'Customer Service Guarantee'), and Part 5 of the Act is not referenced in the UOMO Bill.

While we believe section 115 likely could be used to create a performance standard for a 'designated mobile telecommunications service', we would support this being put explicitly beyond doubt. This may avoid potential future differences of interpretation, should the Minister wish to direct the ACMA to develop such a standard in future.