Telecommunications Industry Ombudsman

2 July 2026

The Treasury

Langton Crescent, Parkes ACT 2600

scamspolicy@treasury.gov.au

Submitted online via: https://consult.treasury.gov.au/c2026-765133/consultation?page=1

Dear Treasury

Scams Prevention Framework codes and rules exposure draft

Thank you for the opportunity to comment on the Scams Prevention Framework (**SPF**) codes and rules exposure draft. The Telecommunications Industry Ombudsman (**TIO**) supports the SPF and the intent of the draft codes and rules.

As the external dispute resolution (**EDR**) scheme for the telco sector, we can provide insights on complaints handling under the SPF. Accordingly, our submission makes several recommendations to ensure consumers benefit from the framework's complaints handling obligations.

We support efficient handling of lower-value scam loss complaints

The *Guide to Scams Prevention Framework rules and sector codes consultation* seeks feedback on the proposed approach for handling lower-value scam loss complaints.[1] In principle, we agree that there should be a streamlined approach, including an automatic reimbursement process, for the handling of these complaints. While we do not have a view on the dollar amount that should be automatically reimbursed, we support initiatives to reduce the burden on internal and external dispute resolution services. We also note the Australian Financial Complaints Authority's (**AFCA's**) previous review of scam complaint volumes by claim amount, which found that 51% of its scam complaints involved losses between $1-5,000.[2]

To further encourage the efficient handling of scam loss complaints, we support compensation for non-financial loss, depending on the harm or inconvenience the consumer has experienced. Compensation may be appropriate in circumstances where a

[1] The Treasury, *Guide to Scams Prevention Framework rules and sector codes consultation,* p.3.

[2] AFCA, Consultation - Scams Prevention Framework – Draft law package and position paper - Consult hub, December 2025.

Telecommunications Industry Ombudsman Ltd,
PO Box 276, Collins St West, VIC 8007

ABN 46 057 634 787
Email tio@tio.com.au
Web tio.com.au

National Relay Service 1300 555 727
Translating & Interpreting Service 131 450
Freecall 1800 062 058
Freefax 1800 630 614

Calls to the above numbers on mobile phones may incur charges.

dispute has taken an extended period of time to resolve at the internal dispute resolution (**IDR**) stage, resulting in adverse consequences for the consumer. For example, stress and anxiety.

The TIO's Good Industry Guide on Compensation sets out the TIO's expectations of providers and consumers where there are claims for compensation, including for non-financial loss. In such circumstances, we expect providers to:

- Offer consumers proportionate compensation based on the impact events have had on them
- Share the findings of their investigations and all information supporting them
- Explain how the events happened
- Immediately act to prevent further similar events; and
- Explore options for resolving complaints with consumers, such as apologising or waiving service charges.

Non-financial remedies may also be appropriate for consumers who have experienced non-financial harm. For example, in the telco sector, a scam may lead to a consumer losing access to their phone number. This can occur either through SIM swapping to a SIM card in the scammer's control, or porting to another provider. In such cases, consumers frequently seek the return of their phone number. We encourage Treasury to consider these examples as it continues to develop the policy settings for IDR.

We support a consistent, timely and "no wrong door" IDR approach

The success of the SPF's "Respond" principle is dependent on the success of IDR, which subsequently impacts the efficiency and effectiveness of EDR. A successful IDR model should require industry to facilitate a "no wrong door", single point of contact for consumers. It should also establish a consistent, timebound process for consumers that supports clear and efficient complaint resolution.

IDR data should be shared with the SPF regulator/s and publicly reported on

We encourage the development of obligations on SPF entities to provide their IDR data to the SPF regulator/s for the purpose of publishing regular public reports. This approach is consistent with the approach taken in the telco, financial services and energy sectors. Public reporting of IDR numbers promotes transparency and accountability in complaint handling and will complement and provide context to any public reporting on EDR numbers.

Information about IDR and EDR must be easy to find and understand

We support clause 2-21(1)(b) of the *Competition and Consumer (Scams Prevention Framework—SPF Codes) Instrument 2026* which requires a regulated entity's IDR mechanism to "be easy to understand, locate and use, including by a person with disability or from a culturally and linguistically diverse background." To enable this, regulated entities should provide access to plain-English resources, consistent interpreter support, and translation services.

We are also pleased to see the requirement in clause 2-23(2)(e) of the *Competition and Consumer (Scams Prevention Framework—SPF Codes) Instrument 2026* for regulated entities to include information about EDR when acknowledging receipt of a complaint. This acknowledgement should also include information about the distinction between a scam and fraud. At the TIO, we receive complaints from victims of fraud who believe they have been scammed. Providing clarity on the distinction between the two issues will enable consumers to understand their rights and to direct their complaints to the appropriate EDR scheme. This will ensure their complaint is addressed in a timely manner and minimise the adverse impacts associated with fraud.

In addition to these measures, we recommend the creation of detailed minimum standards regarding the content and placement of key IDR and EDR information. In the telco sector, the *Telecommunications (Consumer Complaints Handling) Industry Standard 2018* prescribes information that providers must make available on their websites. This includes the details of when and how contact methods can be used by consumers to make a complaint.[3]

ID verification must balance flexibility with the risk of fraud

We are pleased that the Explanatory Material for clause 6 of the *Competition and Consumer Amendment (Scams Prevention Framework—Telecommunications Code) Instrument 2026* recognises that consumers may not always have access to identity documents and clarifies that the clause does not mandate the identity documents consumers must provide.

The TIO supports a robust, yet accessible, approach to ID verification. There are many reasons why some consumers are unable to provide standard or euro-centric identification documents.[4] We have heard that the current obligations on telcos for prepaid identity verification do not allow for flexibility and can create barriers to consumers trying to access essential mobile services. The Australian Transaction Reports and Analysis Centre (**AUSTRAC**) provides examples of when people may be unable to provide standard identification required under Customer Due Diligence requirements.[5] It may be useful to refer to this guidance in the Explanatory Material for the draft code.

We look forward to the outcome of this consultation and continuing to be engaged throughout the implementation of the SPF.

Yours sincerely,

Cynthia Gebert

Telecommunications Industry Ombudsman

---

[3] See s 8(1) of the *Telecommunications (Consumer Complaints Handling) Industry Standard 2018.*

[4] For more detail on this issue, please refer to the TIO's submission to the Australian Communications and Media Authority's proposal to amend the *Telecommunications (Service Provider – Identity Checks for Prepaid Mobile Carriage Services) Determination 2017*.

[5] AUSTRAC, Identifying individuals who don't have standard ID | AUSTRAC, accessed on 29 June 2026.