

Annual reports

2019–20

Part 1

Australian Communications
and Media Authority
annual report 2019–20



Part 2

Office of the eSafety Commissioner
annual report 2019–20

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Introduction

Australian Communications and Media Authority

The purpose of the Australian Communications and Media Authority (ACMA) is to maximise the economic and social benefits of communications and media for Australia.

We do this by fostering a communications and media environment that balances the needs of industry and the Australian community through regulation, education and advice. We provide consumer and audience safeguards; undertake compliance monitoring, investigations and enforcement; manage Australia's spectrum and respond to changes in our environment by promoting fit for purpose regulatory frameworks.

By engaging with consumers, industry and government to shape and apply the regulatory framework in the public interest, we encourage and promote an innovative communications and media sector.

This work underpins our vision: a connected, informed, entertained Australia.

Find out more at acma.gov.au.

Office of the eSafety Commissioner

The Office of the eSafety Commissioner (eSafety) was created to help safeguard Australians at risk from online harm and to promote safer, more positive online experiences.

eSafety achieves this through regulation, national leadership and coordination, research, and educational and awareness activities that promote online safety.

eSafety leads and coordinates online safety efforts across Commonwealth departments, authorities and agencies and is the only government agency in the world solely dedicated to the online safety of its citizens.

The eSafety Commissioner is an independent statutory officer. eSafety is governed by the *Enhancing Online Safety Act 2015*. Under this Act, the ACMA makes staff available to assist the Commissioner to perform their functions and exercise their powers to such extent as the Commissioner reasonably requires.

Find out more at esafety.gov.au.

About this report

This report provides information about the ACMA's and eSafety's performance for 2019–20, key corporate information, and details against the mandatory reporting requirements.

As a primary mechanism of accountability to the Parliament of Australia, this report has been prepared in line with the requirements for annual reports for entities under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act).

Guide to the report

Introduction outlines the joint nature of this report.

Part 1—Australian Communications and Media Authority annual report 2019–20

- > Overview
- > Report on performance (includes the Annual Performance Statement and financial performance)
- > Management and accountability (includes information the ACMA is required to report on in relation to eSafety)
- > Appendixes (includes information the ACMA is required to report on in relation to eSafety)

Part 2—Office of the eSafety Commissioner annual report 2019–20

- > Overview
- > Report on performance
- > Accountability arrangements

Aids to access

- > Tables of contents
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- > Glossary
- > List of requirements (Appendix 13)

ACMA

Part 1

Australian Communications
and Media Authority
annual report 2019–20

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This report is available on the ACMA website at acma.gov.au/annualreport

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The Hon Paul Fletcher MP
Minister for Communications, Cyber Safety and the Arts
Parliament House
CANBERRA ACT 2600

Dear Minister

Australian Communications and Media Authority annual report 2019–20

In accordance with subsection 46(1) of the *Public Governance, Performance and Accountability Act 2013*, and section 57 of the *Australian Communications and Media Authority Act 2005*, I am pleased to present the annual report on the activities of the Australian Communications and Media Authority (the ACMA) for the 2019–20 reporting year.

The annual report of the Office of the eSafety Commissioner (eSafety) is also presented here. The eSafety Commissioner is responsible for the annual report on the activities of eSafety, as required by the *Enhancing Online Safety Act 2015*.

Further, in accordance with the Public Governance, Performance and Accountability Rule 2014, I certify that:

- (i) fraud risk assessments and fraud control plans have been prepared for the ACMA
- (ii) appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meet the needs of the ACMA are in place
- (iii) all reasonable measures have been taken to deal appropriately with fraud relating to the ACMA.

Yours sincerely



Nerida O'Loughlin PSM

9 September 2020

Chair's foreword



I am pleased to present the annual report of the Australian Communications and Media Authority (ACMA) for 2019–20.

The products and services delivered by Australia's communications and media sectors play a central role in our economy and society. The *ACMA Communications report 2018–19* showed that around nine in 10 Australian adults (91 per cent) retained an internet connection in their home and nearly all Australian adults (96 per cent) own a mobile phone. Just over three-quarters (76 per cent) of Australian adults in metro cities watched free-to-air television weekly, while around eight in 10 (83 per cent) of Australian adults accessed video online.

The criticality of these industry sectors was made even more evident over the course of 2019–20 as we all experienced the significant challenges of the bushfire crisis and the COVID-19 pandemic. These once-in-a-100-year events have tested the communications and media sectors and

underlined the importance of Australians having access to reliable news and information, and robust communications infrastructure.

During this most unusual of years, the ACMA has also had to adapt to changes in our regulatory environment.

During the COVID-19 pandemic, we recognised our role in supporting industry's uninterrupted delivery of essential services to Australians in challenging circumstances. To that end, in early April 2020, we established the ACMA COVID-19 Taskforce to deal with requests from industry associations and regulated entities for regulatory forbearance and other actions across the full range of our activities. In total, requests for relief concerned over 49 acts and instruments and more than 200 separate legislative provisions. The Authority agreed to provide regulatory forbearance on specific provisions that did not pose the risk of negative outcomes for consumers. We also suspended some investigations, implemented deferred or instalment payment arrangements for some licensees, and paused several of our consultation processes.

While COVID-19 presented immediate issues to be resolved for industry, longer-term structural change has also become a prominent focus this year.

With the rollout of the National Broadband Network (NBN) nearing completion, and 5G beginning to be deployed across the country, we are seeing market forces and changing consumer behaviours driving transformation of the communications and media sectors. The new and emerging products and services that connect Australians, keep us informed, and entertain us are evolving rapidly, as are the business models behind them.

Digital platforms now play a key role in our information ecosystem, and the advertising model that has underpinned the production and distribution of news, including public interest journalism, has been severely disrupted. This year, the ACMA has continued to manage grants allocated as a part of the Regional and Small Publishers Innovation Fund, which is designed to support public interest journalism. We also conducted research into the news environment on the issues of impartiality and commercial influence, to explore whether current regulatory arrangements effectively safeguard the integrity of broadcast news and current affairs.

The rise of digital platforms as a source of news and information has brought with it concerns about the spread of potentially harmful false, misleading, or deceptive information online—or 'misinformation'. Misinformation has the potential to cause serious harm to the wellbeing of individuals and to society more broadly. Following on from the Australian Competition and Consumer Commission's Digital Platforms Inquiry (DPI) last year, we began working with digital platforms to address the spread of misinformation on their services. We released a position paper in June 2020 outlining our expectations for a voluntary code or codes of practice to be developed by digital platforms. We expect the code to be in place in the next reporting period.

The government's response to the DPI also proposed that the ACMA collaborate with Screen Australia on an options paper on how to best support Australian stories on our screens in a modern, multi-platform environment. The final options paper outlined several options, ranging from keeping the status quo to deregulation. These were designed to prompt industry feedback and assist in the development of a regulatory framework that promotes the government's intent to support Australian stories on our screens. The options paper was released by the Minister for Communications, Cyber Safety and the Arts, the Hon Paul Fletcher MP, in April 2020.

Another key focus for us during 2019–20 was compliance with consumer safeguards for communications products and services. This year was the second year the Authority published its annual compliance priorities. This approach has already seen improved consumer outcomes in several areas. Most notably, our sustained focus on telecommunications providers' compliance with our NBN migration rules has resulted in a substantial drop in complaints to providers. We have also seen complaints about unwanted telemarketing calls from solar companies halve since 2018.

We have continued our work to protect Australians from the harms of illegal online gambling, with internet service providers blocking over 90 illegal gambling websites since we made our first blocking request in November 2019. Our enforcement actions for businesses breaching spam and telemarketing laws have been well received by the community. We issued our largest infringement notice to date—more than \$1 million—following an investigation into non-compliance with the *Spam Act 2003* by Woolworths Group Limited. Investigative, compliance and enforcement work continued in other areas of the ACMA's remit including broadcasting, telecommunications and radiocommunications.

A significant area of work in 2019–20 has been our continued support for the delivery of, and investment in, services using radiofrequency spectrum. The World Radiocommunications Conference (WRC-19) in Egypt in November 2019 was a key highlight. WRC conferences occur every three to four years and set out international arrangements for the use of spectrum and satellite orbits. WRC-19 was the culmination of four years' worth of preparation by the ACMA and our portfolio department, which successfully delivered on Australia's objectives.

This year the ACMA has also undertaken extensive planning activity for the deployment of 5G services in Australia. This has included establishing new planning arrangements in the 26 GHz and 28 GHz bands and publishing our spectrum management priorities in the five-year spectrum outlook (FYSO), which we publish annually.

Across our many functions, we have continued to seek out ways to improve our efficiency and effectiveness. We have focused on enhancing our data management and analysis capabilities. We are also exploring how new technologies could support better regulatory outcomes in our increasingly data-driven and technically complex operating environment. We will continue to innovate and adapt to fulfil our objective of maximising the economic and social benefits of communications and media for Australia.

We also reviewed the content of this report to ensure it continued to meet legislated requirements and publication principles and, where possible, minimised duplication with information presented on our website. Most notably, we have removed previously published appendixes on our programs and content and broadcasting investigation outcomes. This information remains available at acma.gov.au.

In looking ahead, 2020–21 will see a focus on economic and community recovery. The ACMA will play an important role in ensuring our regulatory frameworks are effective, responsive to changing market conditions and promote the interest of all Australians.

I would like to thank my Authority colleagues and the ACMA staff for their resilience, agility, commitment, and dedication in these unprecedented times. I look forward to the year ahead as we continue to meet new challenges and deliver public benefit through the regulation we administer.



Nerida O'Loughlin PSM
Chair

Our year at a glance



Investigations

464 finalised, for:

Broadcasting	50
Telco consumer safeguards	45
Radiocommunications	247
Interactive gambling	83

Online content service provider rules	2
Unsolicited communications	21
Integrated Public Number Database	16



Warnings and advice

3,608 informal warnings/advice issued, for:

Radiocommunications	152
Broadcasting	15
Children's television program advice	27
Unsolicited communications	3,398
Telco consumer safeguards	16

49 formal warnings/advice issued, for:

Telco consumer safeguards	6
Interactive gambling	10
Unsolicited communications	7
Integrated Public Number Database	26



Enforceable undertakings

11 accepted, for:

Broadcasting	1
Media diversity rules	2
Unsolicited communications	8



Infringement notices and directions

10 infringement notices issued, for:

Telco consumer protection	1
Unsolicited communications	9

16 directions to comply issued, for:

Telco consumer safeguards	11
Integrated Public Number Database	5

10 remedial directions issued, for:

Online content service provider rules	2
Integrated Public Number Database	5
Telco consumer safeguards	3



Civil penalty proceedings

Telco consumer safeguards	1
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Stakeholder engagement

Public consultations	42	Media releases	54
Targeted e-bulletins	199	Customer enquiries actioned	26,453



Licensing

13,208 licences allocated or issued, for:

Broadcasting	92
Telecommunications	34
Radiocommunications	13,082

154,008 licences renewed, for:

Broadcasting	75
Radiocommunications	153,933



Legislative instruments

34 legislative instruments made

Overview

Functions and responsibilities

At the commencement of the reporting period, the ACMA was a statutory authority within the then Communications and the Arts portfolio. On 1 February 2020, the Department of Communications and the Arts and the Department of Infrastructure, Transport, Cities and Regional Development consolidated as part of a machinery of government change to form the Department of Infrastructure, Transport, Regional Development and Communications (the Department). The Hon Paul Fletcher MP, Minister for Communications, Cyber Safety and the Arts is responsible for the portfolio.

The ACMA's regulatory functions are set out in Part 2, Division 2 of the *Australian Communications and Media Authority Act 2005*. The ACMA is responsible for the regulation of broadcasting, radiocommunications, telecommunications and some online content in accordance with four principal acts—the *Radiocommunications Act 1992*, *Telecommunications Act 1997*, *Telecommunications (Consumer Protection and Service Standards) Act 1999* and *Broadcasting Services Act 1992*. There are other Acts that confer regulatory jurisdiction on the agency or are otherwise relevant to the ACMA in areas such as spam, the Do Not Call Register and interactive gambling.

In accordance with the relevant legislation, our specific responsibilities include:

- > regulating telecommunications and broadcasting services, some internet content, interactive gambling and datacasting services
- > managing access to spectrum and planning the availability of radiofrequency bands through licence arrangements, and resolving competing spectrum demands through price-based allocation methods both for the telecommunications and broadcasting sectors
- > regulating compliance with the relevant legislation, licence conditions, codes of practice, standards, service guarantees and other safeguards
- > upholding community safeguards and protections
- > promoting and facilitating industry self-regulatory and co-regulatory solutions to emerging issues
- > exercising powers, where necessary, to create legislative and other instruments, often in the form of standards or service provider rules
- > providing information to Australians to promote informed decisions about communications products and services
- > reporting on matters relating to the communications industry, including its performance
- > representing Australia's communications interests internationally
- > advising the government on specific matters from time to time.

The Authority



Chair and Agency Head—Nerida O'Loughlin PSM

Appointed 14 October 2017 for five years

Nerida O'Loughlin was appointed as Chair of the ACMA from 14 October 2017. From 2011, Nerida was a Deputy Secretary in the Department of Communications, where she led the Digital Television Switchover Program until 2013 and was responsible for a diverse range of policy, program and project areas. She also served as interim Chief Executive Officer (CEO) of the Digital Transformation Agency from 2016 to 2017.

Nerida has worked in Commonwealth and state government agencies, predominantly in technology and content policy and program roles. She also worked at the ACMA from 2006 to 2011 in general manager roles.

Nerida was awarded a Public Service Medal in the Queen's Birthday Honours List on 10 June 2019 for 'outstanding public service through contributions to a more digital Australia and government'.

Nerida is also a Part-time Associate Member of the ACCC, appointed 6 April 2019 to 13 October 2022.



Deputy Chair and CEO—Creina Chapman

Appointed 11 June 2018 for five years

Creina Chapman has held a number of senior executive and strategic adviser roles at commercial media companies Southern Cross Austereo, News Corp, Publishing & Broadcasting Limited and the Nine Network. Her experience in the media and communications sector is gained from organisations spanning television, radio, print, mobile services, podcasting and online services that serve metropolitan, regional and remote Australian markets.

Creina has also been a senior policy adviser to federal members of parliament including former Senator Richard Alston, Minister for Communications, Information Technology and the Arts, and former Treasurer Joe Hockey MP.



Full-time Member—Fiona Cameron

Appointed 23 July 2018 for five years

Fiona Cameron joined the ACMA from Screen Australia, where she was Chief Operating Officer since 2008. Prior to this role she was a General Manager with DMG Radio Australia, responsible for launching the new radio brand Nova in Melbourne.

Fiona has worked across state and federal government in portfolios as varied as education, regional development and communications. She has been a Director of AFTRS and Commercial Radio Australia.



Full-time Member—James Cameron

Appointed Part-time Member 5 August 2013 for five years

Appointed Full-time Member 9 July 2015 to 4 August 2018

Appointed Acting Deputy Chair 24 February 2016 to 8 June 2018

(renewed in role three times)

Re-appointed Full-time Member 5 August 2018 to 4 August 2021

James Cameron has over 20 years of Australian Government public policy experience, including senior executive roles in the telecommunications, radiocommunications, broadcasting and digital economy fields.

James has held executive positions managing government policies and programs supporting Australia's arts and sports sectors and, immediately prior to joining the ACMA, was Chief Executive Officer of the National Water Commission.

James is also a Part-time Associate Member of the ACCC, appointed 6 April 2019 to 4 August 2021.



Full-time Member—Chris Jose

Appointed 1 May 2018 for five years

Chris Jose has extensive experience in government and private legal practice, with a primary focus on competition and consumer law, and public administration. After various government roles, including with the Trade Practices Commission (predecessor to the ACCC), Chris has advised corporate and government clients on a range of regulatory and consumer affairs matters. Most recently, he was a partner and consultant at Herbert Smith Freehills, specialising in competition and consumer law and the economic regulation of markets.

In his telecommunications regulatory practice, Chris has advised governments and corporate clients on competition, consumer impacts, economic regulation and access to infrastructure. As the principal regulatory adviser to the Papua New Guinea (PNG) Government on comprehensive reforms of the information and communications technology sector in PNG, he guided the government in the reformulation of the National Information and Communications Technology (ICT) Policy and the development and implementation of a new regulatory framework for the ICT sector in PNG.



Associate Member—Anita Jacoby AM

Appointed Part-time Member 5 August 2013 to 4 August 2018

Appointed Associate Member 5 August 2018 for five years

Anita Jacoby is a broadcast executive and company director with more than 25 years' experience in media and communications. A creative with a background as a multi-award-winning television, current affairs and film producer, Anita has created hundreds of hours of original content across almost all genres, and for every free-to-air network and Foxtel. Most recently, she was Managing Director of ITV Studios Australia, responsible for the local operations of this global company.

Anita's work has been recognised with six AFIs/AACTAs, a Logie and various other industry awards. She is currently on the National Advisory Board of Women in Media and has been a non-executive director on a number of not-for-profit boards, including headspace and Arts Law Centre Australia.

Anita was awarded a Member of the Order of Australia (AM) in the Australia Day 2019 Honours List for her significant service to broadcast and print media and to community mental health groups.



Associate Member—Delia Rickard PSM

Appointed 4 April 2019 for five years, or until the appointee ceases to be a member of the ACCC, whichever comes first

Delia Rickard was appointed to the position of Deputy Chair of the ACCC in June 2012 for a period of five years and reappointed for a further five years in August 2017. She has extensive public service experience. Her passion is for consumer protection and she has worked in a variety of senior roles, primarily at the ACCC and Australian Securities and Investments Commission (ASIC).

Delia sits on the ACCC's enforcement, adjudications, communications and strategic compliance committees. She also chairs the ACCC's market study into the cost of insurance in northern Australia and is a member of the board for a number of other ACCC market studies.

Delia was awarded the Public Service Medal in 2011 for her contribution to consumer protection and financial services. She has also been awarded the Society of Consumer Affairs Professionals Lifetime Achievement award.



Associate Member—Cristina Cifuentes

Appointed 4 April 2019 for five years, or until the appointee ceases to be a member of the ACCC, whichever comes first

Cristina Cifuentes has vast experience in the public and private sectors across public policy, finance and utility regulation, including positions at the Reserve Bank of Australia, the NSW Treasury and the Australian Securities Commission. She served as the state Part-time Member of the Australian Energy Regulator between 2010 and 2013.

Cristina is Chair of the ACCC's Communications Committee and Infrastructure Committee, where she oversees the ACCC's regulatory role with key infrastructure in areas such as telecommunications, wheat, ports, rail and water. She is also the Commonwealth member of the AER Board, which regulates the national electricity and gas markets.

Cristina has also held a number of directorships, including with the Hunter Water Corporation and First State Super Trustee Corporation.

On 7 May 2020, Cristina announced that she would leave the ACCC on 3 July 2020. Her appointment to the Authority also ceased on 3 July.

Table 1.1: Details of accountable authority during 2019–20

Name	Position title/ position held	Period as the accountable authority or member	
		Date of commencement	Date of cessation
Nerida O'Loughlin	Chair and Agency Head	14 October 2017 for five years	n/a

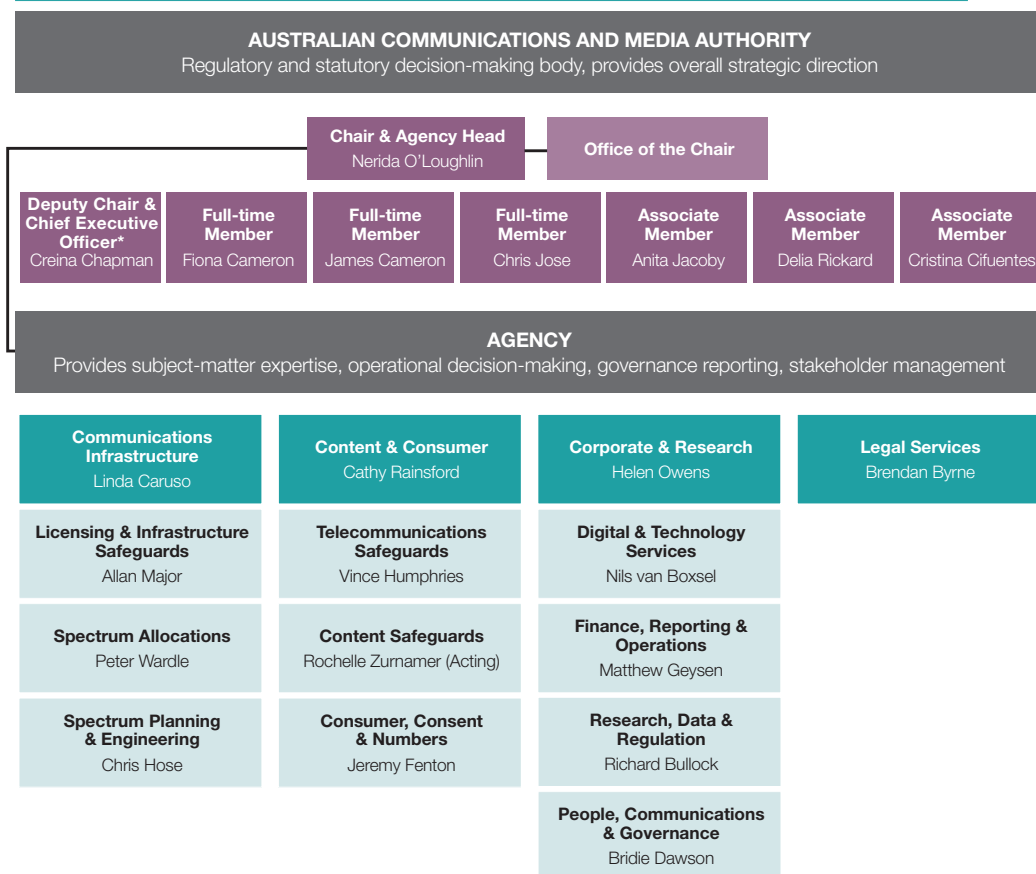
Agency structure

The ACMA's day-to-day activities are managed by the Chair, the Deputy Chair/CEO, four general managers and 10 executive managers.

The ACMA's organisational structure at 30 June 2020 is set out in Figure 1.1.

At 30 June 2020, the ACMA had 460 employees under the *Public Service Act 1999*, most of whom are located in our offices in Canberra, Melbourne and Sydney. We also have employees located in offices in Brisbane, Hobart and Lucas Heights. Detailed information about our staff is provided in Appendix 2 of this report.

Figure 1.1: Organisational structure as at 30 June 2020



* The Chief Executive Officer reports to the Agency Head, but does not report as Deputy Chair to the Chair.

- General managers
- Executive managers

Our purpose

The ACMA's purpose, set out in the ACMA's 2019–20 Portfolio Budget Statements (PBS) and corporate plan, is **to maximise the economic and social benefits of communications and media for Australia.**

Outcome and program structure

The ACMA's 2019–20 PBS set out the resources allocated to the ACMA by government to deliver Outcome 1, and the two programs that contribute to it.

Outcome 1 A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice	
Program 1.1 Communications regulation, planning and licensing	Program 1.2 Communications safeguards, education and information
This program contributes to the outcome by the allocation and use of critical public resources, radiofrequency spectrum and telephone numbers, to maximise their value to the Australian community.	This program contributes to the outcome by ensuring efficient, effective and contemporary safeguards protect users of media and communication services so that the Australian community can confidently use those services.

Report on performance

Annual Performance Statement 2019–20

Introductory statement

I, Nerida O’Loughlin, as the accountable authority of the Australian Communications and Media Authority, present the 2019–20 Annual Performance Statement of the Australian Communications and Media Authority, as required under subsection 39(1) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). In my opinion, this Annual Performance Statement accurately reflects the performance of the Australian Communications and Media Authority and complies with subsection 39(2) of the PGPA Act.



Nerida O’Loughlin PSM
Chair and Agency Head

ACMA performance framework

The ACMA’s performance framework consists of our:

- > corporate plan—this sets out what we intend to achieve
- > PBS targets and criteria—these are for the programs of work we are funded by the government to deliver
- > Annual Performance Statement (APS)—this provides an assessment of our activities in achieving our purpose.

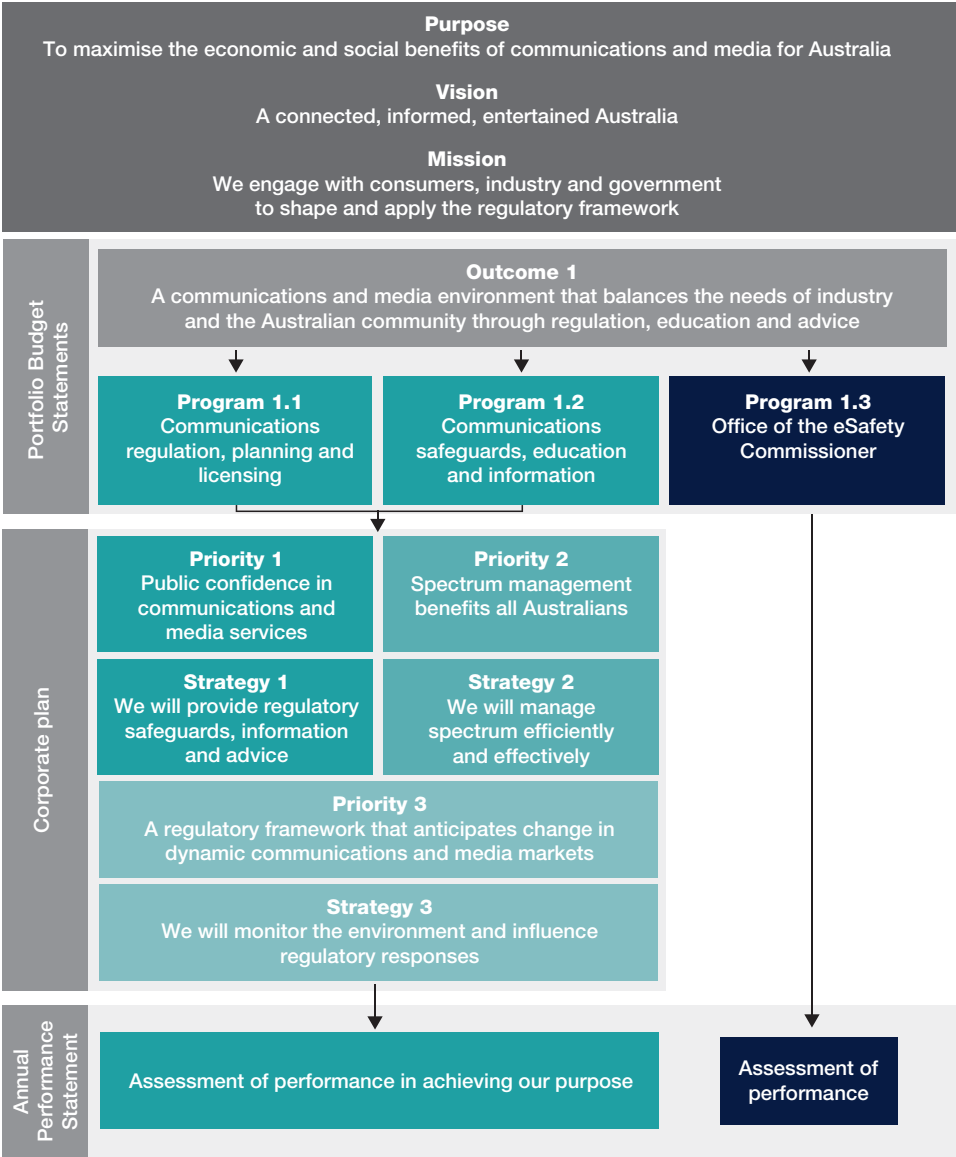
There are a number of activities under each strategic priority in our corporate plan that we undertake to achieve our purpose. The performance measures associated with each activity, along with the benefits that each activity aims to deliver, are the basis for assessing our performance in meeting our purpose.

Each year we review and update our performance measures and, in 2019–20, we also included quantitative metrics and qualitative sources (methods and data) for each performance measure in the corporate plan. The methods and data outline the tools and metrics we used to assess our success against each of the performance measures.

Figure 1.2 shows the relationship between the purpose and strategic priorities in our 2019–20 corporate plan with the outcome and programs funded by the government in the 2019–20 PBS.

Program 1.3 relates to the Office of the eSafety Commissioner and is reported on separately in *Part 2—Office of the eSafety Commissioner annual report 2019–20*.

Figure 1.2: Alignment of the ACMA's PBS 2019–20, *Corporate plan 2019–20* and APS 2019–20



Analysis of performance against purpose

During 2019–20, the ACMA continued to undertake key activities to meet its purpose of maximising the economic and social benefits of communications and media for Australia. These activities supported a connected, informed and entertained Australia by promoting public confidence in the communications and media sector, managing spectrum to benefit all Australians and anticipating changes in our environment.

We achieved our PBS outcomes by using regulation, education and advice to balance the needs of industry and the community.

The environment that the ACMA operated in during the reporting period saw extreme bushfires affect large parts of Australia that impacted the telecommunications network. This was followed by the emergence of the COVID-19 pandemic, which again saw the telecommunications and media sectors play a pivotal role in keeping Australians connected—this time during sustained periods of isolation.

This required us to respond swiftly and flexibly to redirect resources to support the media and communications industry and the Australian community. This included:

- > establishing an internal taskforce to address urgent requests from industry
- > postponing or extending consultation periods to enable stakeholders to focus on their critical services
- > exercising forbearance by not taking enforcement action for non-compliance with specific provisions of the Telecommunications Consumer Protections (TCP) Code, as long as the relevant telco provider met alternative commitments
- > delaying enforcement of new obligations for mobile providers to enhance customer notifications and expenditure caps for mobile services
- > exercising forbearance to commercial television broadcasters with their annual quota obligations for Australian drama, children's and preschool drama, and Australian documentaries
- > providing temporary relief to subscription television broadcasting on their minimum levels of expenditure on new eligible drama programs
- > providing regional commercial radio broadcasters with compliance reporting relief and temporary relief for local news, weather bulletins and community announcements quotas.

These initiatives were not anticipated when performance measures were developed, however, they were necessary to ensure we continued to achieve our purpose throughout the year. Their implementation meant that our ability to meet the planned performance measures was impacted. We fully met 23 of 29 of our performance measures with the remainder being mostly met. Of the six mostly met, five were either directly or indirectly due to the initiatives implemented in response to the COVID-19 pandemic. The following summarises our performance results by the key activities listed under each strategic priority in the corporate plan.

Overview of results

		Met	Mostly met	Not met
1	Strategic priority 1—Public confidence in communications and media services through the provision of regulatory safeguards, information and advice			
1.1	Deliver safeguards that meet the needs of Australians using media and communications services	✓		
1.2	Promote compliance with communications and media safeguards and public interest outcomes through compliance monitoring, complaints-handling, investigating, enforcement and program delivery		✓	
1.3	Build consumer, audience and industry understanding of risks, rights, responsibilities and safeguards	✓		
2	Strategic priority 2—Spectrum arrangements that benefit all Australians through efficient and effective spectrum management			
2.1	Plan the availability of Australia's radiofrequency spectrum to optimise its value to the Australian community	✓		
2.2	Allocate and licence access to the radiofrequency spectrum, using both administrative and market-based methods, ensuring adequate provision for defence, public safety and community purposes	✓		
2.3	Manage the risk of interference and other harms through investigation and other compliance and enforcement activities and education programs		✓	
3	Strategic priority 3—A regulatory framework that anticipates change in dynamic communications and media markets through monitoring our environment and influencing regulatory responses			
3.1	Conduct qualitative and quantitative research to enhance the ACMA's understanding of consumers and audiences ¹		✓	
3.2	Build ACMA capability for data analysis to enable improved understanding of regulatory and market developments	✓		
3.3	Engage with stakeholders and government to support regulatory frameworks and obligations that are fit for purpose now, and as markets evolve		✓	
3.4	Improve regulatory practices to reduce regulatory burden, increase transparency and timeliness, and ensure actions are proportionate to risks	✓		

¹ Activity 3.1 contains three performance measures that were mostly met.

Strategic priorities, benefits to stakeholders and outcomes

Strategic priority 1 – Public confidence in communications and media services through the provision of regulatory safeguards, information and advice

Benefit: Appropriate and relevant safeguards are available to Australians consuming content and using media and communications services

The new safeguards we introduced this year addressed consumer harms by:

- > establishing a three-point action plan to reduce scam calls so people can trust the calls they receive
- > blocking a range of illegal offshore gambling websites
- > developing a new set of rules in the Telecommunications (Emergency Call Services) Determination 2019 to help make our telecommunications networks more reliable
- > combating mobile phone porting scams to protect consumers' access to their phone services and data.

We continued monitoring and conducted audits of:

- > broadcasting and online gambling advertising rules
- > NBN consumer experience rules.

We published:

- > the *Gambling advertising in Australia: Consumer and advertising placement research* report
- > the *Telecommunications complaints-handling 2018–19* report
- > the *Combating scams—Action plan summary*, a report from the Scam Technology Project
- > the *Customer financial hardship in the telco industry: State of play report 2018–19*, the first of its kind, on how telcos deal with issues around consumer financial hardship.

We reviewed existing regulation and identified improvements to:

- > the NBN consumer experience rules to ensure they are fit for purpose
- > the International Mobile Roaming Standard.

Benefit: Compliant businesses, confident consumers and assured audiences

We prioritised and targeted our responses to risks of non-compliance and consumer harm, by taking action on:

- > telcos' compliance with the TCP Code
- > telemarketing practices, with a focus on the solar industry and lead generation, resulting in infringement notices totalling \$1,767,300 for breaches of telemarketing rules
- > telcos' compliance with the NBN consumer experience rules
- > blocking the provision of illegal offshore wagering services offered in Australia.

The efficiency and effectiveness of our compliance and enforcement work was reflected by:

- > over 93 per cent of 199 investigations being completed within benchmark timeframes
- > a 54 per cent reduction in the number of complaints received about solar telemarketing since the start of the 2017–18 reporting period
- > over 86 per cent of illegal offshore gambling websites withdrawing from the Australian market following contact by the ACMA, or after receiving a formal warning.

Complaints about non-compliance with legislation, standards and codes can be made to the ACMA using a diverse range of avenues, including online complaint forms, email, phone, post and SMS.

Benefit: Australians can easily opt out of unwanted telemarketing calls

Consumers were able to register, check or remove their numbers on the Do Not Call Register (DNCR) and businesses could check numbers against the register.

Benefit: Innovation by public interest journalism businesses is promoted

Regional and small publishers were supported by the Regional and Small Publishers Innovation Fund to transition to and compete more successfully in the evolving media environment.

Benefit: Targeted advice and information is provided to consumers, audiences and regulated entities in a clear and timely manner

We provided timely information about the rules and regulations we administer via:

- > our refreshed website, which went live in October 2019 and was re-designed to help us deliver our services more efficiently in a manner consistent with the government's digital transformation strategy
- > media releases, guides and alerts on the ACMA website and through social media on a range of other issues, including the publication of our investigations and enforcement actions
- > a consumer awareness campaign designed to educate consumers about what interactive gambling services are provided legally in Australia and the risks in using offshore services
- > information and updates to consumers on their rights and available safeguards during the COVID-19 pandemic.

Strategic priority 2—Spectrum arrangements that benefit all Australians through efficient and effective spectrum management

Benefit: Spectrum planning balances the needs and interests of stakeholders and the broader community

Competing needs and interests of stakeholders were balanced with international developments in the development and finalisation of the ACMA's published spectrum work program.

Stakeholders' needs and interests were identified through consultation. Forty-three stakeholder submissions were considered in the development of the 2019–23 spectrum work program. This led to adjustments in our planning priorities, updates to our five-year spectrum outlook (FYSO) and inclusion of planned consultations over the period. In addition to the forward work program, other areas covered included:

- > international engagement
- > planning and optimising established spectrum frameworks
- > spectrum management practice improvements
- > licensing
- > pricing
- > compliance and enforcement.

Stakeholders have reported finding the work program and FYSO to be a useful planning tool, particularly the inclusion of a progress report in the FYSO program.

Benefit: Australia's needs and interests are addressed in international harmonisation processes

We contributed to strengthening Australia's position in international negotiations to achieve better outcomes for spectrum use in Australia by providing technical knowledge and expertise.

We supported the then Department of Communications and the Arts as the lead agency at a number of international preparatory meetings and at the International Telecommunication Union's (ITU) World Radiocommunication Conference 2019 (WRC-19) held in late 2019, including developing regional negotiating positions with a number of countries in the Asia-Pacific.

Benefit: Spectrum access terms and conditions are responsive to changing demand and spectrum value; and sufficient spectrum can be accessed for defence, public safety, law enforcement and community uses

Spectrum use was optimised by:

- > progressing the allocation process for the 26 and 28 GHz bands
- > enhancing the 3.4–3.575 GHz band
- > changing arrangements in the 850 MHz and 900 MHz bands
- > reviewing the future use of the 2 GHz band
- > considering new approaches to spectrum sharing
- > publishing *The future delivery of radio* report findings.

Public safety was enhanced by:

- > consulting on a review of the radiocommunications prohibitions and exemptions framework in order to facilitate a range of safety, security, law enforcement and defence outcomes that can only be achieved using devices that would otherwise be prohibited.

Stakeholders benefited from the efficient delivery of our licence administration, with all timeliness benchmarks met. Stakeholders affected by the bushfires and the COVID-19 pandemic were able to defer payment for their licence fees.

Benefit: Compliance and enforcement activities are commensurate with risk and harm and are supported by targeted information and advice

We managed the risk of interference and other harms to the legitimate use of spectrum and protected public safety by:

- > responding to complaints about interference to mobile and non-mobile networks with appropriate compliance and enforcement actions, including advice notices and warning notices
- > targeting potential sources of interference, including an audit of solar industry compliance with equipment standards and labelling notices
- > conducting monitoring and site audits of licensees in the 5.6 GHz and 400 MHz bands
- > taking action in relation to the unlicensed use of spectrum
- > auditing electromagnetic energy (EME) compliance in response to community concerns over the use of small cells for 5G
- > investigating equipment standards and customer cabling issues.

Strategic priority 3—A regulatory framework that anticipates change in dynamic communications and media markets through monitoring our environment and influencing regulatory responses

Benefit: The ACMA, the government and the community are informed about communications and media markets and issues relevant to public interest objectives

Regulatory responses were informed by evidence gathered through research. We:

- > published research in our communications report that revealed market and consumer trends and tabled it in Parliament
- > commenced research into topics including artificial intelligence (AI), Internet of Things (IoT) and best practice regulatory theory
- > started work to measure media diversity and local news
- > collaborated with Screen Australia to develop an options paper for government on potential interventions for Australian and children's screen content
- > released a position paper to guide digital platforms in their code(s) of practice dealing with misinformation and news quality
- > conducted research in a number of areas—including news on television and radio, and the experience of telecommunications consumers—to inform our understanding of the impact developments in these markets are having on public interest outcomes.

Benefit: The ACMA has the capacity to make optimal and safe use of data to inform evidence-based regulatory analysis and action

Better use of our data will deliver stronger outcomes for our stakeholders. We are continuing our focus on growing our data capability and now have a comprehensive understanding of our data strengths, gaps and opportunities. We are piloting three data action projects across the agency covering spectrum data and analytics, provider performance monitoring, and industry and market reporting.

Benefit: ACMA engagement supports regulatory frameworks to evolve with contemporary markets and consumer and audience needs

To inform the development of fit for purpose regulation, we:

- > conducted our stakeholder survey, which helps us assess and improve our engagement with key stakeholders
- > formally consulted with stakeholders through 42 consultation processes
- > participated in conferences, meetings and working groups, including WRC-19.

We also made submissions to reviews and inquiries on new and emerging regulatory pressures relevant to our remit.

Benefit: Regulation administered by the ACMA does not impose unnecessary burden on industry or the community

Monitoring the delivery and administration of our regulation led to improvements in our regulatory practice:

- > Our annual customer service user satisfaction survey guided improvements to our stakeholder interactions.
- > Stakeholder enquiries were responded to promptly and we provided timely information about the rules and regulations we administer via our Customer Service Centre, which resolved an average of 95 per cent of enquiries within three working days.
- > Our annual Regulator Performance Framework (RPF) self-assessment with stakeholder validation led to improved transparency of the Authority's strategic intent, responsibilities, and the culture and values that guide its work. We also maintained a whole-of-agency approach to our compliance priority process, providing greater clarity for our stakeholders about our compliance work.

The outcomes of our strategic priorities were achieved through the delivery of our performance measures. An assessment of our performance measures against each of our key activities is detailed in the following section.

Strategic priority 1: Public confidence in communications and media services through the provision of regulatory safeguards, information and advice

1.1 Deliver safeguards that meet the needs of Australians using media and communications services

We ensured that the safeguards we deliver met the needs of Australians by monitoring the effectiveness and efficiency of existing regulations by undertaking reviews and research. This enabled us to implement or amend rules to ensure safeguards continue to meet consumer needs.

We monitored the operation and effectiveness of rules for gambling advertising during live sports events, undertook a post-implementation review measuring the effectiveness of the NBN consumer experiences rules as made in 2018–19, assessed customer financial hardship in the telecommunications industries and reviewed the implementation by industry of the credit assessment rules in the TCP Code.

Based on research undertaken, we also implemented new or amended rules for international mobile roaming determinations and emergency call services.

Assessment of results

Performance measure <i>Corporate plan 2019–20, p. 14</i>	Criterion and target PBS 2019–20, p. 102	Result		
		Met	Mostly met	Not met
Broadcasting and online gambling advertising rules are effective in protecting children	Appropriate and relevant safeguards are available to Australians consuming content and using communications and media services Targets: > <i>Effectiveness of the NBN rules are monitored</i> > <i>Effectiveness of the broadcasting and online content rules for gambling advertising is monitored</i>	✓		
NBN migration rules assist consumers to move seamlessly to the NBN		✓		
Evidence of telecommunications consumer experience informs advice to government and rule-making processes		✓		

Broadcasting and online gambling advertising rules are effective in protecting children

Monitoring of broadcasting and online rules to restrict gambling during live sport coverage

In the prior reporting period, we introduced restrictions to protect children from exposure to gambling advertising during live sporting events broadcast on television and radio and streamed online. During 2019–20, we monitored the effectiveness of the rules during key live sporting events, assessed complaints and conducted consumer and market research.

In November 2019, we published a report, which examined:

- > where advertisers put their gambling ads, both before and after the new rules started
- > complaints and investigations about gambling ads
- > live sports coverage to see if providers were following the rules
- > parents' views on gambling ads.

The results of our monitoring activities indicate that the government's policy to protect children from gambling ads in live sport between 5 am and 8.30 pm has been effective on broadcasting platforms. We found that broadcasters are following the rules, with a marked decrease in the volume of gambling ads from the start of pre-game shows to the end of post-game shows.

However, our report also noted that parents remain concerned about exposure of children to gambling advertising, particularly parents of older children. There was an observed shift in gambling ads to after the 8.30 pm watershed and an increase in gambling ads in non-sports content. In relation to streaming platforms, our monitoring activities identified some minor inconsistencies in the application of the Broadcasting Services (Online Content Service Provider) Rules 2018 (online rules) by service providers. There were two breaches of online rules, by SEN+ and 9Now, which streamed gambling promotions during online coverage of live sporting events. We are continuing to monitor the operation of the online rules for an additional 12 months to ensure that the restrictions are delivering appropriate safeguards online.

Investigations into broadcasting and online gambling advertising

In response to issues identified through our monitoring activities, several investigations were conducted, and enforcement action taken.

An online provider, SEN+, was issued with a remedial direction in September 2019 after a breach investigation finding for a broadcast of the 2019 Australian Open tennis tournament. The remedial direction required the provider to commission an independent audit of its processes and practices, and conduct staff training on the rules to ensure future compliance with the rules. The provider was also required to report the audit findings and recommended improvements to the ACMA.

The publication of these investigation findings helps raise industry and community awareness about the restrictions in place to protect children from exposure to gambling advertising during live sporting events.



Case study

Breaching gambling ad rules

In December 2019, we found that Channel Nine streamed gambling advertisements during the pre-game programming for State of Origin games 1 and 2 on its platform 9Now. We also simultaneously investigated the broadcast of the State of Origin on Channel Nine and found that there was no breach of the broadcast gambling advertising rules.

Under gambling advertising rules, restrictions start five minutes before the start of play ('kick-off') if the broadcaster/online provider lets viewers know when the game starts at least 24 hours in advance. If 'kick-off' is not published in this way, the rules start five minutes before the pre-game coverage.

Nine published the State of Origin 'kick-off' in its online TV guide. The ACMA considered the publication of information in an online TV guide was not clear and prominent for those online viewers using the 9Now app to watch the streamed services. Accordingly, we found the gambling restrictions that applied to the online streaming service commenced five minutes before the start of the State of Origin pre-game programming. As gambling advertising was shown during that programming, Nine breached the rules.

However, Nine published the 'kick-off' in its online TV guide at least 24 hours ahead of the game in a way sufficient to provide clear information to broadcast viewers. As no gambling advertisements were broadcast in the five minutes before 'kick-off', there was no breach of the rules in relation to the broadcast.

The investigation illustrates the importance of making information about the scheduled start of live sporting events 'clear and prominent' to users of online content services. It also makes clear the ACMA's position that if online coverage of a sporting event does not include identical advertising content to the broadcast transmission, it will not be considered an exempt online simulcast service for the purposes of the gambling restrictions that apply to online services.

NBN migration rules assist consumers to move seamlessly to the NBN

Post-implementation review of NBN consumer experience rules

During 2019–20, we undertook a post-implementation review of the NBN consumer experience rules made in 2018–19 to ensure that the safeguards remain fit for purpose. The first round of consultation on the rules was conducted during August–September 2019 and sought stakeholder and community views about the effectiveness and efficiency of the:

- > Telecommunications (Consumer Complaints Handling) Industry Standard 2018 (the Complaints Handling Standard), which is intended to improve telcos' management and resolution of consumer complaints
- > Telecommunications (NBN Consumer Information) Industry Standard 2018 (the Consumer Information Standard), which ensures consumers have the information they need to choose a suitable service on the NBN
- > Telecommunications (NBN Continuity of Service) Industry Standard 2018 (the Service Continuity Standard) and Telecommunications Service Provider (NBN Service Migration) Determination 2018 (the Service Migration Determination), which aim to make sure consumers are not left without a working service and that the service delivers the speeds specified in their plan.

This review, coupled with our ongoing compliance work, identified that some improvements to the rules would further strengthen and clarify their operation, including to:

- > clarify the definition of 'complaint' in the Complaints Handling Standard
- > revise the definition of 'consumer' to align with the TCP Code's definition
- > fine-tune the type of information telcos must give consumers in their key facts sheet in the Consumer Information Standard
- > add a definition of 'alternative arrangement' into the Service Continuity Standard aligned with that in the Service Migration Determination
- > clarify the definition of 'migration' in the Service Continuity Standard and Service Migration Determination.

A second round of consultation on the revised draft rules was conducted during December 2019–January 2020. A further round of targeted consultation on revised drafts of the Service Continuity Standard and the Service Migration Determination, scheduled to occur in mid-March 2020, was suspended for the remainder of the reporting period. This was due to the COVID-19 pandemic forcing the communications sector to focus on business-critical functions to support the connectivity of consumers, including those experiencing hardship. Although the pandemic interrupted the review of the NBN consumer experience rules, the ACMA continued its compliance work in relation to those rules.

Evidence of telecommunications consumer experience informs advice to government and rule-making processes

Mobile number fraud and identity theft

Mobile number portability is a regulatory obligation that facilitates competition by allowing customers to change telecommunications providers without changing their mobile phone number.

There have been cases of scammers using specific personal information obtained from online or other sources (such as mailbox theft) to fraudulently port a person's mobile number from their current service provider to another. Scammers have then used the ported number to access the consumer's bank accounts and authorise transactions by having bank verification codes sent to the number.

In response to this, we made the new Telecommunications (Mobile Number Pre-porting Additional Identity Verification) Industry Standard 2020. This standard commenced in April 2020 and requires mobile providers to implement stronger identity verification processes before a phone number can be ported. The new process requires multi-factor authentication, where a consumer must respond to the telco to confirm they have authorised the transfer. This will help prevent malicious actors from exploiting the porting process to illegitimately access bank accounts and perpetrate other identity fraud.

National Self-Exclusion Register

In recognition that online problem gambling is three times higher than other types of gambling, the government established the National Consumer Protection Framework for Online Wagering in November 2018. A key measure of the framework is the establishment of the National Self-Exclusion Register (NSER). This will provide stronger consumer protections for Australians gambling online and allow people to self-exclude from all online wagering sites and apps in a single process.

Amendments to the *Interactive Gambling Act 2001* were passed by Parliament in December 2019 to enable the ACMA to establish the NSER. In October 2019, in expectation of the amendments, we commenced a multi-stage procurement process to procure an independent provider to develop and operate the NSER. The NSER is anticipated to begin in 2021.

Customer financial hardship in the telco industry: State of play report 2018–19

The financial hardship 'state of play' report, the first of its kind by the ACMA, was published in April 2020. Based on information from the largest 11 telcos offering post-paid services during 2018–19, the report examined the new financial hardship rules in the TCP Code, the procedures followed by telcos, and findings about consumer financial hardship in the sector.

It also facilitated consideration of the effectiveness of the financial hardship rules, raised awareness of telcos' financial hardship programs and encouraged consumers experiencing financial difficulties (including during the COVID-19 pandemic), to make use of them.

Credit assessment study

We commissioned a credit assessment 'shadow shopping' study to aid in testing whether telcos have changed the way they are interacting with customers as required by the new credit assessment rules in the TCP Code. The new rules, which came into effect in August 2019, are intended to prevent vulnerable consumers (in particular) from entering into excessive commitments. Fieldwork was conducted between late December 2019 and mid-February 2020, with the study completed in June 2020.

The study indicated that there were potential issues with in-store sign-up practices compared to online or telephone sales channels. To address potential deficiencies, we will be engaging with telcos to improve in-store credit assessment practices.

Telco complaints drop as consumers migrate to NBN

The ACMA receives complaints data under the Telecommunications (Consumer Complaints) Record-Keeping Rules 2018 from qualifying providers on a quarterly basis. A qualifying provider is one that has over 30,000 services in operation within the reporting quarter.

In October 2019, we published the *Telecommunications complaints-handling 2018–19* report. In March 2020, we released our first interactive telco complaints dashboard. This provided indicators of complaint handling performance for the September and December 2019 quarters from qualifying telcos.

Both the October telco complaints report and the March telco complaints dashboard included performance data on complaint volumes, complaints by service type, the type of service associated with complaints about broadband services delivered over the NBN, and time taken to resolve complaints.

Data for the March 2020 quarter showed improvement in complaint handling levels across all key indicators compared to March 2019, except for fixed voice (no change).

As well as providing consumers with information about the performance of key telecommunication services, these reports allow us to assess the effectiveness of our interventions and offer improved visibility into provider performance and industry improvements over time. The performance demonstrated by the reports is also expected to inform the government's Consumer Safeguards review.

International Mobile Roaming Determination

Safeguards related to international mobile roaming (IMR), intended to minimise bill shock from international roaming charges, have been in place since 2013. In December 2019, we made the Telecommunications Service Provider (International Mobile Roaming) Determination 2019 that revised and replaced the previous safeguards, with the new rules coming into effect from 1 July 2020.

The changes are intended to:

- > cater for the growing number of consumers now using IMR services on tablets
- > ensure providers offer additional non-SMS communication options to customers (for receiving IMR-related notifications), recognising the use of devices that do not support SMS overseas.

Under the new rules, notifications must be sent to any device capable of accessing international roaming, and may also be delivered through alternate means such as email or an app.

The ACMA will not be enforcing new requirements introduced under the changes before January 2021. This is due to the COVID-19 pandemic forcing the communications sector to focus on business-critical functions to support the connectivity of consumers, including those experiencing hardship. It also recognises the significant reduction in international travel that is expected to continue until at least the end of December 2020.

Emergency call service

The emergency call service is a national operator-assisted service that connects emergency callers free-of-charge to state and territory emergency services—police, fire and ambulance. It is provided by:

- > Telstra Corporation Limited, the emergency call person (ECP) for the emergency service numbers Triple Zero (000) and 112
- > the National Relay Service provider, Concentrix Services Pty Ltd, the ECP for the emergency service number 106. This service is used by people who are deaf or have a hearing or speech impairment and who use a teletypewriter.

In November 2019, we made the Telecommunications (Emergency Call Services) Determination 2019 (ECSD 2019) that revised and replaced the previous rules applying to the emergency call service.

The revisions were, in part, a response to an investigation we conducted into a May 2018 outage of the 000 emergency call service, where 1,433 emergency calls failed because of fire and network software problems.

1.2 Promote compliance with communications and media safeguards and public interest outcomes through compliance monitoring, complaints-handling, investigating, enforcement and program delivery

We monitored compliance issues in our environment using complaints and other intelligence, stakeholder feedback, consumer research and trends, as well as information provided by other regulators and consumer groups. We raised awareness of compliance activities by publishing and reporting on our compliance priorities. This informed targeted audits and investigations, leading to non-compliance being addressed through prompt action. A number of these actions were aimed at reducing the risk of non-compliance in the future by addressing systemic causes of breaches.

We measured our efficiency against benchmark response times, with almost all investigations being completed within our four-month average benchmark timeframe. A small number of investigations exceeded our six-month benchmark timeframe due to their complexity. We facilitated our effectiveness by establishing and delivering against our compliance priorities.

The contracts for program delivery that we manage continued to meet key performance indicators for quality, timeliness and cost. We also administered grants to assist regional and small publishers adapt to changing market conditions, including the impact of the COVID-19 pandemic.

Assessment of results

Performance measure <i>Corporate plan 2019–20, pp. 15–6</i>	Criterion and target PBS 2019–20, p. 103	Result		
		Met	Mostly met	Not met
Consumers and audiences have effective and efficient avenues for complaints	Compliant businesses, confident consumers and assured audiences Target: > <i>Avenues for making complaints are available and accessible to consumers and audiences and complaints are handled within published timeframes</i>	✓		
Annual compliance priorities address regulatory needs, are developed within broader compliance program and are widely understood by stakeholders The ACMA takes compliance and commensurate enforcement action where appropriate	Compliant businesses, confident consumers and assured audiences Target: > <i>Annual priority compliance areas for online gambling, broadcasting, telecommunications, spam, Integrated Public Number Database and Do Not Call Register (DNCR) regulatory frameworks are developed, published and acted upon</i>	✓		

Performance measure <i>Corporate plan 2019–20, pp. 15–6</i>	Criterion and target PBS 2019–20, p. 103	Result		
		Met	Mostly met	Not met
Effective and efficient investigations and enforcement outcomes	Compliant businesses, confident consumers and assured audiences Target: > <i>Investigations and enforcement outcomes are delivered within target timeframes and according to the ACMA's compliance and enforcement policy</i>		✓	
Contractual service levels for the Do Not Call Register are met	Programs deliver public interest outcomes Target: > <i>Contractual service levels for DNCR are met</i>	✓		
Efficient and effective delivery of the Regional and Small Publishers Innovation Fund grants	Programs deliver public interest outcomes Target: > <i>The Regional and Small Publishers Innovation Fund grants program is implemented, with grants made within published timeframes</i>	✓		

Consumers and audiences have effective and efficient avenues for complaints

Consumers had consistent access to multiple ACMA channels for enquiries and complaints throughout the year. Complaint web forms were available on average 99 per cent of the time. In 2019–20, we released our updated website that improved accessibility to complaint avenues for consumers and audiences. There are several channels for consumer and audience complaints:

- > mobile phone base station deployment—complaint form, email, phone, post
- > carriers' powers and immunities—email, phone, post
- > installation of fibre-ready pits and pipes—email, phone, post
- > emergency call service—email, phone, post
- > interactive gambling services—online complaint form, post
- > broadcasting services—email, phone, post, online complaint form
- > gambling ads during live sports online—email, phone, post, online complaint form
- > telemarketing calls—phone, online complaint form
- > spam—email, SMS, online complaint form.

The design and content of spam online complaint forms were also reviewed to ensure they were user-friendly and easy to access.

The effectiveness and efficiency of our complaint processes is measured by the number of contacts (complaints and enquiries) made by the public and our response times, as shown in Table 1.2.

Table 1.2: Complaints, enquiries and responses within benchmark timeframes, 2019–20

Topic area	Complaints	Enquiries	Total contacts received	% of contacts actioned within benchmark timeframe*
Mobile phone base station deployments	170	27	197	100%
Carriers' powers and immunities	15	49	64	100%
Installation of fibre-ready pits and pipes	0	1	1	100%
Emergency call service	8	24	32	100%
Interactive gambling	371	97	468	100%
Broadcasting	1326	360	1686	100%
Gambling ads during live sport online	1	1	2	100%
Telemarketing	30, 603	13, 910	44, 513	100%
Spam	6, 858	1, 173	8, 031	100%

* Spam and telemarketing complaints have a benchmark timeframe for action within 15 business days. Content complaints have a benchmark timeframe for action within seven business days. Complaints about mobile phone base station deployments, carriers' powers and immunities, installation of fibre-ready pits and pipes, and the emergency call service have a benchmark of two business days.

Annual compliance priorities address regulatory needs, are developed within broader compliance program and are widely understood by stakeholders

The ACMA takes compliance and commensurate enforcement action where appropriate

Our compliance priorities establish key areas of focus for our compliance activities for the year. They guide our efforts to deliver effective compliance and, where necessary, targeted enforcement action. We choose specific compliance priorities because they are in the public interest or represent developing areas where we can encourage compliance and boost public confidence. As new technologies and markets emerge, we test how well our regulatory framework and current laws are working.

Compliance priorities for 2019–20

This year was the first complete year we adopted an agency-wide strategic approach in prioritising our compliance work and publishing the priorities before the start of the year. This provided greater transparency, clarity and certainty for industry and consumers.

The annual compliance priorities for 2019–20 were published in April 2019 with compliance activities undertaken during the year reported in quarterly web reports.

The compliance priorities for 2019–20 were:

- > telecommunications consumer safeguards
- > small cell base stations for 4G and 5G and base station compliance
- > unsolicited communications: solar telemarketing and lead generation
- > broadcast news—focusing on practices of the broadcasters and whether the current regulatory framework (including the broadcasters' codes of practice) are fit for purpose today
- > gambling—focusing on gambling advertising during broadcasts and online, credit betting and offshore unlicensed gambling
- > solar inverter interference and unlicensed activity in the 5.6 GHz and 400 MHz spectrum bands.

Further analysis of compliance and enforcement activities and investigations for these compliance priorities appears under the performance measure 'Effective and efficient investigations and enforcement outcomes'.

Establishing compliance priorities for 2020–21

To establish the compliance priorities for 2020–21, we built on the successes of 2019–20 and introduced an external consultation process to seek input on, and generate greater understanding of, our proposed compliance priorities. The 2020–21 compliance priorities were released and available to industry in April 2020 following consideration of the consultation outcomes.

Effective and efficient investigations and enforcement outcomes

Monitoring NBN consumer experience rules

Monitoring compliance with the rules designed to help consumers move to the NBN was a 2019–20 telco consumer safeguards compliance priority. We utilised complaints data received under our Telecommunications (Consumer Complaints) Record-Keeping Rules 2018 (record-keeping rules) and data from other sources such as the Telecommunications Industry Ombudsman (TIO) to focus our compliance activities. These activities included compliance audits, investigations of potential non-compliance and enforcement action (where necessary). We also published the outcomes of our compliance activities concerning the NBN migration rules.

During 2019–20:

- > seven providers paid a total of \$88,200 in infringement notices issued for noncompliance with the Consumer Information Standard, which is designed to ensure telcos provide consumers with adequate information about NBN services. The investigations were completed in 2018–19
- > a provider paid an infringement notice for \$12,600 for not complying with the record-keeping rules
- > we completed investigations into the compliance by four providers with requirements in the Service Continuity Standard and Service Migration Determination following audits conducted early in the reporting period. The COVID-19 pandemic caused delays in finalising enforcement actions for these investigations. These will now be finalised in the next reporting period
- > we issued a remedial direction to a provider after an investigation found it failed to comply with the Service Continuity Standard and Service Migration Determination
- > we issued a remedial direction to a provider in relation to a failure to have documents required by the Complaints Handling Standard and Consumer Information Standard. We also issued a direction to comply with the TCP Code to the same provider for a failure to comply with requirements relating to transfers of services

- > we requested five providers address minor instances of non-compliance relating to the monitoring and analysis requirements of the Complaints Handling Standard and two providers address minor deficiencies in their compliance with requirements under the Consumer Information Standard
- > we commenced an audit of the compliance of six providers with requirements under the Service Continuity Standard and Service Migration Determination for parallel migrations (where the legacy service can remain operational while the NBN is connected), including whether post-migration testing is being completed and numbers are ported appropriately. The COVID-19 pandemic impeded our finalisation of this audit in the reporting period.

Table 1.3: Investigations into compliance with NBN consumer experience safeguards, 2019–20

2019–20	
Total investigations completed*	7
Investigations into compliance with the Complaints Handling Standard	1
Investigations into compliance with the Consumer Information Standard	1
Investigations into compliance with the Service Continuity Standard	3
Investigations into compliance with the Service Migration Determination	5
Investigations into compliance with the record-keeping rules	1
Total number of breach findings	11
Complaints Handling Standard breach findings	1
Consumer Information Standard breach findings	1
Service Continuity Standard breach findings	3
Service Migration Determination breach findings	5
Record-keeping rules breach findings	1
Actions for breach findings	
Formal warnings	0
Remedial directions	2
Infringement notices	1
No further action	0
Investigations completed within four months	1
Investigations completed within benchmark timeframe of six months	7
Average time for investigations	5 months[†]

* We completed four investigations into compliance with multiple instruments. Three investigations considered compliance with both the Service Continuity Standard and Service Migration Determination and one investigation was conducted into compliance with the Complaints Handling Standard, Consumer Information Standard and TCP Code.

[†] We did not meet the four-month average timeframe for the completion of investigations due to the complexity of the investigations into the Service Continuity Standard and Service Migration Determination.

Other telecommunications consumer safeguards

Table 1.4 provides details of investigations into compliance with other telecommunications consumer safeguards, including:

- > *Telecommunications (Consumer Protection and Service Standards) Act 1999*
- > TCP Code.

Our actions included:

- > issuing formal warnings at the conclusion of investigations that found four providers had failed to join the TIO scheme as required under the *Telecommunications (Consumer Protection and Service Standards) Act*
- > initiating Federal Court proceedings against Sydney-based telco Red Telecom Pty Ltd and its director Nicholas Kontaxis for alleged failure to comply with seven decisions of the TIO
- > completing 16 investigations into compliance with the TCP Code including 10 investigations that found 10 providers had breached the Code by failing to lodge annual compliance statements with independent monitoring group Communications Compliance.

Table 1.4: Investigations into compliance with other telecommunications consumer safeguards, 2019–20

	2019–20
Total investigations completed	38
Total number of breach findings	19
Actions for breach findings	
Formal warnings	6*
Direction to comply with industry code	11
Remedial directions	1
Infringement notices	0
Civil proceedings	1
Investigations completed within four months	22
Investigations completed within benchmark timeframe of six months	33[†]
Average time for investigations	3.6 months

* This number reflects the number of ACMA decisions to issue a formal warning. Four of the six formal warnings were not issued to the relevant providers until the following reporting period.

[†] One investigation exceeded six months because of the complexity of the matter. Four other investigations that also exceeded the six-month benchmark were part of a series of seven investigations related to the same provider, and were completed at the same time.

Interactive gambling

We targeted our compliance and enforcement activities under the *Interactive Gambling Act 2001* (IGA) to have the greatest impact on the supply of illegal gambling services to Australians.

Consumers can also make a complaint using our interactive gambling complaints form if they believe a website offers illegal gambling services.

Our compliance and enforcement activities target both onshore and offshore gambling services as some overseas gambling services target the Australian market even though it is not legal for them to do so. The danger for consumers is that these services do not attract the same customer protections as onshore licenced services.

Internet service providers (ISPs) help us disrupt illegal online content by blocking access to websites upon request by the ACMA. Table 1.5 provides details of investigations and enforcement action taken under the IGA.

Our actions included:

- > completing five investigations into the prohibition on the provision of credit by Australian wagering operators, which was a compliance priority area for the ACMA in 2019–20. All investigations resulted in findings of no contravention
- > completing investigations into 20 offshore wagering services, which was also a compliance priority area in 2019–20
- > referring three individuals who were found to be contravening the IGA to the Department of Home Affairs, for inclusion on the Movement Alert List
- > making 66 requests under section 313 of the Telecommunications Act to ISPs to block access to online gambling services found to contravene the IGA.

Table 1.5: Investigations and enforcement action under the IGA, 2019–20

	2019–20
Total investigations completed	83
Number of investigations resulting in a finding of one or more breaches	67
Total number of separate breach findings	106
Providing a prohibited interactive gambling service to Australian customers	94
Providing an unlicensed regulated interactive gambling service to Australian customers	11
Advertising a prohibited or unlicensed regulated interactive gambling service in Australia	1
Actions for breach findings	
Formal warnings	10
Notification to international licensing authorities	5
URLs reported to family-friendly filter providers	70
Requests to ISPs to block websites	66
Investigations completed within four months	65
Investigations completed within benchmark timeframe of six months	81*
Average time for investigations	2.1 months

* Two investigations exceeded the benchmark timeframe of six months because of the complexity of the matters and competing priorities.



Case study

Combating illegal online gambling

The ACMA targeted offshore wagering operators illegally providing services in the Australian market as a compliance priority area in 2019–20.

Illegal offshore wagering has a significant social and financial impact on the Australian community through the increased risk to problem gamblers, as well as loss of revenue to locally licensed operators, sports and racing bodies and a resulting reduction in taxation revenue to government. It also poses an increased threat to the integrity of sport.

We targeted 20 offshore wagering services for investigation. These services were identified through monitoring during major sporting events and information provided by industry stakeholders.

Fourteen offshore wagering services were found to be operating illegally in Australia.

Our campaign has been successful with over 86 per cent of services that were being provided illegally withdrawing from the Australian market following contact by the ACMA during the investigation or after receiving a formal warning.

Enforcement action is continuing against the non-compliant services.

The investigations were supported by a comprehensive education campaign to raise awareness of services that are provided illegally in Australia and to alert consumers to the risks in using them.

Broadcasting and online gambling content

We completed 50 investigations into broadcasters' compliance with codes of practice, licence conditions and standards related to the *Broadcasting Services Act 1992* (the BSA), with 48 of these finalised within our six-month benchmark (see Table 1.6). We completed two investigations into compliance with the online content rules restricting gambling advertising during sporting events. Both investigations resulted in breach findings and the ACMA issued two remedial directions.

Table 1.6: Investigations into commercial, national, subscription, narrowcasting, and community broadcasters, 2019–20

	2019–20
Total investigations completed	50
Investigations resulting in breach findings	20
Investigations of compliance with codes of practice	11
Investigations of compliance with BSA, licence conditions or standards	9
Investigations resulting in non-breach findings	30
Investigations of compliance with codes of practice	16
Investigations of compliance with the BSA, licence conditions or standards	14
Actions for breach findings	
Publication of investigation reports	15
Enforceable undertakings	1
Investigations completed within four months	25
Investigations completed within benchmark timeframe of six months	48*
Average time for investigations	3.9 months

* Two investigations exceeded the benchmark timeframe of six months due to the complexity of the matters concerned.

Unsolicited communications (telemarketing and spam) and the DNCR

In 2019–20, we undertook 21 investigations under the Telecommunications Act into compliance with the *Spam Act 2003* (Spam Act), the *Do Not Call Register Act 2006* (DNCR Act) and the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017 (see Table 1.7). Thirteen of these investigations targeted compliance priority areas—12 into solar telemarketing and one into lead generation matters.

Outcomes from these 21 investigations included the payment of eight infringement notices totalling \$1,767,300. These included:

- > Woolworths Group Limited paid an infringement notice of \$1,003,800 for sending email marketing messages to consumers after they had unsubscribed. We also accepted a three-year court-enforceable undertaking
- > Singtel Optus Pty Limited paid an infringement notice of \$504,000 for sending SMS and email marketing messages to consumers after they had unsubscribed. We also accepted a three-year court-enforceable undertaking
- > Oneflare Pty Ltd paid an infringement notice of \$75,600 for sending commercial SMS messages without consent. We also accepted a two-year court-enforceable undertaking
- > Wyndham Destinations Asia Pacific Pty Ltd paid an infringement notice of \$159,600 for telemarketing calls made to numbers on the DNCR without consent and failing to terminate calls when required.

We also issued a total of seven formal warnings and, in total, accepted eight court-enforceable undertakings.

Table 1.7: Investigations into unsolicited communications 2019–20

	2019–20
Total investigations completed	21
Investigations into Spam Act compliance	3
Investigations into DNCR Act and related industry standards compliance	18
Total investigations with a breach finding	16
Actions for breach findings	
Formal warnings	7
Enforceable undertakings	8
Infringement notices	9
Ongoing proceedings in the Federal Court of Australia	1
Investigations completed within four months	11
Investigations completed within benchmark timeframe of six months	18*
Average time for investigations	3.9 months

* Three investigations (one spam investigation and two telemarketing investigations) exceeded the benchmark timeframe of six months due to the complexity of the matters concerned. Each involved multiple rounds of information gathering relating to large data sets.

Note: All unsolicited communications investigations are under Part 26 of the Telecommunications Act.



Case study

Reducing unlawful solar telemarketing

Unlawful solar telemarketing was first identified as an ACMA compliance priority in the 2017–18 financial year. At the time, complaints regarding solar telemarketing were second only to scams in terms of numbers and consumer dissatisfaction. Due to these high complaint numbers and the impact of the activity on Australians, solar telemarketing remained a priority in 2018–19 and 2019–20, when it was included in the inaugural agency-wide compliance priorities.

Our campaign to affect change and reduce both the incidence of harm and the rate of non-compliance over this period involved a robust suite of proactive and reactive activities, including:

- > 18 investigations into solar businesses
- > \$54,600 in penalties paid, five formal warnings, four enforceable undertakings, and action against two businesses in the Federal Court (ongoing)
- > 1,240 compliance alerts issued to 285 solar or related businesses identifying potential compliance issues and reminding them of their obligations. This provides business with an early opportunity to rectify their practices
- > comprehensive industry engagement and education activities to encourage compliance.

This campaign has been successful, with a 54 per cent reduction in the number of complaints received about solar telemarketing since the start of the 2017–18 reporting period. Tellingly, complaints have stopped for 79 per cent of businesses we have engaged with, either as part of an investigation or by putting them on notice about our compliance priority and their obligations.

Integrated Public Number Database (IPND)

The IPND is a secure database of approximately 71 million connected numbers and associated customer information. It is a critical source of information for emergency services, law enforcement and national security agencies, leading to public health and safety impacts if the data in the IPND is incorrect.

In 2019–20, we finalised 16 investigations into carriage service provider (CSP) compliance with IPND obligations under the Telecommunications Act and the Industry Code 555:2020 Integrated Public Number Database (the IPND industry code). These built on the investigations into 11 CSPs undertaken in the previous reporting period. These investigations resulted in a total of 30 breach findings (15 breaches of the Telecommunications Act and 15 breaches of the IPND industry code). Identifying these breaches will enable CSPs to correct their actions, resulting in the overall quality of the IPND being improved and an increased awareness of IPND obligations.

The ACMA administers the Telecommunications Integrated Public Number Database Scheme 2017 (IPND Scheme). Under the IPND Scheme, the ACMA can authorise entities to use IPND data to publish public number directories or conduct permitted research related to public health, electoral matters, or development of Commonwealth public policy.

In 2019–20, we made breach findings against a public number directory publisher after it published a customer's unlisted (or 'silent') telephone number and issued the publisher a formal warning highlighting the importance of compliance with IPND access rules, especially where an individual's privacy might be impacted. In March 2020, we also granted an authorisation under the IPND Scheme to the Australian Bureau of Statistics to access the IPND for permitted research.

Contractual service levels for DNCR are met

Now in its fourteenth year, the DNCR is operated under contract by IVE Group Australia Pty Ltd (IVE Group). Consumers can register, check or remove their numbers and industry can access the number-checking (washing) service and their accounts.

On 25 November 2019, the previous DNCR operator Salmat Digital Pty Ltd (Salmat) notified ACMA of the sale of Salmat to IVE Group. Following notification of sale of Salmat to IVE Group, we undertook due diligence and negotiation with parties around its consent to novation of the contract. The DNCR contract was novated to IVE Group on 12 February 2020.

During 2019–20, Salmat and IVE Group met the key performance indicators (KPIs) required in the contract, as shown in Table 1.8.

Table 1.8: KPIs for operation of the DNCR by Salmat Digital Pty Ltd and IVE Group Australia Pty Ltd

KPI	Target	Result
Service centre availability	99.5%	100%
Automated registration service availability	99.5%	99.9%
Washing service availability	99.5%	99.9%
Washing service timeliness—completed within 60 seconds	97.0%	98.3%
Complaints and enquiries—Level 1 closed within 24 hours*	99.0%	99.8%
Website availability	99.5%	99.9%

**Level 1 complaints and enquiries relate to matters for which there are documented processes or procedures that can be resolved by a customer service officer.*

Efficient and effective delivery of the Regional and Small Publishers Innovation Fund grants

The Regional and Small Publishers Innovation Fund is a competitive grants program to support regional and small publishers to transition to, and compete more successfully in, the evolving media environment. The ACMA administers the fund, which is in its second year of operation.

In the reporting year, 17 Round 1 grant projects were completed, five continued and a total \$3.0 million (GST exclusive) was paid to grantees.

During the year, we completed an independent review of the Regional and Small Publishers Innovation Fund, undertaken after Round 1.

In late 2018–19, a second round of the Regional and Small Publishers Innovation Fund was released. The Regional Grant Opportunity (RGO) targeted regional publishers of public interest journalism in recognition that regional publishers face specific challenges in comparison to metropolitan publishers. In this round, up to \$12.4 million was available to be issued in grants. The RGO application period was open from 5 April – 14 June 2019 and 113 applications were received. The ACMA awarded a total of \$9.1 million in grants to 62 applicants. Three grants were later withdrawn at the request of the grantee during grant agreement negotiations, resulting in 59 agreements worth \$8.8 million being executed.

When compared to Round 1, this was an increase of 31 grantees and an additional \$5.0 million in grants executed.

Almost three-quarters of grant agreements (43 out of 59) were executed by 29 February 2020 and the final agreement was executed on 11 May 2020. \$3.6 million (GST exclusive) was distributed to RGO grantees in 2019–20.

In April 2020, the third round of the fund (the 2020 Round) was opened for applications, having been brought forward to support public interest journalism during the COVID-19 pandemic. Applications were open to regional and small metropolitan applicants. A total of \$5 million is available for the 2020 Round, with a maximum of \$400,000 per applicant. Successful applicants are expected to be announced in July 2020.

The Regional and Small Publishers Innovation Fund will not continue after the 2020 Round. Unspent money from the fund has been transferred to the Public Interest News Gathering Fund, which will be administered by the Department. The ACMA will continue to administer all grants issued under the Regional and Small Publishers Innovation Fund until their completion.

Grant details are included in 'Appendix 7: Regional and Small Publishers Innovation Fund'.

1.3 Build consumer, audience and industry understanding of risks, rights, responsibilities and safeguards

Providing accessible, timely and relevant information to help our stakeholders navigate the rapidly changing communications and media environment is increasingly important.

Our effectiveness in informing consumers and industry—particularly about new rules and emerging risks—is enhanced by our use of different communication avenues and channels, including our website, social media, workshops and conferences.

Assessment of results

Performance measure <i>Corporate plan 2019–20, p. 16</i>	Criterion and target <i>PBS 2019–20, p. 103</i>	Result		
		Met	Mostly met	Not met
Information is made available to consumers and audiences about their rights and available safeguards Information is made available to businesses about their responsibilities	Confident use and responsible provision of communications and media services Targets: > Accessible and timely information is available about: > rights of consumers and audiences > safeguards available to consumers and audiences > responsibilities of businesses > Investigation and enforcement outcomes are transparent	✓		

Information is made available to consumers and audiences about their rights and available safeguards

Information is made available to businesses about their responsibilities

Refreshed ACMA website

In a significant step to increase the accessibility of our information, in 2019–20 we refreshed the acma.gov.au website. With the aim of transforming the old ACMA website to a new user-centred resource, the refresh focused on making information on the site easier to find, understand and use for consumers, businesses and citizens.

Guiding this approach was the Digital Service Standard and the Service Design and Delivery process, as set by the Australian Government's Digital Transformation Agency. To maximise accessibility, the new website is also more compatible with a wide range of web browsers and mobile devices.

The initial beta site went live in July 2019 and the final site launched on 30 October 2019. The updated site has allowed us to deliver our services more easily and quickly, and in a manner consistent with the government's digital transformation strategy.

Stakeholder engagement online

In addition to providing information on our website, we continued to use a range of social media and other digital channels to engage with consumers and industry. In 2019–20, we sent 199 e-bulletins to our 19,705 subscribers and engaged with stakeholders on Twitter, Facebook and LinkedIn via 945 posts.

We increased our list of e-bulletins in 2019–20 and now offer:

- > *Engage*—monthly consumer-focused updates on ACMA activities
- > *Telco matters*—telecommunications industry updates and regulatory issues
- > compliance and labelling supplier updates
- > unsolicited communications compliance updates for e-marketers and telemarketers
- > spectrum management and RadComms conference updates
- > Regional and Small Publishers Innovation Fund updates
- > graduate program updates
- > amateur radio updates.

During the reporting period, we published a range of reports, including investigation and enforcement outcomes, including:

- > *ACMA investigation into coverage of the Christchurch terrorist attack*, July 2019
- > *NBN Wi-Fi modem study*, July 2019
- > *Telecommunications complaints-handling 2018–19* report, October 2019
- > *Mobile-only Australia: living without a fixed line at home* interactive report, October 2019
- > *Combating scams—Action plan summary* report, November 2019
- > *Kids and mobiles: how Australian children are using mobile phones* interactive report, November 2019
- > *Gambling advertising in Australia: Consumer and advertising placement research* report, November 2019
- > *Australians and news—impartiality and commercial influence*, January 2020
- > *Communications report 2018–19*, February 2020
- > *The future delivery of radio* report, March 2020
- > *Impacts of the 2019–20 bushfires on the telecommunications network*, April 2020.

Our refreshed website enabled these reports to be easily accessible to users.

In recognition of the vital importance of communications and media services during the COVID-19 pandemic, we released information on our website and via social media about how to stay safely connected during this time. Topics included:

- > dealing with telcos during the pandemic
- > receiving financial hardship help from a telco
- > ensuring the reliability of Triple Zero and priority assistance
- > increasing awareness of rules about the accuracy of broadcast news
- > recognising false coronavirus information online, including COVID-19 scams
- > reducing the risks of online gambling.

We also published information on our website for the communications and media sectors about their responsibilities. This included:

- > postponed or extended consultation periods for reviews
- > delayed enforcement of new obligations until 1 January 2021
- > exercising forbearance by not taking enforcement action for non-compliance with specific provisions of the TCP Code, as long as the relevant telco provider met alternative commitments
- > exercising forbearance to commercial television broadcasters with their annual quota obligations
- > provision of temporary relief to subscription television broadcasting on their minimum levels of expenditure on new eligible drama programs
- > providing regional commercial radio broadcasters with compliance reporting relief
- > providing temporary relief to regional commercial radio broadcasters for local news, weather bulletin and community announcements quotas.

Please see 'Effective and efficient licence administration and allocation arrangements' for information about the deferral of licence fees.

Transparent investigation and enforcement outcomes

Each quarter we published enforcement actions, investigation outcomes, complaint data and trends and compliance contacts in relation to telecommunications, broadcasting, spam and telemarketing businesses.

Interactive gambling consumer awareness campaign

During August and September 2019, we ran our first consumer awareness-raising campaign to educate Australians about which interactive gambling services are provided legally and the risks in using offshore services. The second and third campaigns ran from December 2019 to February 2020 and April to June 2020 respectively, and aimed to reduce the use of illegal services, and the resulting harm they cause. The campaigns included digital display advertising, a Google search component, and mobile ads. A campaign toolkit including digital advertising material was distributed to associated federal, state and territory stakeholders for their information and use. This was of particular importance during the COVID-19 pandemic, when online searches for gambling websites reportedly increased significantly following nation-wide closures of pubs, clubs and legal casinos.

Combating scams

Scam activity on telco networks has a significant social and economic impact on Australians, with the scale and effect of the activity increasing. ACMA consumer research confirms it is a significant problem and people expect more to be done by industry and government.

In response to the problem and a request from the then Minister for Communications and the Arts, we established the cross-agency Scam Technology Project with the Australian Competition and Consumer Commission (ACCC) and the Australian Cyber Security Centre (ACSC) to explore ways to reduce scam activity—refer to case study for further information.

In addition to the Scam Technology Project, in April 2020 we implemented a new industry standard that mandates stronger identity verification processes before mobile numbers can be ported from one telecommunication provider to another. This industry standard was implemented in response to mobile number porting fraud scams. It aims to prevent fraudulent number porting to stop identity theft that enables scammers to illegitimately access bank accounts, personal information and other consumer service accounts.

During the year, alerts were issued for the following scams:

- > Apple/iPhone 11: 9 October 2019
- > ATO: 1 November 2019
- > Bushfire appeal: 6 January 2020
- > Amazon impersonation: 3 February 2020
- > ATO SMS impersonation: 16 February 2020
- > Online gambling SMS: 17 March 2020
- > COVID-19: 16 March and 22 March 2020.



Case study

Combating telco scams

In 2019–20, the ACMA took forward several initiatives to further protect consumers from scams perpetrated over telecommunications networks.

In response to the Scam Technology Project findings, the ACMA developed a three-point action plan to form a joint government–industry taskforce, develop new enforceable obligations and immediately trial new scam reduction initiatives.

Action 1: Establish a taskforce to provide government and industry coordination and oversight of telecommunications scam minimisation strategies

In February 2020, we convened the first meeting of the Scam Telecommunications Action Taskforce. Representatives from government and law enforcement agencies and the telco and financial services industries attended to discuss scam reduction strategies and progress of the action plan implementation. The taskforce met again on 23 June 2020.

Action 2: Develop a range of enforceable obligations for telco providers to protect their customers from scams by Quarter 2 2020

In March 2020, Communications Alliance, the telco peak industry body, released for public comment the first industry code in Australia dedicated to reducing scam activity. The draft Reducing Scam Calls industry code proposes enforceable obligations on telcos to identify, trace and block scam calls. These are targeted at reducing scam activity and building consumer and industry confidence in calling line identification. Subject to submittal by industry, we anticipate registration of the code in the next reporting period.

Action 3: Trial industry scam reduction initiatives

The 'Do Not Originate' trial, the first of the initiatives to be realised, has significantly reduced the incidence of scammers presenting as legitimate ATO phone numbers.

The code being developed by industry will place obligations on telcos to identify and block high volume and short duration scam calls, which are the key characteristics of a 'Wangiri' scam call. The draft code also contains rules to prevent international scam call traffic using Australian numbers from reaching Australian consumers.

The action plan has placed an increased emphasis on scam reduction activities on telco networks, with Telstra Corporation Limited reporting blocking 2.9 million scam calls in July 2019 and 4.5 million in August 2019 alone. While reduction activities are still being developed, the ACCC has reported a 16 per cent decrease in consumer reports about scam calls over the past 12 months.

Strategic priority 2: Spectrum arrangements that benefit all Australians through efficient and effective spectrum management

2.1 Plan the availability of Australia's radiofrequency spectrum to optimise its value to the Australian community

We provide technical knowledge and expertise to support Australia's participation in international spectrum management forums, including efforts to harmonise international spectrum. This work informs future demand and planning for spectrum uses in the Australian market.

A particular focus for our work during 2019–20 was in preparation for the World Radiocommunication Conference 2019 (WRC-19), which reviewed satellite and terrestrial broadband arrangements, railway communications, intelligent transport systems, satellite network coordination and amateur spectrum use.

During the reporting period, we made planning decisions on the 26 GHz and 28 GHz (millimetre wave) bands to support the deployment of 5G satellite services and on the reallocation of the 850 MHz and 900 MHz bands. We also progressed the reviews of the 2 GHz and 3.7–4.2 GHz bands.

Our annual five-year spectrum outlook (FYSO), with its annual spectrum work program, is developed through a process of stakeholder consultation. This enhances the efficiency and effectiveness of our spectrum planning and allocation by better informing us of the needs and priorities of spectrum users. Publication of the plan also helps to support a more predictable spectrum market.

Assessment of results

Performance measure <i>Corporate plan 2019–20, pp. 17–8</i>	Criterion and target PBS 2019–20, p. 101	Result		
		Met	Mostly met	Not met
Effectively represent, promote and support Australia's spectrum interests at international spectrum meetings and through treaty arrangements	Australia's needs are addressed in international spectrum harmonisation processes Target: > <i>Australian participation in the International Telecommunication Union World Radiocommunication Conference 2019 (WRC-19) and regional spectrum management forums for the WRC-23 cycle are supported</i>	✓		
Spectrum planning priorities are transparent and take account of stakeholder input	Planning arrangements enable spectrum to be used for the greatest possible benefit to Australians Target: > <i>The FYSO and annual work program align with current spectrum uses that will maximise the overall benefits for the Australian community</i> Access to spectrum is on terms and conditions that encourage its use to be optimised including for Defence Target: > <i>The annual spectrum work program is informed by stakeholder consultation progress reports on milestones</i>	✓		

Effectively represent, promote and support Australia's spectrum interests at international spectrum meetings and through treaty arrangements

We participated in international radiocommunications forums to promote and protect Australian interests in spectrum management, including spectrum harmonisation and international frequency coordination. This activity is critical to coordinating international activities and sharing information from other jurisdictions on issues of importance to Australia's spectrum management activities. It informs our domestic planning process, builds strong co-operative relationships and partnerships, promotes and protects Australian interests and supports broader government policies and activities.

We provided technical support to the Department, as the lead agency for Australia, for the ITU World Radiocommunication Conference 2019 (WRC-19) in October–November 2019. We provided advice about positions and strategies on, and technical and regulatory content of, agenda items. The WRC is the peak international forum for reviewing and revising the international treaty on the use of spectrum and satellite orbits and the Radio Regulations.

The outcomes of WRC-19 will inform our domestic spectrum management work and will take account of revisions of the ITU Radio Regulations and their impact on global and regional spectrum allocations and regulatory requirements. This includes making a new Australian Radiofrequency Spectrum Plan to ensure that Australian spectrum arrangements take account of changes arising from the ITU WRC-19.

We attended the following meetings during the reporting period:

- > International Telecommunication Union Radiocommunication Sector (ITU-R) Study Group 4 block meeting: 19 June – 4 July 2019
- > 25th meeting of the AsiaPacific Telecommunity (APT) Wireless Group: 1–5 July 2019
- > 5th meeting of the APT Conference Preparatory Group for WRC-19: 31 July – 6 August 2019
- > ITU WRC-19: 28 October – 22 November 2019
- > 1st Conference Preparatory Meeting for WRC-23: 25–29 November 2019
- > ITU-R Study Group 4 Working Parties meeting: 28–29 May 2020
- > ITU-R Working Party 5D meeting: 23 June – 9 July 2020.

The 26th meeting of the APT Wireless Group, and ITU-R and APT meetings, including the first meeting of the APG for the WRC-23 cycle were postponed due to the COVID-19 pandemic and some subsequent meetings converted to e-meetings.



International spectrum cooperation at WRC-19

The WRC is hosted by the ITU, a United Nations agency made up of 193 member states. The ITU's focus is international cooperation in the use of telecommunications and radio frequency spectrum. The Australian Government is a signatory to the ITU constitution and convention treaty and maintains overall policy responsibility for Australia's ITU membership and involvement.

In collaboration with the Department, which heads Australia's delegation, we actively participate in the work of the ITU to develop regulatory arrangements for radiocommunications that are in Australia's national interest.

Six ACMA staff were among the 3,000 participants representing 160 ITU member states, that attended the WRC-19, in Sharm el-Sheikh, Egypt from 28 October – 22 November.

The agenda for WRC-19 included important considerations of spectrum and/or regulatory arrangements for millimetre wave 5G services, satellite earth stations in motion (ESIM), high altitude platform stations (HAPS), intelligent transport systems (ITS), small satellites and expanded wi-fi services.

In the lead-up to WRC-19, Australian stakeholders from both government and industry spent nearly four years participating in several international and regional meetings, including key meetings of the ITU-R and APT. These meetings served to develop technical and regulatory material in preparation for WRC-19, and, ultimately, Australia's preliminary views on the 33 agenda items being considered at the conference.

The work carried out both in preparation for and at this conference is imperative and will form the basis of international allocation revisions of the ACMA's spectrum plan for the next four years.

Spectrum planning priorities are transparent and take account of stakeholder input

Each year, we consult on our spectrum work program priorities through the development of our five-year spectrum outlook (FYSO). The FYSO provides an overview of the technology, market and policy drivers likely to shape the demand for spectrum over the next five years. It also sets out our work plan for the following year for band planning and optimisation, spectrum allocations, and ongoing improvements to spectrum management. Stakeholders are provided with the opportunity to make submissions on the draft FYSO and annual work program. All submissions are considered to ensure that the final FYSO and annual work program aligns with current spectrum uses. A detailed response to submissions is published alongside the final FYSO and annual spectrum work program.

During the year, we also engaged with stakeholders at key stages of the individual projects identified in the annual spectrum work program.

FYSO 2019–23

In September 2019, we published the FYSO 2019–23, which looks at how technology and trends will affect the need for spectrum over the next few years, outlines our plans for meeting demand for 5G and examines ways we can improve our management of Australia's spectrum.

We received 43 submissions for the draft FYSO 2019–23. Stakeholders included members of industry, industry representatives and peak bodies, government agencies and members of the public.

FYSO 2020–24

In April 2020, we published the draft FYSO 2020–24 for consultation, including:

- > revising and updating our forward allocation plan
- > planning for private long-term evolution networks
- > exploring new bands for monitoring
- > setting out a detailed work plan for the coming year, including our program of upcoming spectrum auctions.

Due to the impact of the COVID-19 pandemic across the industry sectors using spectrum, we provided a longer consultation period of eight weeks, closing at the end of June 2020. Submissions will inform the final FYSO 2020–24, which will be published in the next reporting period.

2.2 Allocate and licence access to the radiofrequency spectrum, using both administrative and market-based methods, ensuring adequate provision for defence, public safety and community purposes

Timely access to spectrum is of increasing importance to support wireless and satellite communications services in an innovative and dynamic economy. We continue to progress the allocation processes for several spectrum bands, while maintaining highly consultative planning processes for major allocations, to ensure efficient allocation and use of spectrum.

We issued technology-flexible spectrum licences for the 3.6 GHz band, allowing winning bidders from the 2018–19 auction process to determine how and when to deploy 5G services.

We updated several licence area plans to enable new radio services or improved coverage of existing services, including conversions from AM to FM of some commercial services in regional Australia. We continued to meet our timeliness benchmarks for licence administration.

Assessment of results

Performance measure <i>Corporate plan 2019–20, pp. 18–9</i>	Criterion and target PBS 2019–20, p. 101	Result		
		Met	Mostly met	Not met
Effective and efficient preparation and delivery of major spectrum band allocations	Access to spectrum is on terms and conditions that encourage its use to be optimised including for Defence, public safety and community uses	✓		
Rights to access spectrum are developed and revised according to user needs	Target: > <i>The annual spectrum work program is informed by stakeholder consultation and progress reports on milestones</i>	✓		
Spectrum pricing promotes efficient use by being transparent and taking account of market developments	Access to spectrum is managed efficiently Target:	✓		
Effective and efficient international satellite coordination services	> <i>Licence administration and allocation arrangements are efficient and meet published performance indicators</i>	✓		
Effective and efficient licence administration and allocation arrangements		✓		

Effective and efficient preparation and delivery of major spectrum band allocations

As discussed above, we developed and published a forward allocation work plan in the FYSO 2019–23. The plan takes into consideration stakeholder feedback and provides information about the planning status, timing and sequencing of major spectrum allocations to better support strategic network planning by spectrum users, technology deployment planning and capital-raising.

We published two progress reports during the year to ensure stakeholders had access to current information on the status of each our activities. These were the FYSO 2018–22 annual progress report published in August 2019 and the FYSO 2019–23 six-monthly progress report for July–December 2019, published in February 2020.

Key work plan activities and milestones met during the year included:

- > consulting on the possible future uses of the 2 GHz band. We received 18 submissions from various industry sectors including satellite providers, mobile and fixed broadband providers, free-to-air and subscription television, video production companies and equipment manufacturers
- > consulting on the planning arrangements for the 3.7–4.2 GHz band and the potential new uses of the band for wireless broadband, noting its current fixed satellite and point-to-point use. We received 23 submissions from satellite service providers, mobile and fixed broadband providers, government agencies and equipment manufacturers

- > commencing preparations for an auction in 2021 of spectrum licences in the 26 GHz band, the first of the millimetre wave 5G bands to be allocated in Australia
- > concluding the review of the 28 GHz band. Stakeholders were informed of the outcomes of this review through the release of a paper with our planning decisions and preliminary views on the associated licensing and technical conditions that will subsequently be developed
- > commencing consultation on a proposal to recommend that the Minister make one or more reallocation declarations for the 850/900 MHz band. This recommendation would allow allocation of spectrum licences in the band, which could be used for 4G and 5G mobile broadband services
- > further optimising arrangements across the entire 3.4–3.575 GHz band to support more of the band for spectrum licensing, including an allocation of 25 MHz of spectrum in major regional centres and 42.5 MHz in regional areas for wireless broadband use.

Rights to access spectrum are developed and revised according to user needs

Exemptions and licensing for agencies involved in safety and security

In May 2020, we commenced consultation on a review of the radiocommunications prohibitions and exemptions framework. The exemption element of this regime facilitates a range of safety, security, law enforcement and defence outcomes that can only be achieved using devices that would otherwise be prohibited. We are also consulting on a specific exemption for state and territory law enforcement that would enable use of counterdrone capability.

Viewer Access Satellite Television service

The Viewer Access Satellite Television (VAST) service provides an alternative reception option for viewers unable to receive adequate digital television services from terrestrial transmission sites.

In the reporting period, we:

- > received and considered 231 complaints about permission to access services on VAST
- > issued 112 directions to the scheme administrator to grant VAST access to the complainants.

Satellite-delivered telecommunications

There is continuing growth and innovation in the provision of satellite-delivered telecommunications and space science services. There is corresponding pressure both internationally and domestically to ensure that regulatory arrangements support these developments. This can result in the establishment of new spectrum access arrangements and the refinement of existing ones. In this changing environment, we continue to engage internationally on the coordination, development and implementation of measures to enhance spectrum usage for satellite communications and space research services.

To support the introduction of new satellite services into Australia, we consulted on a range of proposals to improve spectrum access and pricing arrangements for satellite services. In February 2020, the ACMA made decisions that improved spectrum access and pricing arrangements for satellite services, including:

- > making an extra 2.6 GHz of spectrum available
- > decreasing licence taxes to the minimum amount for space licences in 10.7–11.7 GHz, 18.2–18.8 GHz and 19.3–19.7 GHz.

In January 2020, we varied the Radiocommunications (Foreign Space Objects) Determination 2014 to include Kepler Communications (Canada), SpaceX Services (US) and Swarm Technologies (US) in Schedule 1 of the Determination. Inclusion in the Determination is the legal mechanism that allows operators of foreign satellites wanting to provide communications services such as satellite phone, satellite IoT and satellite data services to Australian consumers to be subject to Australian legislation for licensing and interference management purposes. A licence to operate must be applied for separately.

In December 2019, we released a discussion paper to initiate a review of licensing procedures for space-based communications. Proposed changes were intended to ensure a consistent approach to procedures for the submission and processing of space, space receive, earth and earth receive licences. Twelve submissions were received and are currently being considered.

Area-wide apparatus licence (AWL) types

In February 2020, we outlined our approach to implementing AWL types in bands. The development of AWL types was in response to changes in technology and requests from spectrum users for additional flexibility within the apparatus licensing system. The AWL type includes:

- > the 'area-wide' type for transmitter licences
- > the 'area-wide receive' type for receiver licences.

The AWLs will allow licensees to run several radiocommunications devices at a specified frequency or frequencies within a geographic area. The characteristics of the AWL type make it well-suited for a range of uses and users.

Spectrum licence technical framework review

In 2019–20, we commenced the spectrum licence technical framework review to examine the arrangements in bands below 6 GHz. A review of these arrangements will ensure they are efficient and can cater for new technology such as 5G and active antenna systems (AAS) and update unwanted (or out-of-band) emissions, device boundary criteria and maximum power levels.

The bands we will review are:

- > 700 MHz
- > 800 MHz
- > 1800 MHz
- > 2 GHz
- > 2.3 GHz
- > 2.6 GHz
- > 3.4 GHz.

In February 2020, we released a consultation paper on the 3.4 GHz spectrum licence technical framework, reviewing the unwanted emission boundary. We proposed to change the frequency ranges to which the unwanted emission limits apply for registered devices in the 3.4 GHz band to align with international standards. Following consultation, we implemented the proposed changes.

Spectrum sharing

Spectrum sharing is an essential component of effective spectrum management and a key tool in maximising the benefits that can be derived from the radiofrequency spectrum. It allows spectrum users and users to coexist and operate with their unique services and use cases. Coexistence of spectrum users is the primary objective of sharing and contributes to expanding the overall utility of the spectrum resource.

Internationally, there have been numerous developments in the non-traditional, dynamic spectrum sharing space, with evolving technologies and regulatory arrangements being developed to improve the overall efficiency of spectrum.

In August 2019, we released an information paper, *Spectrum sharing—overview and new approaches*, and held an industry tune-up event.

We considered issues raised at the tune up and industry submissions and in May 2020 released an information paper, *New approaches to spectrum sharing—next steps*, indicating our ongoing support for industry-led trials of non-traditional spectrum-sharing arrangements such as Dynamic Spectrum Access arrangements.

Spectrum pricing promotes efficient use by being transparent and taking account of market developments

Apparatus licence taxes

We consulted on various changes to apparatus licence taxes in December 2020. As a result of those consultations, in February 2020 we increased apparatus licence taxes by 1.6 per cent in line with movements in the consumer price index. These were increased to preserve the value of licence taxes—and therefore the incentives toward efficient use of spectrum—against erosion by inflation.

At the same time, we introduced new lower taxes associated with satellite services to complement new licensing arrangements in the Radiocommunications (Communication with Space Object) Class Licence 2015 that will allow for the use of uncoordinated, unprotected earth station receivers. For the applicable spectrum bands, the minimum annual tax will apply.

We also extended the frequency range to which taxes apply for Public Mobile Telecommunications Service (PMTS) Class B licences in the 3.5 GHz band to include the 3425–3475 MHz range. This will support our efforts to defragment the 3400–3575 MHz band.

Changes in apparatus licence taxes came into effect on 5 April 2020.

Following a Ministerial Direction concerning new funding arrangements for EME research, in May 2020 we reduced most apparatus licence taxes by 0.8 per cent. This change in taxes will come into effect at the beginning of the next reporting period. We noted the initiative in the draft FYSO 2020–24.

We updated the ACMA's Apparatus Licence Fee Schedule with all new apparatus licence tax rates.

Commercial broadcasting taxes

Due to the COVID-19 pandemic, the publication of a paper about the Commercial Broadcasting Tax Review was delayed. As announced in the draft FYSO 2020–24, the scope of the review is being considered and we expect to make announcements early in the next reporting period.

In April 2020, the Minister announced a 12-month waiver of spectrum tax for commercial television and radio broadcasters.

Spectrum pricing review

Spectrum pricing, along with licensing, planning and technical regulation, is a way to manage spectrum for the benefit of all Australians. In February 2018, the final report of the review of spectrum pricing was published. A key recommendation was that we should publish guidelines on how we approach our spectrum pricing decisions and review the apparatus licence taxation arrangements.

In March 2020, we commenced a consultation process focusing on the implementation of three of the 11 recommendations of the spectrum pricing review that were matters for the ACMA to implement. The consultation offered the opportunity to comment on the proposed spectrum pricing guidelines and focus areas for our work program. Other recommendations from the spectrum pricing review required changes of primary legislation or were matters for government. However, we consider that we can implement the intent of many of the recommendations under current legislation.

Due to the COVID-19 pandemic and its impact on the radiocommunications sector, we extended the consultation period to 30 June 2020 to provide sufficient time for responses. A final work plan for the implementation of the spectrum pricing review will begin following analysis of submissions.

Effective and efficient international satellite coordination services

The ACMA represents Australian satellite operators in the ITU's international process for managing satellite communication frequencies and ensures that Australia meets its satellite coordination obligations as a member state of the ITU. We managed the international satellite coordination services effectively and efficiently through:

- > assessing 508 ITU publications (information published by the ITU on new and modified satellite systems) for proposed foreign satellite networks for compatibility with Australian services
- > requesting further coordination (where necessary) with foreign administrations
- > responding to requests from foreign administrations regarding coordination with Australian services.

Effective and efficient licence administration and allocation arrangements

During 2019–20, we allocated and renewed the following licences:

- > radiocommunications licences, including apparatus, spectrum and class licences
- > broadcasting licences, including temporary community broadcasting, community radio broadcasting, and commercial and community television licences
- > telecommunications licences, including carrier licences and nominated carrier declarations.

We met our timeliness benchmarks with 90 per cent of licencing work completed within 90 days. A breakdown of the licencing related work is as follows:

- > allocated — 13,082
- > varied — 2,969
- > renewed — 153,933.

This includes apparatus licences to enable early access to the 3.6 GHz band allocated for spectrum licences in 2018–19. There continues to be strong stakeholder (mobile carrier) interest in such licences, which are sought to expedite 5G commercial roll-out in the 3.6 GHz band.

Bushfire and COVID-19 affected licensees—deferral of fees

We facilitated the continuance of broadcasting services in the Batemans Bay/Moruya areas by varying the licences and operating conditions of four ABC FM radio services and of all commercial and national television services in the area after transmission facilities were damaged by bushfires.

To assist licensees affected by bushfires, we provided the option to defer payment for licence renewals. Eligible licensees who could not pay by the due date because they didn't receive their renewal notice or were financially unable to, were given an additional three months to pay their licence fees. The three-month deferral period commenced from the expiry of a current licence.

A further deferral of licence fees was offered to licensees whose business or personal circumstances were affected by the COVID-19 pandemic. Licensees could defer their renewal fees by up to 12 months from the expiry of their licence or pay by instalments.

We received 161 enquiries and 75 applications for either deferral or instalment of licence fee payments. Of these, 60 applications were approved. Fifteen applications were not approved because either the applicant paid the fee before a deferral could be granted or the circumstances were outside of the policy.

For licensees affected by the bushfires, we also offered additional assistance by:

- > identifying their licence number
- > updating their licence details
- > printing and sending a copy of a licence to the licensee.

A partial refund was also provided to licensees for the 2020 Formula 1 Grand Prix due to the cancellation of the event. The event involved in excess of 700 licence assignments.

Spectrum for low-powered open narrowcasting (LPON) services

We continued to make spectrum available for LPON services, conducting three LPON auctions during the reporting period. The auctions resulted in the allocation of 36 licences across Australia, valued at \$17,473.

AM to FM conversion

We facilitated the conversion of six regional commercial radio services from AM to FM transmission (see Table 1.9). FM radio provides improved audio quality for listeners in regional areas and can be more cost-effective to operate than AM radio.

Table 1.9: AM to FM conversions in 2019–20

Licence area	Radio service	Timing of variation to the licence area plan
Murray Bridge	5MU	September 2019
Port Lincoln	5CC	September 2019
Riverland	5RM	September 2019
Spencer Gulf North	5AU	September 2019
Armidale	2AD	January 2020
Nowra	2ST	May 2020

Improving coverage of radio services

We changed the technical specifications for 19 regional commercial and community radio services to increase the reach of their service (see Table 1.10).

Table 1.10: Radio coverage improvements in 2019–20

Licence area	Radio service	Timing of variation to the licence area plan
Kingaroy	4SB	September 2019
Murray Bridge	5MU and 5EZY	September 2019
Palm Island	4PIB	September 2019
Port Lincoln	5CC and 5CCC	September 2019
Riverland	5RIV, 5RM and 5LFM	September 2019
Spencer Gulf North	5AU and 5AUU	September 2019
Townsville	4TSV, 4TOO, 4RGT and 4RGR	September 2019
Wondai	4CSB	September 2019
Armidale	2AD	January 2020
Nowra	2ST and 2UUU	May 2020

Other improvements we made included:

- > creating a new licence area, Mount Barker RA1 in September 2019, to facilitate a new community radio broadcasting service
- > removing technical specifications for unallocated open narrowcasting transmitters from the Emerald licence area plan in September 2019 to enable spectrum for future planning
- > deeming the Hobart RA3 community radio licence area to be the same as the Hobart RA1 commercial radio licence area for the purpose of digital radio in November 2019.

In addition to the above improvements, we published *The future delivery of radio* report in March 2020 (see case study below). This report was informed by wide consultation and identifies the ACMA's priorities for the future delivery of radio.

Amateur radio

The ACMA supports amateur radio through spectrum planning and radiocommunications licensing arrangements which allow amateur access to certain frequency bands while balancing other demands for spectrum.

The ACMA has an arrangement with the University of Tasmania's Australian Maritime College (AMC) to provide amateur radio examination and call sign allocation services. As part of this arrangement, we delegate certain functions to the AMC.

The AMC is responsible for:

- > conducting amateur radio operator exams
- > working with authorised amateur radio assessors who supervise exams
- > issuing certificates of proficiency that certify qualifications
- > managing the allocation of call signs and recommending that the ACMA allocate a nominated callsign to an amateur who has obtained a qualification
- > maintaining a register for publicly available call signs.

Amateur radio operator syllabus review

In March 2020, we consulted on draft changes to the Amateur Operator's Certificate of Proficiency Foundation Syllabus. These changes were discussed by the Syllabus Review Panel, which is made up of representatives of the ACMA, the AMC and the amateur radio user community.

The review of amateur and outpost licensing is progressing and scheduled for completion in the next reporting period.

Broadcasting licensing

In 2019–20, we:

- > issued 22 transmitter licences for commercial radio and television services
- > issued 27 broadcasting retransmission licences
- > varied seven radio and television apparatus licences
- > issued 72 special-event broadcasting licences for radio and television services.

In measuring our performance against our KPIs for the allocation of apparatus licences, broadcasting apparatus licences are counted with other radiocommunications apparatus licences.

Commercial radio broadcasting licences

During 2019–20, we renewed 31 commercial radio broadcasting licences for services using the broadcasting services bands (BSB). No new commercial radio broadcasting licences were allocated for services using the BSB.

As of 30 June 2020, there were 275 commercial radio broadcasting licences.

Commercial television broadcasting licences

During 2019–20, we renewed 11 commercial television broadcasting licences. As of 30 June 2020, there were 69 commercial television broadcasting licences.

Community radio broadcasting licences

During the reporting period, we approved 31 applications to renew community radio broadcasting licences and rejected one. We issued 15 informal advice letters following renewal assessments on ways to better satisfy the matters specified in legislation.

In October 2019, we advertised for applications for a long-term community radio broadcasting licence in Mount Barker RA1. The assessment of Mount Barker RA1 applications is ongoing as at 30 June 2020.

During the reporting period, we also approved applications for the transfer of six community radio broadcasting licences from a Council to a Remote Indigenous Media Organisation (RIMO). As at 30 June 2020, there were 358 community radio broadcasting licences, 68 of which were remote Indigenous broadcasting services.

Temporary community broadcasting licences

Temporary community broadcasting licences are allocated for up to 12 months. Subsequent licences may be allocated on application. During 2019–20, we allocated 92 temporary licences.

Community television (CTV) broadcasting licences

There were five CTV broadcasting licences at 30 June 2020—four remote Indigenous broadcasting services and one metropolitan service in Melbourne. There was also one CTV trial service licenced in Adelaide. The CTV trial licence in Perth expired on 30 June 2020.

On 29 June, the Minister made a determination and a direction that had the effect of providing a further 12 months of broadcasting to both the Melbourne CTV broadcasting service and the Adelaide CTV trial service. We extended the CTV trial in Adelaide to 30 June 2021.



Case study

The future delivery of radio project

We continued to investigate if there need to be any changes to support radio services into the future. We found that live radio across different platforms is important to Australians, especially during emergency situations, such as the 2019–20 bushfires. We also determined that a mix of platforms is crucial to bringing radio to listeners.

In March 2020, we published *The future delivery of radio* report. The report was informed by wide consultation—through industry forums, public consultation and direct meetings—and research. It provides an ongoing transition path for the radio industry to evolve in response to new technologies and changing audience preferences, with the prioritisation of frequency planning arrangements designed to support radio broadcasters in making the best choices about their future service delivery.

The ACMA priorities outlined in the report include:

- > converting commercial, community and national radio broadcasting services in regional areas from AM to FM where spectrum is readily available
- > improving the coverage of radio broadcasting services where spectrum is readily available
- > arrangements to allow further rollout of digital radio where this is feasible
- > supporting trials of new broadcasting technology.

The findings will be informed by examining a range of technology issues, including:

- > new digital radio technology
- > in-car radio supply chain
- > FM band replanning potential
- > examination of FM spectrum supply-side opportunities.

We will continue developing a strategic priority framework that will enable our broadcast planning resources to be deployed on tasks that will best assist the radio industry through the uncertainty of its technology transition phase.

2.3 Manage the risk of interference and other harms through investigation and other compliance and enforcement activities and education programs

The efficiency and effectiveness of our spectrum management compliance program is enhanced by prioritising and targeting our compliance activities. These are informed by evidence from complaints and audits, and a risk assessment of potential interference and other harms likely to adversely impact the legitimate use of the spectrum and public safety. Our annual review of our compliance priorities helps us to track any new or emerging issues.

Assessment of results

Performance measure <i>Corporate plan 2019–20, p. 19</i>	Criterion and target PBS 2019–20, p. 101	Result		
		Met	Mostly met	Not met
Annual compliance priorities address regulatory needs, are developed within broader compliance program and are widely understood by stakeholders The ACMA takes compliance and commensurate enforcement action where appropriate	Credible compliance and enforcement supports and underpins the value of spectrum allocation and licensing arrangements <i>Target:</i> <i>> Annual priority compliance areas are developed, published and acted upon</i>	✓		
Address unlawful operation in the 5.6 GHz and 400 MHz bands			✓	
Confirm that mobile network operators are unlikely to exceed their electromagnetic energy (EME) exposure obligations		✓		

Annual compliance priorities address regulatory needs, are developed within broader compliance program and are widely understood by stakeholders

The ACMA takes compliance and commensurate enforcement action where appropriate

As detailed previously in this APS, our compliance priorities establish key areas of focus for our compliance activities for the year.

In the reporting period, we continued looking into EME compliance for small cell base stations for 4G and 5G, and interference and licensing compliance related to solar inverters and licensing integrity.

Our EME compliance activities included monitoring carriers' compliance with EME emission standards when installing cell base stations and carriers' practices in informing and consulting with stakeholders, including the local community, before installing small cell base stations. In October 2019, we published our EME compliance strategy.

In April 2020, we announced our compliance priorities for 2020–21, which include ensuring that mobile base station EME emissions meet Australian standards and investigating interference from unlicensed mobile phone repeaters and in the construction and resources industries.

Our compliance activities were reported on in quarterly web reports.

Interference management

We investigated complaints about interference to radiocommunications services and provided a diagnostic and advisory service in relation to television and radio reception interference (domestic systems interference). Table 1.11 provides a summary of interference complaints received and associated compliance and enforcement actions taken in response.

Table 1.11: Interference complaints and associated compliance and enforcement actions

Action type	Radiocommunications interference		Domestic systems interference		Total interference
Total complaints received	300		180		480
Complaints received by service type	Mobile network operator	218	TV	146	
	Non-mobile network operator	73	Radio	34	
	EPIRB/public safety	6			
	Other	3			
Total compliance enforcement actions*	77		13		90
Advice notice	24		8		32
Warning notice	53		5		58

*Compliance enforcement actions issued for interference tasks created in the 2019–20 year.

Solar inverters

We completed an audit of solar industry compliance with equipment standards and labelling notices. This compliance priority aimed to mitigate the increased risk of interference to domestic radio and television services arising from the supply of non-compliant solar inverters. Solar inverters were a source of interest, given that the supply of solar panels was expanding in the Australian market, supported by government subsidy schemes for solar installations.

The results indicated that while suppliers have a good understanding of the requirements concerning electrical safety and compatibility, they generally lack awareness around the need for compliance with the EME labelling requirements when the solar inverters were incorporated with a radiocommunications transmitter such as wi-fi, Bluetooth and/or a 3G/4G modem.

We worked with the Clean Energy Council (CEC) to improve the awareness and compliance of its members with the regulatory arrangements. The CEC has helped disseminate updated regulatory information to its members and included EME regulatory information on its website.

Equipment standards and customer cabling

Table 1.12 provides a summary of compliance investigations and actions taken for equipment standards and customer cabling.

Table 1.12: Compliance investigations and enforcement actions in 2019–20

Action type	Number of actions
Total compliance investigation tasks	247
Priority compliance area	97
Proactive identifications of compliance issues in the course of other duties	25
Customer cabling	45*
Electromagnetic compatibility standards (EMC)	57†
Low-power open narrowcasting — ‘use it or lose it’ complaints	6
EME standards	3
Other	14‡
Compliance enforcement actions	65
Advisory notice	8
Warning notice	54
Infringement notice	0
Prosecutions commenced	0
Suspension/cancellation of licence	3

* On review, 33 of these complaints were found to fall outside the jurisdiction of the cabling provider rules.

† On review, 34 of these complaints were found to be incomplete or fall outside the jurisdiction of the equipment standard.

‡ On review, 12 of these complaints were found to be incomplete or fall outside the ACMA's jurisdiction.

Address unlawful operation in the 5.6 GHz and 400 MHz bands

Licensing integrity—interference and licensing compliance

We investigated unlicensed operations and device compliance with regulations and interference rules. We also undertook monitoring, intelligence gathering and site audits of licensees in the 5.6 GHz and 400 MHz bands as part of the compliance priorities for 2019–20. Analysis of the data collected from spectrum monitoring (remote monitoring) is currently underway. This compliance work aimed to determine the level of unlicensed or non-compliant activity in the 5.6 GHz (5.6–5.65 GHz) band in areas around Australia under consideration for expanded point-to-multipoint licensing and the 400 MHz band in Adelaide and Perth. Unlicensed and non-compliant use of a band has potential to undermine the utility of the band through congestion and interference to licensed services.

5.6 GHz

In the previous reporting period, we achieved a clearer understanding of radiocommunications activity in the 5.6 GHz band, particularly in those geographical areas where the ACMA had considered proposals to make the 5.6 GHz spectrum available for wireless internet service providers, where they are currently licensed and operating in the 3.6 GHz band.

The monitoring and in-field intelligence-gathering work was used to inform the program of compliance and enforcement work for 2019–20, including for non-compliant licensees. We investigated one licensee found to be operating between 5.6–5.65 GHz across Queensland's Sunshine Coast.

We identified unlicensed activity occurring in northern New South Wales, however, COVID-19 travel restrictions prevented completion of compliance action in this area before the end of the reporting period. We intend to finalise this work as soon as COVID-19 travel restrictions are relaxed.

400 MHz

We conducted monitoring and analysed data to determine the level of non-compliance in the 400 MHz band in major capital cities. This assessment identified limited instances of licensees continuing to operate after licence expiry or by using imported non-compliant radios, but no evidence of widespread non-compliance in this band. This conclusion is further supported by analysis of all interference complaints that affected services operating in the 400 MHz band, which comprise around three per cent of interference field work.

Confirm that mobile network operators are unlikely to exceed their electromagnetic energy (EME) exposure obligations

Small cell base stations for 4G and 5G and base station compliance

Small cell base stations are being deployed more widely across Australia. At the commencement of our compliance priority, there were only a small number of active 5G small cells in Australia. However, with a more expansive small cell and 5G rollout expected over the next few years, the deployment of small cell base stations is a compliance priority to ensure that community safeguards are met.

There are two main elements of the regulation of small cells under the legislation administered by the ACMA that formed a basis for our compliance assessment:

- > carrier consultation and notification requirements when deploying small cells under the C564:2018 Mobile Phone Base Station Deployment Code (the Deployment Code)
- > carrier compliance with the mandatory standards for EME emissions that are given effect through licence conditions under the Radiocommunications Licence Conditions (Apparatus Licence) Determination 2015 (the Licence Determination).

Carrier compliance with mandatory standards for EME emissions

Small cell sites are currently used for the delivery of 4G mobile telecommunications and have an important role in providing 5G mobile telecommunications.

We tested small cell carrier deployments by auditing compliance records and undertaking field measurements.

The records audit assessed the mobile carrier's compliance with their record-keeping obligations under the EME licence conditions. It showed that the mobile carriers were compliant with the EME requirements but lacked awareness of EME and radiocommunications compliance requirements. The audit assessed:

- > 95 Telstra small cells
- > 41 Optus small cells
- > 16 Vodafone small cells.

Our field measurement work reviewed the cumulative EME exposure levels present near a sample of 59 4G small cells nationally. Field measurement work was conducted throughout January and February 2020, when only a small number of 5G small cells had been deployed in Australia. The number of 5G small cells deployed in Australia has since increased and these findings provide baseline results for our continued compliance priority focus on 5G and EME emissions during 2020–21. The field measurement work found that the cumulative EME levels of all the sites visited were well below one per cent of the EME reference level for limits of exposure to the general public set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA).

Mobile network operators' notification and consultation requirements

We audited mobile network operators' consultation and notification requirements set out under the Deployment Code. This compliance activity aimed to determine whether the carriers are complying with their obligations under the Deployment Code, which are intended to:

- > allow the community and local councils to have greater participation in decisions made by carriers when deploying a mobile phone base station
- > provide greater transparency to the public when a carrier is planning, selecting sites for, installing and operating mobile phone base station infrastructure.

The audit assessed:

- > 28 Telstra small cell sites
- > 17 Optus small cell sites
- > one Vodafone small cell site.

The results of the audit indicated that the carriers have established processes and information materials to ensure compliance with the notification and consultation requirements in the Deployment Code. The local community, including councils, property owners and occupiers and those community members in sensitive locations are customarily being notified and consulted prior to the commencement of construction.

Strategic priority 3: A regulatory framework that anticipates change in dynamic communications and media markets through monitoring our environment and influencing regulatory responses

3.1 Conduct qualitative and quantitative research to enhance the ACMA's understanding of consumers and audiences

Our research program is reviewed annually and developed in consultation with stakeholders so that it addresses relevant issues in our environment and aligns with the ACMA's broader priorities.

Our research in 2019–20 informed our understanding of market trends, evolving communications and content use, and changes in consumer and community attitudes. It also assisted in identifying the implications of these issues for the effectiveness of our regulation.

We track the effectiveness and efficiency of our existing regulation through reviews and research, leading to improvements in response to changing markets and consumer expectations and preferences, often driven by new technologies.

The effectiveness of our research is reflected through its use in informing our work and enhancing the understanding of our stakeholders about trends and developments in the communications and media sector. We benchmark our efficiency in delivering our research against the timeframes published in our research program.

Assessment of results

Performance measure <i>Corporate plan 2019–20, p. 20</i>	Criterion and target PBS 2019–20, pp. 102–3	Result		
		Met	Mostly met	Not met
Research the effectiveness and efficiency of existing regulation	The ACMA informs and advises the government and the community about developments in communications markets, including implications for relevant public interest objectives Target: > <i>Planned program of research is delivered and relevant findings are published, including about the efficiency and effectiveness of existing regulation</i>		✓	
Research and develop strategic and regulatory analysis of the evolving communications and media environment			✓	
Commission annual telecommunications consumer survey		✓		
Prepare annual communications report		✓		
Research on the impact of digital platforms on news			✓	

Research the effectiveness and efficiency of existing regulation

Our research program focuses on how current and future developments in the communications and media landscape will impact public interest outcomes and our role in regulating communications and media, where research may contribute to:

- > advice to government about the operation and costs of regulation
- > regulatory and program design, including the development of fit for purpose regulatory solutions to emerging issues in communications and media
- > analysis of how regulation is functioning in changing markets to consider if it remains fit for purpose or if there is a need to initiate discussion about regulatory reform to accommodate innovation occurring in the sector
- > exploring different aspects of regulatory effectiveness and the emerging risks and harms arising for citizens and businesses in the changing communications and media environment.

The 2019–20 research program was published in August 2019 following consultation with stakeholders. However, the program was impacted by the COVID-19 pandemic where some research was suspended while the media and communications sectors focused on their critical services and other research was delayed due to the reallocation of staff in response to the COVID-19 pandemic.

Telco consumer experience research

We researched the experience of households and businesses across the full range of telecommunications services in the Australian market to continue to build our evidence-base of emerging risks and harms, and the effectiveness of existing regulations. This consumer research assists with understanding consumer expectations and experience and use of telecommunications (voice and internet) services. The research was largely completed in 2019–20 with the results to be published in the next reporting period.

Australian content options paper

In December 2019, the government released its response to the ACCC's Digital Platforms Inquiry Final Report, which proposed that the ACMA would work with Screen Australia on the development of an options paper for government interventions relating to Australian and children's screen content. This work forms part of the government's staged process to reform media regulation towards an end state of a harmonised regulatory framework.

The *Supporting Australian stories on our screens—options paper* was delivered to the Minister in March 2020. The government published it for an initial two-month consultation period ending on 3 July 2020.

The options paper considered how to best support Australian stories on our screens in a modern, multi-platform environment. It considered the content obligations of free-to-air television broadcasters and examined whether there should be Australian content obligations on subscription video-on-demand services. The paper outlined several options, ranging from keeping the status quo to deregulation.

News—transparency, distinguishability and impartiality

In 2019–20, we conducted three research projects on news in Australia. Work was suspended due to current industry pressures relating to the COVID-19 pandemic. These are discussed under 'Research on the impact of digital platforms on news'.

Research and develop strategic and regulatory analysis of the evolving communications and media environment

Our regulatory futures work program builds agency capability under four key themes:

- > Emerging technologies and regulatory pressure points. These aim to build an integrated evidence base about the markets we regulate, by enabling a contemporary understanding of the efficacy of existing regulatory objectives and the uses and potential impacts of new and evolving technologies on our regulatory framework.
- > Emerging regulatory issues. These aim to build a clear understanding within government of our role in enabling and regulating new technologies, and provide strategic tools to influence government stakeholders on the effectiveness of current regulatory approaches.
- > Best practice regulatory theory, policy, approaches and application.
- > International engagement and collaboration, including our international strategy, forward engagement program and process improvements. These aim to provide a consistent approach to international engagement that maximises benefits for the agency and supports whole-of-government policy objectives.

Projects for 2019–20 were identified under each of these key themes through a needs assessment that considered:

- > internal consultation
- > whole-of-government policy and priorities
- > monitoring of the communications and media market
- > building our capacity for data analysis of regulatory and market developments
- > engaging with stakeholders and government to promote fit for purpose regulatory frameworks
- > improving our regulatory practice.

Over 2019–20, work has progressed to develop occasional papers that examine trends and developments in the communications and media markets and whether the ACMA regulatory settings remain fit for purpose. These papers include:

- > *Artificial intelligence technologies in the media and communications sector*
- > *Internet of Things roadmap*
- > *Outcomes-based approaches to regulation.*

As a result of redeploying staff in response to the COVID-19 pandemic, the release of these occasional papers has been postponed to 2020–21.

Commission annual telecommunications consumer survey

This quantitative research project informs regulatory development by providing an evidence base on consumer behaviour, the adoption of and attitudes towards media and communications services, and the effectiveness of existing regulatory interventions.

It assists in addressing our legislative function to report on the telecommunications industry and consumers of carriage services, service and industry trends in the broadcasting and internet industries, and content services.

Fieldwork for the annual telecommunications survey commenced in June 2020, with results to be published in 2020–21.

Prepare annual communications report

The communications report fulfils multiple legislative functions that the ACMA has under the ACMA Act, as well as obligations under section 105 of the Telecommunications Act. It presents a comprehensive overview of the communications and media environment in Australia and is a useful source of evidence for policymakers and regulators.

The *Communications report 2018–19* was published on the ACMA website in February 2020. The findings show an increasingly complex landscape, along with new demand for online services.

Following an amendment to the Telecommunications Act on 12 December 2019 that removed the reporting requirement for most matters listed in section 105, a new format will be used in 2020–21 to present communications report trend data.

Research on the impact of digital platforms on news

News—transparency, distinguishability and impartiality

In 2019, we began looking into how the commercial broadcast news industry had changed due to digital disruption and whether current regulatory arrangements are fit for purpose. Our news project is exploring whether current community safeguards are delivering news and journalist content that meets community expectations and supports an open, pluralistic democracy in Australia.

We have undertaken in-depth research into various aspects of news and journalistic content, including localism, impartiality, diversity of voices and the distinguishability and disclosure of paid news content. These concepts are central to the broadcasting codes of practice and other elements of the regulatory framework (including co-regulation) that govern news and current affairs in Australia.

Our research tells us that a significant proportion of Australians continue to access news on television and radio. The research also shows that Australians are losing confidence in these traditional news sources.

In August and September 2019, we held workshops on defining localism and diversity in news with ACMA staff, academics and other government agencies. In November 2019, we held an internal workshop to inform development of a measurement framework for local content and diversity.

In response to research findings, we published a discussion paper in January 2020 for public consultation. We published submissions, in addition to reports of quantitative and qualitative consumer research and part of the literature review relating to commercial influence and impartiality.

Work was suspended due to current industry pressures relating to the COVID-19 pandemic. It is intended that further work in 2020 will focus on developing and testing a measurement framework for diversity and localism in news.



Case study

Misinformation and news quality

There is growing global recognition of the need for citizens to be equipped to engage critically with online news and information sources, considering the increased prevalence of 'fake news' and misinformation. Digital platforms (including social media sites, news aggregators and online search engines) play a key role in aggregating and disseminating the content.

The government has tasked the ACMA with overseeing the development of a voluntary code (or codes) of practice for misinformation and news quality.

In June 2020, we released a position paper to guide digital platforms in their code development process. These positions cover threshold issues about the scope, design and administration of the code(s), and how the ACMA intends to measure platforms' performance and assess the effectiveness of the code(s).

The position paper identified three key objectives to be achieved through the code, including reducing the impact of harmful misinformation, empowering people to better judge the quality of news and information, and enhancing the transparency and accountability of platforms' practices.

Our work has been informed by consultations with major digital platforms and regulators, international approaches, academics and best practice approaches to industry self-regulation.

We expect the code(s) to be finalised for use by December 2020 and we will report to the government by June 2021 on the adequacy of the platforms' measures and the broader impacts of misinformation.

3.2 Build ACMA capability for data analysis to enable improved understanding of regulatory and market developments

Data is a key resource for improving our effectiveness and efficiency as a regulator.

Our project to build the necessary data capabilities within the ACMA extends over a number of years. We have developed a governance framework to support the effective and efficient delivery of this project and made provisions to access necessary external expertise to assist the data capability and analytics project team.

Assessment of results

Performance measure <i>Corporate plan 2019–20, p. 21</i>	Criterion and target PBS 2019–20, p. 102–3	Result		
		Met	Mostly met	Not met
Data strategy and governance framework developed Data analysis and reporting is improved Data literacy is enhanced agency-wide	The ACMA informs and advises the government and the community about developments in communications markets, including implications for relevant public interest objectives Target: <i>> Planned program of research is delivered and relevant findings are published, including about the efficiency and effectiveness of existing regulation</i>	✓		

Data strategy and governance framework developed

Data analysis and reporting is improved

Data literacy is enhanced agency-wide

Over the course of 2019–20, we continued our focus on growing our data analytical capability by investing in our data capability, including recruitment of dedicated data analytics, reporting and data governance specialists.

Work also commenced to develop a cloud-based ICT environment to support data requirements.

Growing our data analytical capability is a key focus given the benefits of sharing and re-using data, including improving and refining services and policies for the community. Our broad remit allows us to collect a diverse range of data and information from a variety of sources, and to use it to enhance and inform our regulatory decisions.

In 2019–20, we developed a data strategy and governance framework to grow our data and analytics capabilities, moving us beyond traditional business intelligence. This multi-year commitment will improve the use of data for decision-making and accountability and provide valuable insight into the communications and media sectors we regulate. It will also allow stakeholders to effectively use our data assets.

We have established a small data analytics hub to help build our analytics capability and manage our high-value data.

In 2019–20, we piloted three data projects across the agency. These have been selected to cover different aspects of analytics and visualisation and broadly cover:

- > spectrum data and analytics portal—to enable integration of existing data sources and use of advanced analytics to deliver insights into how spectrum is currently being used
- > provider performance monitoring—to provide more dynamic reporting capabilities through the development of interactive dashboards for a range of telco performance data and enable better insights through the integration of key datasets such as complaints record-keeping rules data and TIO data
- > industry and market reporting dashboard—to enable staff to access communications market and industry insights.

We have released two interactive reports using data-visualisation tools:

- > *Mobile-only Australia: living without a fixed line at home*, October 2019, which looks at the technology Australians have used to communicate at home over the last five years—mobile, internet or both.
- > *Kids and mobiles: how Australian children are using mobile phones*, November 2019, which looks at the trends in kids' mobile use since 2013.

3.3 Engage with stakeholders and government to support regulatory frameworks and obligations that are fit for purpose now, and as markets evolve

The effectiveness of our engagement is reflected in our openness to the views, ideas and experiences of our stakeholders to inform our work and the quality of our contributions to broader debates about issues relevant to our remit.

Measures to support the efficiency of this engagement include the use of diverse channels to seek and provide input, as well as targeting and prioritising the issues that we engage on in response to changes in our environment.

Assessment of results

Performance measure <i>Corporate plan 2019–20, p. 21</i>	Criterion and target PBS 2019–20, p. 102–3	Result		
		Met	Mostly met	Not met
Consultations and stakeholder forums as well as the annual stakeholder survey inform rule-making	Appropriate and relevant safeguards are available to Australians consuming content and using communications and media services		✓	
Authoritative advice is provided to reviews of communications and media regulatory frameworks	<p>Target:</p> <p>> <i>Consultative and stakeholder forums, as well as focus and working groups, are used to gather evidence and inform rule making</i></p> <p>The ACMA informs and advises the government and the community about developments in communications markets, including implications for relevant public interest objectives</p> <p>Target:</p> <p>> <i>Authoritative advice to reviews of media and communications regulatory frameworks is provided, including the Consumer Safeguards Review and the Digital Platform Inquiry</i></p>	✓		

Consultations and stakeholder forums as well as the annual stakeholder survey inform rule-making

Consultations

We commenced 42 consultations in 2019–20. Of these, five remained open at the end of the year. Despite some consultations being extended or suspended during the COVID-19 pandemic, consultation still enhanced regulatory responses and informed the development of frameworks.

Consultations covered:

Spectrum and radiocommunications:

- > standards, licence conditions and determinations
- > spectrum planning, sharing, access and pricing
- > FYSO work program
- > licence area plans
- > principles for deeming of community broadcasting licence areas in regional Australia for digital radio
- > taxes and charges
- > device exemptions
- > licensing.

Content:

- > proposal to remake the Primary TV Services Declaration
- > proposal to remake the Parental Lock Standard
- > record-keeping by broadcasters
- > impartiality and commercial influence in broadcast news.

Telecommunications:

- > standards and determinations
- > exemptions
- > customer cabling
- > new rules to prevent mobile number fraud
- > consumer protections and safeguards.



Case study

COVID-19 consultation actions by ACMA

The COVID-19 pandemic created unprecedented challenges and impacts for Australians and impacted heavily on the industries the ACMA regulates. Commercial broadcasters experienced reduced revenue streams and disrupted content supply chains. Telcos were affected by the shutdown of overseas call centres, while at the same time seeing increased demands on domestic services. The financial impacts of restrictions also raised real questions about whether apparatus licensees would be able to pay their fees to the ACMA on time. Virtually all sectors experienced the same work from home and travel restrictions that impacted all Australians.

The ACMA stood up its COVID-19 Taskforce in April 2020 to quickly engage with our regulated industries on the pressures they were experiencing and to facilitate appropriate decisions on relief and forbearance. The Taskforce consulted comprehensively with peak bodies and regulated entities—as well as consumer groups, complaints handling bodies and relevant government agencies—to understand the issues and to provide clarity about process and decisions taken by the ACMA.

These consultations involved seeking to understand how the pandemic was impacting services and, where warranted, what conditional arrangements could be put in place so that undue impacts on consumers or audiences were prevented or minimised. Where relief was granted, it was limited in scope and duration, and targeted to give industry increased flexibility to focus its resources where most needed during a critical time.

In all, the ACMA made relief decisions concerning over 49 Acts and instruments and more than 200 separate legislative provisions. Information about the relief provided, along with related COVID-19 advice for consumers, was published on the ACMA's website.

Stakeholder forums

During 2019–20, we arranged and/or participated in a number of stakeholder forums and working groups.

Scam Telecommunications Action Taskforce

The Taskforce is a key forum to inform our scam reduction activities and associated regulatory response. The ACMA chairs the taskforce with the ACCC, the Australian Cyber Security Centre, Communications Alliance and the Department as members. The taskforce convened in February and June 2020. See *Case study: Combating telco scams* for more information.

The Numbering Advisory Committee

The ACMA's Numbering Advisory Committee (NAC) brings together telecommunications industry stakeholders to provide advice and recommendations on issues related to the ACMA's numbering functions with the objective of improving the benefits to suppliers and users of carriage services and facilitating competition. The NAC met on 11 March 2020. Issues discussed at this meeting included the Numbering Plan, local number porting, industry managed numbering and the ACMA's scam reduction work.

Spectrum sharing tune-up

Spectrum tune-ups are ACMA events where we discuss current and emerging spectrum management issues in Australia with industry experts. In August 2019, we held a spectrum tune-up to explore recent international developments in spectrum sharing and discuss why, how, and under what circumstances similar arrangements could be adopted in Australia.

RadComms 2020

RadComms is the ACMA's biggest spectrum management event, which provides a platform to discuss the best use of spectrum and look at future developments. Due to COVID-19 restrictions on public gatherings, the ACMA was unable to proceed with RadComms on 15–16 June 2020 as scheduled.

News project

We held two forums on defining localism and diversity in news with ACMA staff, academics and other government agencies in August and September 2019. See 'Research on the impact of digital platforms on news' for more information.

Consumer Consultative Forum

The Consumer Consultative Forum is the ACMA's communications consumer advisory group. It brings together consumer organisations, telecommunications industry and government to discuss issues affecting users of mobiles, the internet and fixed-line telephones and give the ACMA informed and representative advice.

A meeting of the forum on 25 October 2019 focused on improving consumer education about 5G health concerns, financial hardship, addressing fraudulent mobile number porting and missed appointment rebates for customers using services delivered over the NBN.

The March 2020 meeting was cancelled due to the COVID-19 pandemic and associated restrictions.

Workshop on convergence of communications and power cabling

The ACMA worked with Communications Alliance in a workshop of relevant industry stakeholders and the electrical safety regulators to discuss the convergence of communications and power cabling and the implications on regulation. Communications Alliance held a further three e-workshops in April, May and June to explore this topic. Stakeholders included representatives from the cabling industry, state electrical safety regulators, Standards Australia and the ACMA.

Memorandums of understanding (MOU)

We work closely with other government agencies and industry organisations.

MOU with the TIO

In April 2020, a refreshed MOU with the TIO was signed. The new MOU enhances the previous arrangements for collaboration and information-sharing on compliance, enforcement and systemic issues, and provides a framework for the referral of compliance and systemic issues in complaints.

MOU with the Office of the Australian Information Commissioner (OAIC)

On 19 November 2019, we signed a MOU with the OAIC to facilitate the agencies' collaboration, cooperation and mutual assistance in the performance of our respective regulatory roles.

ACMA stakeholder survey

Our stakeholder survey is designed to explore perceptions of how well we communicate, consult and interact. It provides us with practical information to help us assess and improve our engagement.

The 2019 survey was conducted online by Woolcott Research & Engagement between November 2019 and February 2020. It sampled 127 stakeholders and 60 responses were received.

Key findings included:

- > improvement in overall satisfaction by the government segment, with this group more satisfied than industry stakeholders. More positive ratings were found for partnering or working on joint projects
- > satisfaction with our staff remains positive. Satisfaction with interactions with Authority members is also positive, particularly for clarity of communication and being accessible
- > satisfaction with our overall compliance and enforcement processes was generally comparable to previous findings. A slight decrease was observed in those satisfied with the administrative work involved, along with a slight increase in efficiency of decision-making
- > our publications were rated positively, with similar levels of satisfaction to previous years.

While the sample is small, the survey provides valuable insights into the views of various stakeholders and a reasonable basis to assess key stakeholder trends.

Authoritative advice is provided to reviews of communications and media regulatory frameworks

Bushfire Impact Review

In April 2020, we provided a report to the Minister about the impact of the 2019–20 bushfires on the telecommunications network. The report was published in May 2020. The report was based on information obtained from carriers and offered observations (where possible) about network resilience and the use of remediation measures to restore services. It provided a factual base for use by industry and government in considering options to improve network resilience and continuity of services to Australians.

In June 2020, the ACMA published an addendum to the report containing factual updates received after the report was published.

The Consumer Safeguards Review

The government is reviewing Australia's telecommunications consumer safeguards to prepare the framework for a post-2020 environment. The Consumer Safeguards Review is being undertaken in three parts:

- > A: redress and complaints handling
- > B: reliability of telecommunications services
- > C: choice and fairness in the retail relationship between the customer and their provider.

Part A aimed to ensure that consumers can access an effective complaints-handling and redress scheme that provides transparency and accountability of telco providers for their performance.

In October 2019, we released the *Telecommunications complaints-handling 2018–19* report. The report analysed data collected quarterly under the Telecommunications (Consumer Complaints) Record-Keeping Rules 2018 and assessed the complaints-handling performance of medium and large CSPs.

In March 2020, we enhanced our complaints data capability through the launch of a dynamic and interactive online complaints-handling dashboard. This provides consumers with the ability to interact with the complaints data and improved visibility of the performance of telecommunications services.

From early 2020, the ACMA engaged closely with the Department and the ACCC regarding planning and coordination of regulatory activities arising from Part B (reliability of services). The Department, ACCC and ACMA representatives met in June 2020 to coordinate and plan the implementation of the Part B recommendations.

ACCC Digital Platforms Inquiry

Following the release of the government's response to the Digital Platforms Inquiry Final Report in December 2019, we met with representatives of the Minister's Office, the Department, Screen Australia and Digital Industry Group Inc for initial discussions about:

- > collaborating with Screen Australia to develop an options paper for government on potential interventions for Australian and children's screen content
- > collaborating with digital platforms to develop a voluntary code (or codes) on disinformation and quality news and providing advice to government on the adequacy of digital platforms' measures and the impacts of disinformation.

On 15 April, the *Supporting Australian stories on our screens—options paper* was published and, on 26 June 2020, we released a position paper outlining our expectations for a voluntary code or codes of practice on misinformation and news quality to be developed by digital platforms.

Review of Australian Classification Regulation

This review seeks to develop a classification framework that meets community needs and reflects today's digital environment. We made a submission to the review in February 2020.

Consultation on a new online safety Act

The ACMA made a submission on 21 February 2020.

3.4 Improve regulatory practices to reduce regulatory burden, increase transparency and timeliness, and ensure actions are proportionate to risks

We use our customer survey and the government's Regulator Performance Framework (RPF) to assess the effectiveness and efficiency of our regulatory practices. These assessments are undertaken annually, and the results inform improvements in the delivery of our regulation for both regulated entities and consumers and audiences.

Assessment of results

Performance measure <i>Corporate plan 2019–20, p. 22</i>	Criterion and target PBS 2019–20, p. 102–3	Result		
		Met	Mostly met	Not met
Improvements to stakeholder interactions with the ACMA are informed by annual customer service user satisfaction survey	Compliant businesses, confident consumers and assured audiences Target: > <i>Avenues for making complaints are available and accessible to consumers and audiences and complaints are handled within published timeframes</i>	✓		
Improvements to regulatory practice are informed by annual Regulator Performance Framework (RPF) assessment process	Appropriate and relevant safeguards are available to Australians consuming content and using communications and media services Target: > <i>Potential regulatory changes are developed based on evidence informed by research, and appropriate stakeholder consultation</i>	✓		

Improvements to stakeholder interactions with the ACMA are informed by annual customer service user satisfaction survey

Customer Service Centre (CSC)

Customers engage with the CSC by phone, letter, email and online, and the CSC provides information and services across a range of issues.

The annual customer service user satisfaction survey supports the ACMA in ensuring that we continue to be responsive to customer requirements and meet our required time benchmarks. The CSC actioned 95 per cent of all enquiries within three business days.

In January 2020, Woolcott Research & Engagement was selected to conduct customer satisfaction research to evaluate the performance of the CSC. The results, drawn from customers who had contacted the CSC in the previous five months, found moderate decreases since last year, with 72 per cent overall satisfaction levels (2018–19: 77 per cent).

We are using the survey results as an input into our annual continuous improvement program for the CSC services.

Improvements to regulatory practice are informed by annual Regulator Performance Framework (RPF) assessment process

Each year we assess our performance against the six KPIs in the RPF—a government initiative to help improve the regulatory practice of Commonwealth regulators.

In December 2019, we published our fourth annual self-assessment under the government's RPF framework for 2018–19. Results in the RPF self-assessment show that we met five of the six KPIs. KPI 1 was 'mostly met', with 88 per cent of the 35 timeliness targets met. The three timeliness targets not met related to telecommunications investigations and long-term community radio broadcasting licence applications and renewals. Delays were due to the complexity of the issues involved and the need for further information from stakeholders.

Highlights from the RPF include:

- > 100 per cent of investigations finalised within the timeliness benchmark for:
 - > radiocommunications
 - > interactive gambling
 - > spam
 - > Do Not Call Register (DNCR)
 - > broadcast content
- > improved average processing times for nine processes compared to 2017–18
- > the Regulatory Futures section was established
- > the Scam Technology Project was established to explore practical solutions to scam calls
- > enhanced transparency and clarity supported by:
 - > updating the Authority Code of Conduct
 - > completing the design phase of our new website to make our online content easier to locate and understand
 - > informing stakeholders about new rules through forums, presentations and published information
 - > providing a Statement of Intent in response to the Government's Statement of Expectations
 - > publishing the *Five-year spectrum outlook 2018–22* and annual spectrum work program
- > whole-of-agency compliance priorities for 2019–20 were developed for the first time
- > we undertook targeted audits and investigations and used a number of enforcement actions in responding proportionately to breaches.

The RPF assessment process includes stakeholders validating our self-assessment. Since the inception of the RPF, we have experienced a downward trend on stakeholders engaging in the validation process. Additional work to engage stakeholders in the process will be needed maintain the integrity of the validation process for future years.

Financial performance

The ACMA's 2019–20 financial statements are provided in Appendix 14 of this report.

Activities administered on behalf of government

The ACMA collected income of \$1,415.2 million on behalf of government in 2019–20. This was primarily made up of:

- > spectrum access charges (\$852.9 million)
- > Telecommunications Industry Levy (TIL) (\$261.9 million)
- > radiocommunications taxes (apparatus licence tax of \$149.6 million)
- > broadcasting apparatus licence taxes (commercial broadcasting tax of \$37.0 million)
- > telecommunication numbering charges (\$60.0 million)
- > Annual Carrier Licence Charge (ACLC) (\$31.1 million).

Further details on these income items are provided in the 'Management and accountability—Income collected on behalf of government' section of this report.

The ACMA's administered expenses totalled \$10.7 million and primarily comprised eSafety supplier costs (\$5.4 million, 50 per cent of the total) and grant expenditure (\$5.1 million, 48 per cent of the total) mainly relating to the Regional and Small Publishers Innovation Fund.

As at 30 June 2020, the ACMA held \$57.5 million in administered assets, primarily related to the ACLC receivable. The ACMA also held \$131.2 million in administered liabilities.

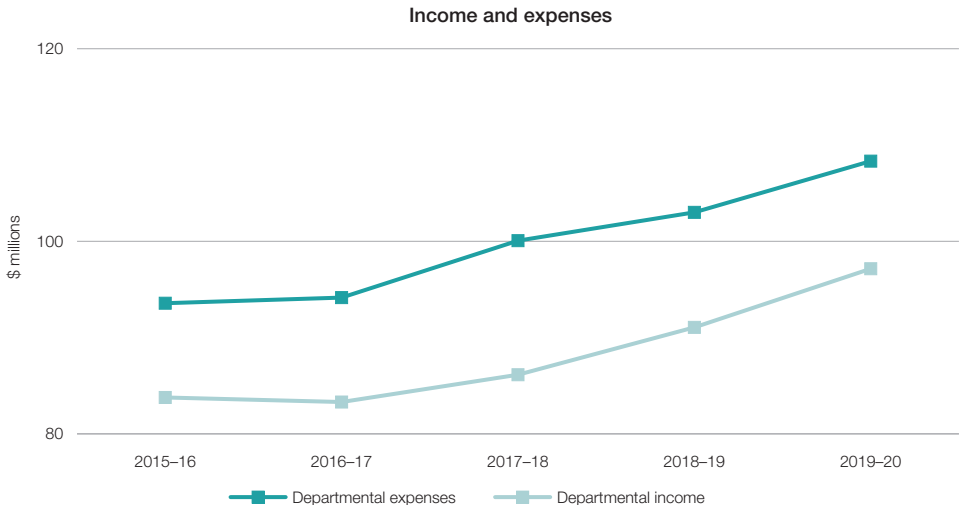
Departmental activities

The ACMA reported a technical operating deficit of \$11.2 million. After adjusting for unfunded depreciation and amortisation expenses, non-cash lease accounting items and changes to the asset revaluation surplus, the ACMA recorded a minor operating surplus.

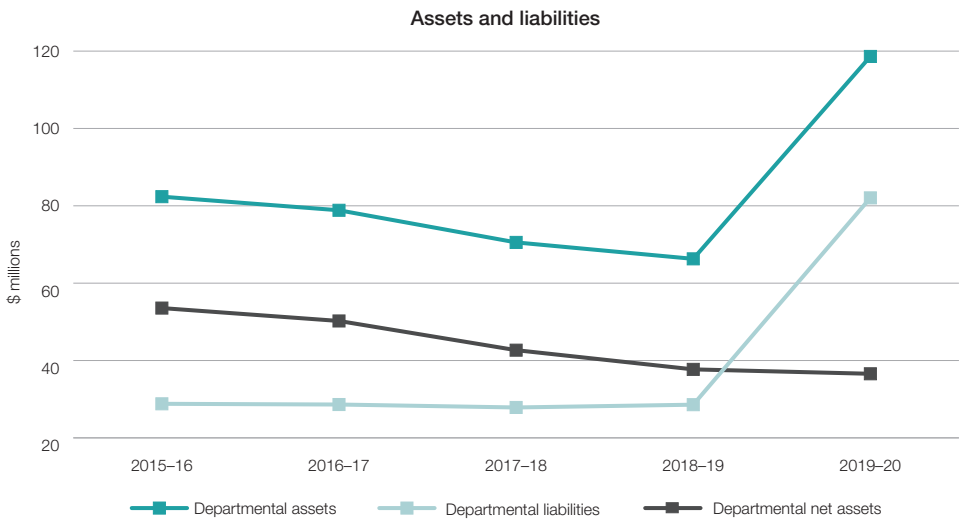
Departmental expenses totalled \$108.3 million, primarily made up of staffing and supplier expenditure. Departmental income totalled \$1.1 million and mainly comprised sale of goods, rendering of services, resources received free-of-charge and gains on assets.

As at 30 June 2020, the ACMA had a positive net asset position of \$36.6 million. Assets totalled \$118.6 million. Liabilities totalled \$82.0 million, including lease liabilities, employee provisions, supplier accruals and lease liabilities.

Figure 1.3: Analysis of departmental activities



Note: Departmental expenses include depreciation and amortisation charges, which are not funded by departmental income.



Note: 2019-20 reflects the revised treatment of leases under AASB 16 Leases, which increases both assets and liabilities.

Management and accountability

This section details governance, staffing arrangements, and financial and property management, and applies to both the ACMA and eSafety, unless specified. For eSafety's specific governance and administrative information, refer to 'Accountability arrangements' in *Part 2—Office of the eSafety Commissioner annual report 2019–20*.

Under the EOS Act, the ACMA makes staff available to assist the eSafety Commissioner to perform their functions and exercise their powers. All staff employed to assist the Commissioner are staff of the ACMA employed under the Public Service Act and are covered by all ACMA entitlements, protections and obligations.

Governance

The ACMA is a non-corporate Commonwealth entity under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act). The ACMA Chair is the accountable authority under the PGPA Act and the agency head for the purposes of the Public Service Act.

The ACMA Authority is a collegiate decision-making body that consists of at least three and not more than nine members, including the Chair and Deputy Chair. Members are appointed by the Governor-General and associate members are appointed by the Minister. The Code of Conduct for Authority members and associate members sets out the Authority's strategic intent, approach to business, duties, responsibilities, and culture and values to guide its work. In 2019, cross-appointment arrangements were instituted between the ACMA and the ACCC.

The Executive Management Committee (EMC) meets fortnightly to assist the Chair in the role of accountable authority. The EMC advises on strategic matters and issues of significance, and oversees finance, resource management, risk, compliance, regulatory futures and research, enforcement and information technology areas. The EMC comprises the Chair, Deputy Chair/CEO and the four Senior Executive Service (SES) Band 2 general managers.

During 2019–20, the Enterprise Project Governance (EPG) Committee was established to support the EMC. This committee meets monthly and is chaired by the Deputy Chair (Chief Executive Officer). The EPG Committee was established to provide key governance oversight and monitoring of the effectiveness of our major projects.

In accordance with paragraph 17AG(2)(d) of the Public Governance, Performance and Accountability Rule 2014 (PGPA Rule), no issues of noncompliance with the finance law were reported to the Minister for Communications, Cyber Safety and the Arts or the Minister for Finance during the reporting period.

Corporate planning

The *Corporate plan 2019–20* outlined the strategic approach to achieving our purpose through medium- to long-term priorities over four years. The plan is available on the ACMA website.

During 2019–20, the EMC met quarterly to assess agency performance against the strategic priorities, activities and performance measures outlined in the corporate plan.

Risk management and fraud control

We maintain systems of fraud control and risk management in accordance with the PGPA Act, the PGPA Rule and Commonwealth policies.

Our Risk Management Framework provides guidance to staff on their risk management responsibilities, including making risk-aware decisions, utilising risk management tools to prioritise activities and communicating risks to stakeholders. During 2019–20, an ongoing program to improve our risk management framework focused on building capability, communications and embedding risk management within business process. Training designed to achieve a clear understanding of risk processes and responsibilities was delivered as part of the Leadership Development Framework, and all risk management documentation was published or renewed as part of the program. Employees with regular risk management duties are supported to undertake specialised risk training to improve their skills, knowledge and capability.

The EMC regularly reviews the organisation's strategic risk profile, considers new and emerging risks and directs resources to mitigate identified risks. During the year, this included the implementation of a special COVID-19 risk assessment process managed under business continuity planning.

In 2019–20, the Fraud Control Plan risk assessment was revised and endorsed by the ACMA Audit and Risk Committee (ARC) and the Chair. The fraud risk assessment is an important part of our system of control. The Fraud Control Plan outlines our fraud control arrangements, including designated responsibilities and ongoing strategies for mitigating fraud to protect public money, property and information. Instances of fraud and investigations are recorded in the Fraud Risk Register and reported to the ARC.

Audit

We regularly review our governance and assurance systems, as well as our performance frameworks, and take steps to improve on our existing strong foundations. The ARC and internal auditors provide expert advice to the ACMA to enable continual improvement.

During 2019–20, the ARC met five times and continued to look at key corporate and regulatory processes. The ARC reviewed all internal and relevant external audit activity and reported on performance against its charter. The Risk Management Framework and recent enhancements to financial and non-financial performance reporting was a focus for the committee.

Over the reporting period, our internal audit services were provided by RSM Australia Pty Ltd. Eight internal audits and two management-initiated reviews were completed and accepted by the ARC. The ARC monitors all audit recommendations and reviews a selection of closed recommendations to confirm implementation over the longer term.

Details of the ARC are included in Appendix 1 of this report.

Australian National Audit Office performance audits

The ACMA participated in the Management of Spectrum Reallocation to Support the Deployment of 5G Services review by the Auditor-General.

External scrutiny

During 2019–20, there were:

- > no decisions of administrative tribunals or decisions of the Australian Information Commissioner that had or may have a significant impact on the operations of the ACMA
- > no reports on the operations of the ACMA by the Auditor-General, a parliamentary committee or the Commonwealth Ombudsman
- > no capability reviews of the ACMA released during the reporting period.

There was one judicial decision, which has had, or may have, a significant impact on the operation of the ACMA and is summarised as follows.

Lottoland Australia Pty Ltd v Australian Communications and Media Authority ***[Supreme Court of NSW] [2019/00177128]***

On 16 August 2019, the Supreme Court of NSW found that certain online gambling services provided by the plaintiff, Lottoland Pty Ltd (Lottoland), were excluded wagering services and therefore not prohibited interactive gambling services under the *Interactive Gambling Act 2001* (the IGA). In particular, the Court ruled that the services:

- > were a form of ‘betting’ for the purposes of paragraph 8A(5)(a) of the IGA; but
- > were not a ‘game’ for the purposes of paragraph 8A(5)(c) of the IGA.

The ACMA had, following an investigation in early 2019, concluded that five gambling services provided by Lottoland were prohibited interactive gambling services under the IGA, on the basis that they were services for the conduct of a game. Lottoland made an application in the Supreme Court of NSW for a declaration that the relevant services did not contravene the IGA.

The Court’s decision provides guidance on the application of the IGA to certain types of gambling services and the meaning of terms such as ‘game’ and ‘bet’.

Our people

The ACMA had 460 APS employees at 30 June 2020 (compared with 446 at 30 June 2019), of whom 61 work in eSafety. Comparative staffing details are in Appendix 2 of this report.

Terms and conditions of employment for all non-SES employees of the ACMA are determined by the *ACMA Enterprise Agreement 2017–2020* (ACMA Agreement). Salary ranges available under the ACMA Agreement are in Appendix 2 of this report.

Terms and conditions for the ACMA's 17 substantive SES employees, three of whom are assigned to eSafety, are contained in determinations made under subsection 24(1) of the Public Service Act. Salary ranges for SES employees are in Appendix 2 of this report.

Non-salary benefits for SES employees may include a mobile phone, airline club membership, reimbursement of professional fees and the allocation of a parking space.

At 30 June 2020, 27 employees (23 ACMA, four eSafety) at the APS levels 5 and 6, Executive Level 1 (EL1) or Executive Level 2 (EL2) had individual flexibility arrangements for additional salary or retention bonuses. The highest additional salary increases the EL2 maximum to \$174,586 per annum (ACMA) and \$209,382 per annum (eSafety). The EL1 maximum is increased to \$124,105 per annum (ACMA) and \$134,325 per annum (eSafety). The maximum retention bonus was \$5,000 per annum (ACMA).

Performance payments

Performance pay is available to employees at the EL2 (and equivalent) level under the ACMA Agreement. Total performance payments in 2019–20 are set out in tables 1.13 and 1.14.

Table 1.13: Performance payments—ACMA, 2019–20

	Total number of employees	Number of employees receiving performance pay	Aggregated (sum total) of all payments made	Average of all payments made	Minimum payment made	Maximum payment made
EL 2	61	14	\$68,983	\$4,927	\$3,850	\$9,137
Total	61	14	\$68,983	\$4,927	\$3,850	\$9,137

Table 1.14: Performance payments—eSafety, 2019–20

	Total number of employees	Number of employees receiving performance pay	Aggregated (sum total) of all payments made	Average of all payments made	Minimum payment made	Maximum payment made
EL 2	19	12	\$53,688	\$4,474	\$1,226	\$9,257
Total	19	12	\$53,688	\$4,474	\$1,226	\$9,257

Workforce planning

During 2019–20, our workforce planning focused on building strategic workforce capability. We commenced work on developing a People Strategy, which aligns our strategic human resources direction with the business objectives set out in the ACMA's corporate plan. A foundational review of the ACMA's workforce data was also undertaken.

Entry-level programs

The ACMA Graduate Program continued this year. Graduates took part in the Australian Public Service Commission's (APSC) Graduate Development Program, which aims to develop skills and capabilities to better enable them to contribute to a high-performing APS. The graduates also develop and learn through two rotations in the agency, providing them with exposure to different specialised functions in the ACMA. One graduate from our 2020 cohort was recruited through the APSC's Indigenous Graduate Pathway program, an important step to increasing the diversity of our workforce.

The Technical Trainee Program is an entry-level program eligible to those who have completed an Advanced Diploma of Electronics and Communications (or equivalent). In February 2020, we recruited our first trainee to assist in capability development and succession management in our Field Operations team.

Workplace diversity and inclusion

We are committed to providing a supportive and respectful work environment that recognises, values and accommodates the diversity of our employees and represents the Australian community we serve. We recognise and value individual differences and are working towards creating a more diverse and inclusive workplace, including by:

- > acknowledging and encouraging diversity in organisational and individual performance plans
- > integrating workplace diversity principles into everyday management practice
- > including information in induction material
- > providing information to all staff through the agency's intranet.

As part of our ongoing commitment to a supportive workplace, we are embracing a greater focus on gender equality. The *ACMA Gender Equality Strategy 2017–20* aims to identify and address gender imbalance and unconscious bias that may be affecting equity and inclusiveness. This strategy will be reviewed and updated in line with our wider People Strategy.

The ACMA promotes diversity in the workplace through encouraging its EL1s and EL2s to participate in the Jawun APS Secondment Program, where staff spend six weeks with an Indigenous Australian organisation. We also celebrated National Reconciliation Week (27 May – 3 June), a highlight was one of our most-read intranet posts from our first Indigenous graduate, sharing what reconciliation means to them.

Disability reporting

The National Disability Strategy 2010–2020 sets out a 10-year national policy framework to improve the lives of people with disability, promoting participation and creating a more inclusive society. A high-level two-yearly report will track progress against each of the six outcome areas of the strategy and present a picture of how people with disabilities are faring. Further information can be found on the Department of Social Services' website at dss.gov.au.

Ethical standards

During the reporting period, we continued to promote the importance of ethical standards through our Accountable Authority Instructions (AAls), People Management Instructions (PMIs) and training programs.

Each year employees are required to undertake refresher training on important ethical responsibilities, with online privacy awareness, and health and safety training a focus in 2019–20. Refresher training was also held for authorised officers under the *Public Interest Disclosure Act 2013*. A new PMI on workplace behaviour and review was published after employee consultation, which included the Public Interest Disclosure scheme, APS Code of Conduct and APS Review of Action processes.

All new employees are required to undertake online training on the APS Values and principles as part of their induction. Adherence to the ACMA and APS Values and APS Code of Conduct is a mandatory expectation and included in all performance agreements.

Additional harassment contact officers were appointed this year and completed training and an orientation program before commencing in their role.

Health and safety

We are committed to safeguarding the health and safety of our staff, visitors and the public. We are committed to:

- > preventing accidents and ill-health caused by working conditions
- > protecting staff from any health hazard that may arise out of their work or the conditions in which it is carried out
- > consulting with employees and other duty-holders (for example, the employers of contractors)
- > placing and maintaining staff in an occupational environment designed to satisfy their health, safety and wellbeing needs.

In response to the COVID-19 pandemic, specific actions were undertaken to ensure we maintained the health and safety of our staff. These actions included:

- > monitoring and communicating advice from government sources to staff
- > incorporating health and safety controls and treatments into the COVID-19 risk register
- > using risk assessments for vulnerable workers
- > conducting an independent workplace assessment to ensure our workplaces were as safe as reasonably practicable
- > developing transition plans and principles for teams to guide movement between working from home and the office
- > providing guidance to staff on working safely from home
- > developing track and trace contingency plans and reports so we are aware of the location of our staff at all times
- > enhancing the functionality of the HR Information Management System to create an alert distribution system to inform employees of any outbreaks in workplaces
- > enhancing communications on personal support, such as helpline services and wellbeing resources
- > undertaking well-being checks on isolated or vulnerable staff
- > consulting with staff through a combined extraordinary meeting of the National Consultative Forum and the National Health and Safety Committee in June 2020
- > developing a domestic and family violence policy.

Health and safety information is provided to all new staff through our induction program and staff are required to complete work health and safety online training on a regular basis. We also provide:

- > activities and information during 'health month'
- > influenza vaccinations
- > assistance with costs associated with eye-testing and buying glasses for screen-based use
- > access to the Employee Assistance Program.

During the reporting period, we undertook the following WHS compliance activities:

- > introducing a due diligence checklist to assist Officers in meeting their obligations under the *Work Health and Safety Act 2011*
- > commencing a review of our Work Health and Safety Management System
- > risk assessments for identified health and safety hazards to mitigate injury or illness.

No notifiable incidents were reported to Comcare, no work health and safety investigations were conducted, and no notices were given to the ACMA under Part 10 of the Work Health and Safety Act.

Capability development

To enhance leadership capability across the ACMA, a Leadership Development Program was developed and rolled out as part of a wider Leadership Development Framework. The first program delivered was 'Managing Corporate Responsibilities', which provided training to all employees on their governance, risk, finance, ICT, procurement and human resource responsibilities. This program commenced in February 2020 and was delivered using a combination of face-to-face and e-learning with ACMA's subject matter experts. In response to the global pandemic, the delivery mode was changed to a virtual environment in March 2020. As at 30 June 2020, 25 percent of our workforce had attended the sessions.

The remaining four programs under the Leadership Development Program will be rolled out to the Executive Level 1, Executive Level 2 and Senior Executive Service cohorts from the end of 2020 onwards.

The ACMA's net expenditure in 2019–20 for employee learning and development was \$630,097 (excluding GST). This figure includes staff attendance at general training, conferences and seminars; study assistance; and the Leadership Development Framework's Managing Corporate Responsibilities and Leadership Development programs. Staff attended a range of learning and development activities, from public service writing courses to industry-related conferences.

During the year, 16 employees were supported under our studies assistance program, undertaking tertiary qualifications in specialised fields such as law, business, social work and information technology.

Enterprise agreement

The ACMA Agreement sets out the terms and conditions of employment for non-SES employees. It came into effect on 1 November 2017 and has a nominal expiry date of 31 October 2020.

Non-salary benefits for non-SES employees may include a free, confidential employee assistance program for employees and their immediate family; airline club membership for frequent travellers; studies assistance to eligible employees; public transport assistance scheme; and reimbursement of relevant professional association membership fees, some costs associated with vacation childcare, loss or damage to clothing or personal effects and annual influenza immunisation costs.

The Chair advised employees of her intention to bargain for a new ACMA Agreement and a Notice of Representational Rights was issued to employees on 25 June 2020.

Consultation and workplace relations

Staff consultative forums are established under the ACMA Agreement.

The National Work Health and Safety Committee provides a consultative forum to consider issues that need to be addressed at an organisational level (see 'Health and safety').

The National Consultative Forum (NCF) deals primarily with the key strategic and change issues that affect the ACMA. Convened by the ACMA Chair, it comprises management, union and employee representatives. The NCF met on four occasions during the reporting period, including a joint extraordinary meeting of the NCF and National Work Health and Safety Committee on 3 June 2020.

The extraordinary meeting was held for the Chair and General Manager, Corporate and Research Division to brief members of both peak staff consultative forums on the ACMA's COVID-safe Transition Plan and Principles, the implementation of the plan and actions taken to ensure a safe return for employees to the workplace. Minutes of each meeting were made available to staff via the intranet.

We participate in the Australian Public Service Commission's State of the Service employee census, which enables us to collect employee feedback to help develop strategies to address specific workforce issues. Seventy-six per cent of ACMA staff participated in the 2019 census.

Financial management

The ACMA continues to enhance our financial management, with a focus on appropriately resourcing our key activities. During 2019–20, our reporting frameworks improved access to, and the provision of, quality financial information for internal and external stakeholders.

We continued reviewing key areas within the financial management remit so that our processes align with legislative changes and best practice. We met all statutory budgeting and reporting requirements and deadlines as set by the Department of Finance and the Treasury.

Key achievements during the year included:

- > more closely aligning financial budgeting and reporting with the agency's performance planning and reporting framework
- > providing tailored finance support to budget delegates through a maturing finance manager function and the rollout of finance specific training under the Managing Corporate Responsibilities program
- > further improving accessibility to the financial management information system.

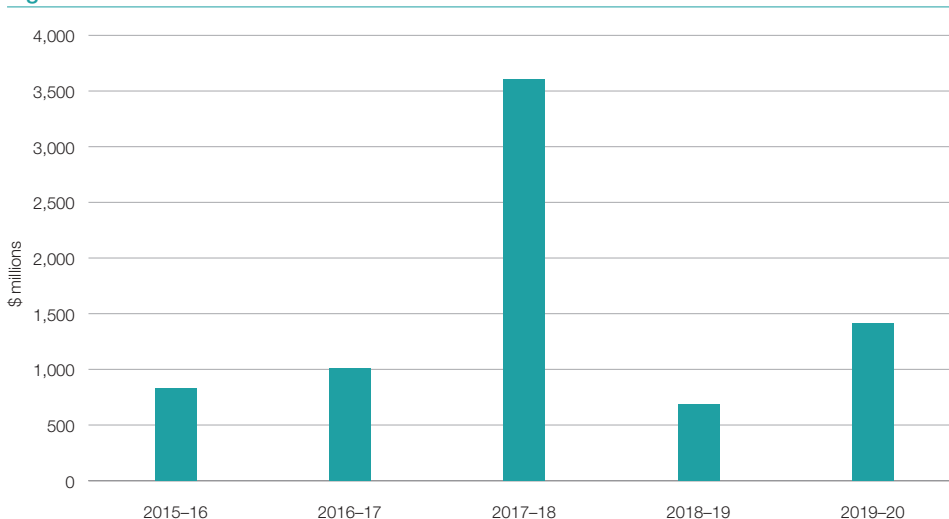
The ACMA's financial statements for 2019–20 were prepared in accordance with section 42 of the PGPA Act. The Australian National Audit Office is given full access to all records and premises to enable it to perform its role and issued an unmodified audit opinion on the ACMA's 2019–20 financial statements and notes (see Appendix 14 of this report).

Income collected on behalf of government

The ACMA collects revenue on behalf of the Australian Government through broadcasting, radiocommunications and telecommunications taxes, levies, fees and charges. We also administer non-regular income from spectrum auctions. All administered revenue collected by the ACMA, including cost recovery, is returned to the government's Consolidated Revenue Fund.

In 2019–20, we administered \$1,415.2 million in income (2018–19: \$705.0 million) (see Figure 1.4). The \$710.4 million variance from the prior year includes 3.6 GHz spectrum access licences recognised as a gain and a rebate provided to commercial broadcasters for a majority of commercial broadcasting licence taxes, as announced by the Minister for Communications, Cyber Safety and the Arts.

Figure 1.4: Administered income



Resource taxes and charges

The use of Australian resources by industry attracts various taxes and charges.

The administration of taxes, levies, fees and charges plays a key role in the planning, allocation and effective use of public resources. Table 1.15 lists these revenue items administered on behalf of government.

Table 1.15: Resource taxes and charges

Description	Revenue in 2019–20 (\$m)	Revenue in 2018–19 (\$m)
Telecommunication Industry Levy	261.9	253.9
Apparatus licence tax	149.6	231.2
Commercial broadcast tax	37.0	104.6
Annual numbering charge	60.0	60.0
Total taxes	508.5	649.7

Telecommunications Industry Levy

The Telecommunications Industry Levy (TIL) is imposed under Division 6 of Part 2 of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*. A combination of funds raised under the TIL and dedicated government funding continues to be used to meet the costs of service contracts to deliver universal service obligations, the National Relay Service, emergency call services and other public policy telecommunications outcomes. The contracts and grants are administered by the Department.

The Secretary of the Department establishes the overall levy target each year. The total levy is allocated to participating carriers based on the ACMA's assessment of their eligible revenue.

Apparatus licence taxes

The ACMA imposes a tax on behalf of the government for the issue of radiocommunications apparatus licences to support the efficient use of spectrum and recover the indirect costs of spectrum management. The tax is calculated by a formula that makes fees consistent, equitable and transparent. The formula encourages efficiency by making taxes higher in congested locations and spectrum bands, so taxes are proportional to the bandwidth and give discounts for low power.

In the second half of 2019–20, we released a consultation paper outlining our funding principles for administrative pricing, and a work program outlining a change to apparatus licence taxes. We expect to undertake a work program associated with the implementation of the Spectrum Pricing Review in 2020 and 2021. Details of the apparatus licence taxes and charging arrangements are in the *Apparatus licence fee schedule—April 2020*, available on the ACMA website.

Commercial broadcast tax

The commercial broadcasting transmitter licence tax arrangements involve taxes being assessed on commercial radio and commercial television transmitter licences that are associated with a broadcast service licence. The amount of tax assessed for each transmitter licence is based on the frequency band, location and power emissions of the transmitter.

Due to the COVID-19 pandemic, the Minister made the Commercial Broadcasting (Tax) (Transmitter Licence Tax Rebate) Rules 2020, which applies for a 12-month period from 14 February 2020. Commercial broadcasters were therefore entitled to a rebate for the majority of commercial broadcasting transmitter licence taxes imposed. This reduced the amount of commercial broadcasting transmitter licence tax collected by the ACMA in 2019–20.

Annual numbering charges

On behalf of the government, the ACMA collects an annual numbering charge (ANC), set at \$60 million per annum, from CSPs that hold telephone numbers.

CSPs are liable for the charges based on the numbers they hold on a specified census date, which in 2019–20 was 5 April 2020.

In 2019–20, the base number charge for a 10-digit number was \$0.614628162561528. Using the opportunity-cost methodology applied in previous years, nine-digit numbers were charged at \$6.14628162561528, eight-digit numbers at \$61.4628162561528 and so on. No numbers incurred the maximum cost of \$100,000 allowable under the *Telecommunications (Numbering Charges) Act 1997*.

Numbers used for incoming-only international services, internal network services and testing services were subject to a reduced rate of charge. Geographic numbers (numbers starting with area codes such as 02, 03, 07 and 08) allocated to a CSP to provide a standard telephone service to a customer are exempt from the charge.

Cost recovery charges

In accordance with the Australian Government's Charging Framework, we recover the costs of regulating the telecommunications industry. Revenue raised by the ACMA from cost recovery is shown in Table 1.16.

Table 1.16: Cost recovery charges

Description	Revenue in 2019–20 (\$m)	Revenue in 2018–19 (\$m)
Annual Carrier Licence Charge	31.1	31.2
Other cost recovery	8.4	5.9
Total charges	39.5	37.1

The Annual Carrier Licence Charge (ACLC) is imposed under the *Telecommunications (Carrier Licence Charges) Act 1997* on participating carriers to recover the cost incurred by the ACMA, the Australian Competition and Consumer Commission (ACCC) and the Department for regulating the telecommunications industry. The total charge is allocated using the same eligible revenue assessments utilised for the TIL.

In 2019–20, other cost recovery charges (\$8.4 million) noted in Table 1.16 comprised \$4.2 million recovered through radiocommunications fees, \$1.2 million for the direct costs of operating the DNCR, \$0.9 million recovered on behalf of the Postal Industry Ombudsman, and \$2.1 million for other fee for service items.

Other administered revenue

The revenue identified in Table 1.17 mainly consists of fees and fines that primarily relate to infringement notices issued following investigations conducted by the ACMA. The 2019–20 amount includes an infringement notice of \$1,003,800 issued to the Woolworths Group Pty Ltd for sending email marketing messages to consumers after they had unsubscribed. Our investigation and enforcement activities are discussed in the Annual Performance Statement.

Table 1.17: Other administered revenue

Description	Revenue in 2019–20 (\$m)	Revenue in 2018–19 (\$m)
Unwinding of discount	2.5	13.5
Fines and penalties	2.0	0.6
Other revenue	0.0	4.1
Total charges	4.5	18.2

Administered gains

The gains identified in Table 1.18 mainly consists of income related to the proceeds from the sale of 3.6 GHz spectrum access licences recognised as a gain under AASB 138 *Intangible Assets*, and subsequently as a finance lease under AASB 16 *Leases*.

Table 1.18: Administered gains

Description	Gain in 2019–20 (\$m)	Gain in 2018–19 (\$m)
Resources received free of charge (spectrum licences)	852.9	0.0
Reversal of write-downs and impairment	9.9	0.0
Total charges	862.8	0.0

Procurement and contract management

The ACMA's approach to procurement activity is driven by the core principles of the Commonwealth's financial management framework. The framework encourages competition, value for money, transparency and accountability, as well as the efficient, effective, ethical and economical use of Commonwealth resources.

During 2019–20, we continued to enhance our procurement and contract management capability by conducting staff training as part of a broader Managing Corporate Responsibilities program. Additionally, ongoing revisions are made to our resource materials to accommodate legislative changes in Commonwealth procurement policy. The ACMA met the requirements of the Commonwealth Procurement Rules (CPR) for all procurements.

Consultants

The ACMA and eSafety engages consultants to provide specialised services when the capability or capacity to perform these in-house is not available, or where there is a requirement for independent advice.

The policy for selecting and engaging consultants is in accordance with the CPR and based on the core principle of achieving value for money. The majority of consultants were engaged following an open approach to market and use of panel arrangements. The main categories for consultancies in 2019–20 were legal advice and research.

During 2019–20, 77 new consultancy contracts were entered into involving total actual expenditure of \$1,734,334. In addition, 38 ongoing consultancy contracts were active during the period, involving total actual expenditure of \$ 1,835,249.

Annual reports contain information about actual expenditure on contracts for consultancies. Information on the value of contracts and consultancies is available on the AusTender website at tenders.gov.au.

Table 1.19: Number and expenditure on new consultancy contracts, 2019–20

	Number	Total expenditure (\$ incl. GST)
ACMA	58	1,030,174
eSafety	19	704,160
Total	77	1,734,334

Table 1.20: Number and expenditure on ongoing consultancy contracts, 2019–20

	Number	Total expenditure (\$ incl. GST)
ACMA	26	1,338,880
eSafety	12	496,369
Total	38	1,835,249

Table 1.21: Total expenditure on consultancy contracts, 2017–18 to 2019–20

Year	New consultancies	Continued consultancies
2017–18	\$2,783,350	\$670,600
2018–19	\$1,784,768*	\$1,942,089
2019–20	\$1,734,334	\$1,835,249

* This figure has been restated from that published in the Annual report 2018–19 to remove duplicated consultancy expenditure.

Contractors

The ACMA and eSafety engage contractors to perform day-to-day duties under its direction and supervision. The policy for selecting and engaging contractors, including the use of standing panel arrangements, is in accordance with the CPRs and based on the core principle of achieving value for money.

Table 1.22: Total expenditure on contractors, 2017–18 to 2019–20

Year	ACMA (\$ incl GST)	eSafety (\$ incl GST)	Total
2017–18	\$4,315,275	\$6,192,521	\$10,507,796
2018–19	\$4,929,890	\$6,959,270	\$11,889,160
2019–20	\$5,031,149	\$8,543,431	\$13,574,580

Note: This table includes both administered and departmental expenditure on contractors.

Procurement initiatives to support small business

The ACMA supports small business and Indigenous participation in the Commonwealth Government procurement market, consistent with the CPR. Small and medium enterprises (SMEs), and Indigenous participation statistics are available on the Department of Finance's website.

We recognise the importance of ensuring that small businesses are paid on time and implement efficient and timely receipting and payment practices to ensure that supplier payments are made within 20 calendar days or fewer. The results of the Australian Government's Pay On-Time survey performance are available on the Department of Industry, Science, Energy and Resources website, industry.gov.au.

Our procurement practices support SMEs, consistent with paragraph 5.4 of the CPR, by adopting initiatives or practices including:

- > use of the Commonwealth Contracting Suite for low-risk procurements valued under \$200,000
- > Australian Industry Participation Plans in whole-of-government procurement, where applicable
- > the Small Business Engagement Principles (outlined in the government's Industry Innovation and Competitiveness Agenda), such as communicating in clear, simple language and presenting information in an accessible format
- > electronic systems or other processes used to facilitate on-time payment performance, including the use of payment cards.

Competitive tendering

No contracts have been let for the delivery of government activities previously performed by a Commonwealth agency.

Access by Auditor-General

No contracts have been let that prevent access by the Auditor-General.

Exemptions from reporting of Commonwealth contracts

No exemptions have been sought or granted for the non-reporting of Commonwealth contracts on AusTender.

Grant programs

Information on grants awarded by the ACMA under the Regional and Small Publishers Innovation Fund during 2019–20 is available at grants.gov.au and in Appendix 7 of this report.

Asset management

The ACMA's asset management procedures and policies reflect relevant legislation and best practice. Major asset categories include land, buildings, leasehold improvements, plant, equipment and intangibles such as software that is either developed in-house or bought from third-party vendors. Assets are valued at fair value, with their carrying values and useful lives being reviewed annually. With the implementation of the new accounting standard on leases, AASB 16 *Leases*, the ACMA also recognises a right-of-use asset for its major office leases.

At the end of 2019–20, the ACMA had a total value of \$78.7 million in net nonfinancial assets (excluding pre-payments).

Property management

The ACMA's property portfolio includes leased, licensed and Commonwealth-owned premises, ranging from office accommodation in the major capital cities to small radio monitoring sites at remote locations. Despite the impact of COVID-19, we are continuing to review our office accommodation in accordance with the Commonwealth Property Management Framework and recommendations from the ACMA Strategic Accommodation Plan, including:

- > ensuring office accommodation and layout supports the workforce during and after the COVID-19 pandemic
- > reducing our accommodation footprint, consistent with the government occupational density target, through the negotiation of new commercial lease terms and conditions
- > pursuing co-location opportunities associated with a whole-of-government approach to strategic decision making
- > developing efficient and effective space utilisation solutions
- > disposal of ACMA-owned property surplus to our requirements.

Ecologically sustainable development and environmental performance

In 2019–20, we continued our commitment to ecologically sustainable development (ESD) through a methodical approach to planning, implementing and monitoring our environmental performance through programs and policies that are in accordance with current legislation, whole-of-government requirements and environmental best practice.

Environmental impact of our operations

The Energy Efficiency in Government Operations (EEGO) Policy contains minimum energy performance standards for Australian Government office buildings as a strategy for achieving energy targets. This ensures that entities progressively improve their performance through the procurement and ongoing management of energy efficient office buildings and environmentally sound equipment and appliances.

As part of our strategic accommodation planning, we undertake to meet the requirements of the Green Lease Schedule. This provides that for tenancies of greater than 2,000 m² and with a lease term greater than two years, the accommodation will meet:

- > the 'A' grade standard of the Building Owners and Managers Association International guidelines
- > a minimum National Australian Built Environment Rating System rating of 4.5 stars.

Energy consumption

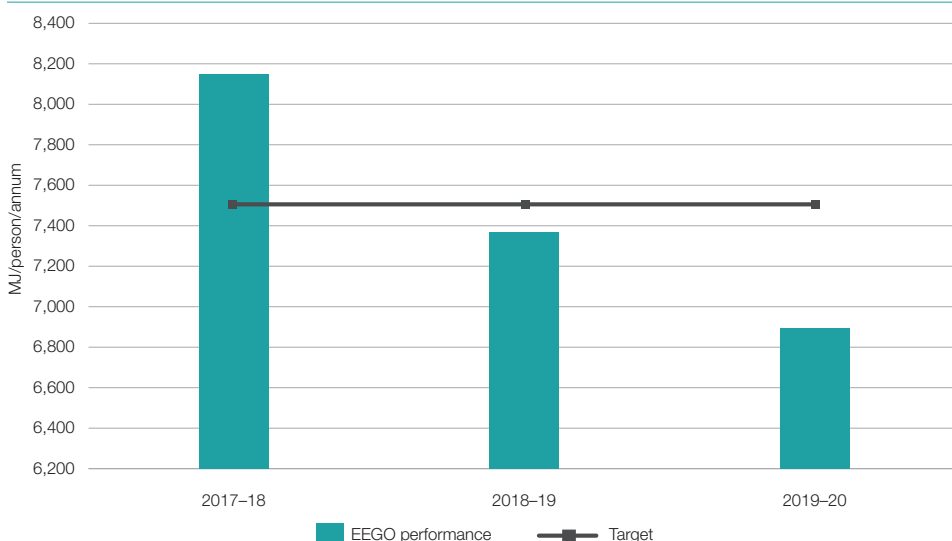
The ACMA is required to meet the target of no more than 7,500 megajoules (MJ) per person, per annum, for office tenant light and power under the EEGO Policy. In 2019–20, we met this target, using 6,894 MJ per person, per annum.

This achievement reflects our efforts to reduce energy consumption in our leased property portfolio through technology such as:

- > T5 fluorescent and movement-activated sensor lighting
- > double glazed windows
- > energy efficient heating
- > ventilation
- > air-conditioning systems.

We also encouraged staff participation in Earth Hour 2020 by switching off non-essential building lights, terminals, monitors and office equipment at all of its properties around Australia.

Figure 1.5: ACMA electricity consumption



Vehicle fleet management

In 2019–20, we operated 13 vehicles, which travelled a total of 209,859 kilometres, resulting in an energy consumption of approximately 4.25MJ/km. During the year, we began the process of renewing our fleet, with a focus on energy consumption as well as price.

Waste management

We are committed to protecting the environment through the implementation of efficient and effective waste management programs including segregated waste streams to improve the management of general waste, comingled recycling and cardboard and paper recycling. The ACMA's aim is to increase the amount of recycled waste as a proportion of total waste.

The increasing uptake of digital record-keeping by the ACMA has, however, seen a reduction in office paper consumption, which in turn has led to reduction in paper recycling.

Additional material recycling efforts include the recycling of printer and toner cartridges, batteries, and mobile phones to ensure these items are diverted from landfill and used in sustainable programs.

We continue to champion existing environmental management initiatives including:

- > using video conferencing as a sustainable alternative to travel
- > reducing unnecessary printing by requiring a two-stage printing activation through our cloud-based printing system
- > using 100 per cent recycled copy paper
- > implementing forced 'out-of-hours' computer terminal shutdown
- > using sensor lighting in offices, with a timer mechanism switching lighting off when rooms are not occupied
- > producing environmentally sustainable communications products, including using alternatives to paper products and forms whenever possible.

Security

All statutory reporting requirements were met in 2019–20, including mandatory participation in the Protective Security Policy Framework compliance reporting, conducted by the Attorney-General's Department.

Corporate support services provided by the ACMA to eSafety

To assist eSafety, the ACMA provides the following services:

- > finance and accounting
- > procurement and contract management
- > accommodation and facilities
- > human resource management
- > information and communications technology
- > legal services.

Legal

Freedom of information

The ACMA is subject to the *Freedom of Information Act 1982* (FOI Act), which requires agencies to publish information as part of the Information Publication Scheme (IPS), under Part II of the FOI Act. Information on the ACMA's IPS, including our agency plan, can be found on the ACMA website at acma.gov.au.

The agency plan provides a description of, and links to, the categories of information that we are required to publish, as well as information on other material that we voluntarily publish. Further information can be obtained using the contact details provided in the agency plan.

FOI details relating to the Office of the eSafety Commissioner can be found under 'Accountability arrangements' in *Part 2—Office of the eSafety Commissioner annual report 2019–20*.

Sunsetting

During 2019–20, we continued the work that flows from the 'sunsetting' regime in the Legislation Act 2003 (LA). Under the sunsetting provisions of the LA, most of the legislative instruments made by Commonwealth agencies such as the ACMA 'sunset' (are automatically repealed) 10 years after they are first registered as law.

In the reporting period, five instruments were due to sunset. Of those, two instruments were automatically repealed, and we revoked and replaced one instrument prior to the instrument's sunset date. The sunset dates for two instruments were deferred to 1 April 2021 and 1 October 2021, respectively.

Directions and instruments

Section 57 of the *Australian Communications and Media Authority Act 2005* (ACMA Act) requires copies of certain directions and instruments to be included in the ACMA's annual report, including directions given to us by the Minister for Communications, Cyber Safety and the Arts (the Minister) under section 14 of the ACMA Act, and instruments (directions) given by us to a carrier or carriage service provider under section 581 of the Telecommunications Act during the financial year.

Additionally, section 67 of the ACMA Act requires us to maintain a register of all directions given to us under that Act or any other Act. The register is published on the ACMA website.

Between 1 July 2019 and 30 June 2020, the ACMA was given one direction by the Minister under section 14 of the ACMA Act. The Australian Communications and Media Authority (Modifications to Apparatus and Spectrum Licences Taxes) Direction 2020 (F2020L00590) was made on 15 May 2020 and registered on 19 May 2020. A copy of this direction can be accessed on the Federal Register of Legislation at [legislation.gov.au](https://www.legislation.gov.au).

The ACMA did not give any directions during the financial year under section 581 of the Telecommunications Act.

Regulatory impact analysis compliance report

The Office of Best Practice Regulation manages and monitors regulatory impact analysis requirements and is required to report annually on regulatory impact compliance by Australian Government departments and agencies.

In 2019–20, the ACMA undertook 23 preliminary assessments, two independent reviews and one regulatory impact statement as a result of a Ministerial Direction for regulations to be made or tabled.

Appendixes

Appendix 1: Committees, memberships and attendance at meetings

Authority meetings

During 2019–20, the Authority met 55 times.

Table 1.23: Attendance by members at Authority meetings, 2019–20

Authority Member	No. of meetings attended
Nerida O'Loughlin, Chair	51
Creina Chapman, Deputy Chair and CEO	53
Chris Jose	46
Fiona Cameron	53
James Cameron	52
Anita Jacoby (Associate Member)	20
Cristina Cifuentes (Associate Member)	9
Delia Rickard (Associate Member)	6

For more details about the Authority, refer to the 'Overview – The Authority' section of this report.

Executive Management Committee meetings

During 2019–20, the EMC met 23 times.

Table 1.24: Attendance at Executive Management Committee meetings, 2019–20

Member of Executive Management Committee	No. of meetings attended
Nerida O'Loughlin, Chair	20
Creina Chapman, Deputy Chair and CEO	21
Brendan Byrne, General Manager, Legal Services Division	22
Cathy Rainsford, General Manager, Content and Consumer Division*	7
Jonquil Ritter, Acting General Manager, Content and Consumer Division†	14
Helen Owens, General Manager, Corporate and Research Division	22
Linda Caruso, General Manager, Communications Infrastructure Division	20

* Cathy Rainsford commenced in the role of General Manager, Content and Consumer Division in March 2020.

† Jonquil Ritter acted as the General Manager, Content and Consumer Division from July 2019 until March 2020.

Audit and Risk Committee

In its capacity as an advisory committee to the ACMA Chair, the Audit and Risk Committee met five times in 2019–20.

Audit and Risk Committee members employed by the ACMA provide insight to the ACMA's business operations. Internal members are appointed for a two-year term.

The Audit Committee charter is available on the ACMA website at:
acma.gov.au/compulsory-reporting#audit-risk-and-committee-charter.

Table 1.25: Audit and Risk Committee

Member name	Qualifications, knowledge, skills or experience (include formal and informal as relevant)	Number of meetings attended / total number of meetings	Total annual remuneration (\$)
Ian McPhee AO PSM	Public sector and industry experience including as a company director, audit committee chair/member, chair of various governance reviews, and Auditor-General for Australia 2005–15. B. Bus (Accountancy), BA (Computing Studies), FCPA, FCA, FIPAA, GAICD	5 / 5	20,000.00
Fay Holthuizen	Communications and media environment experience, government and public sector experience, sound understanding of ACMA business, services and operating context, Commonwealth performance management framework, risk management policy and relevant legislative and policy requirements. B. Commerce	3 / 3 (Term completed in December 2019)	8,616.40
Jeremy Chandler	Senior executive roles within Commonwealth Government, former Chief Operating Officer and Chief Financial Officer, Gateway Review team leader for major Commonwealth programs and projects, experience in change management, organisational capability, leadership and executive coaching. FCPA, FIML, qualified Executive Coach	5 / 5	12,104.14
Karen Toole	Public sector and industry experience including former Chief Financial Officer in the Commonwealth Government, audit committee member, treasurer of a not-for-profit board, experience in audit, systems of control, finance and risk management, program management, stakeholder management, strategic planning and ICT management. B. Commerce, BSc, FCA	2 / 2 (Term commenced in January 2020)	4,000.00
Michael Parkinson	Experience in internal auditing, internal control, risk management, information technology, management guidance and the Commonwealth performance framework. CIA, CISA, CRISC, CRMA	2 / 2 (Term completed in September 2019)	3,164.55
Allan Major	Public sector experience including former Executive Manager of Finance & Facilities Branch of the ACMA and audit committee member. M. Comm (Professional Accounting)	5 / 5	0
Patrick Belton	Communications and media law experience, government and administrative law, corporate and commercial law, Commonwealth performance and procurement frameworks and Commonwealth projects. LLB (Hons), BSc (Hons)	5 / 5	0

ACMA advisory and consultative bodies

Consumer Consultative Forum (CCF)

Chair

- > Fiona Cameron, Authority Member, Australian Communications and Media Authority

Consumer representatives

- > Standing member: Australian Communications Consumer Action Network

The following consumer representatives were appointed for a three-year term in September 2018:

- > Consumer Policy Research Centre
- > Country Women's Association
- > Deaf Australia
- > Federation of Ethnic Communities' Council of Australia
- > Legal Aid NSW
- > NSW Business Chamber
- > South Australian Council of Social Services
- > WEstjustice

Representatives from industry bodies

- > Australian Mobile Telecommunications Association
- > Communications Alliance

Regulatory and government representatives

- > Australian Competition and Consumer Commission
- > Telecommunications Industry Ombudsman
- > Department of Infrastructure, Transport, Regional Development and Communications

Numbering Advisory Committee (NAC)

Chair

- > Chris Jose, Authority Member, Australian Communications and Media Authority

Consumer representatives

- > Australian Communications Consumer Action Network

Representatives from industry bodies

- > AAPT Ltd
- > Australian Phone Word Association Ltd
- > Communications Alliance
- > Lawrence Glen Clarke (resigned 13 March 2020)
- > MyNetFone Ltd
- > SingTel Optus Pty Ltd
- > Telstra Corporation Ltd
- > Vodafone Hutchison Australia Pty Ltd

Regulatory and government representatives

- > Australian Competition and Consumer Commission
- > Department of Infrastructure, Transport, Regional Development and Communications

Appendix 2: Staffing information

This appendix contains staffing details for the ACMA and eSafety on a headcount basis. Other than the Commissioner, all employees working for eSafety remain employed by the ACMA under the Public Service Act.

Table 1.26: All ongoing employees—current report period (2019–20)

Location	Male			Female			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	
NSW	42	2	44	64	17	81	125
Qld	5	-	5	2	1	3	8
SA	-	-	-	-	-	-	-
Tas.	1	-	1	-	-	-	1
Vic.	78	2	80	62	22	84	164
WA	-	-	-	-	-	-	-
ACT	66	2	68	56	13	69	137
NT	-	-	-	-	-	-	-
Overseas	-	-	-	-	-	-	-
Total	192	6	198	184	53	237	435

Note: The ACMA had no staff recorded in the human resource information system as indeterminate.

Table 1.27: All ongoing employees—previous report period (2018–19)

Location	Male			Female			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	
NSW	39	3	42	67	17	84	126
Qld	7	-	7	1	2	3	10
SA	-	-	-	-	-	-	-
Tas.	1	-	1	-	-	-	1
Vic.	70	1	71	55	28	83	154
WA	-	-	-	-	-	-	-
ACT	58	3	61	56	12	68	129
NT	-	-	-	-	-	-	-
Overseas	-	-	-	-	-	-	-
Total	175	7	182	179	59	238	420

Note: The ACMA had no staff recorded in the human resource information system as indeterminate.

Table 1.28: All non-ongoing employees—current report period (2019–20)

Location	Male			Female			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	
NSW	1	-	1	1	2	3	4
Qld	1	-	1	-	-	-	1
SA	-	-	-	-	-	-	-
Tas.	-	-	-	-	-	-	-
Vic.	5	-	5	4	1	5	10
WA	-	-	-	-	-	-	-
ACT	3	-	3	6	1	7	10
NT	-	-	-	-	-	-	-
Overseas	-	-	-	-	-	-	-
Total	10	-	10	11	4	15	25

Note: The ACMA had no staff recorded in the human resource information system as indeterminate.

Table 1.29: All non-ongoing employees—previous report period (2018–19)

Location	Male			Female			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	
NSW	1	-	1	3	2	5	6
Qld	1	-	1	-	-	-	1
SA	-	-	-	-	-	-	-
Tas.	-	-	-	-	-	-	-
Vic.	5	1	6	3	1	4	10
WA	-	-	-	-	-	-	-
ACT	5	-	5	3	1	4	9
NT	-	-	-	-	-	-	-
Overseas	-	-	-	-	-	-	-
Total	12	1	13	9	4	13	26

Note: The ACMA had no staff recorded in the human resource information system as indeterminate.

Australian Public Service (APS) classification and gender

Table 1.30: Public Service Act ongoing employees—current report period (2019–20)

Classification	Male			Female			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	
SES 3	-	-	-	-	-	-	-
SES 2	1	-	1	4	-	4	5
SES 1	8	-	8	4	-	4	12
EL 2	30	-	30	34	1	35	65
EL 1	76	4	80	61	28	89	169
APS 6	46	2	48	48	20	68	116
APS 5	21	-	21	17	2	19	40
APS 4	5	-	5	12	1	13	18
APS 3	1	-	1	1	1	2	3
APS 2	-	-	-	-	-	-	-
APS 1	-	-	-	-	-	-	-
Other*	4	-	4	3	-	3	7
Total	192	6	198	184	53	237	435

* The only staff included in the 'Other' category are ACMA graduates.

Note: The ACMA had no staff recorded in the human resource information system as indeterminate.

Table 1.31: Public Service Act ongoing employees—previous report period (2018–19)

Classification	Male			Female			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	
SES 3	-	-	-	-	-	-	-
SES 2	1	-	1	3	-	3	4
SES 1	6	-	6	3	-	3	9
EL 2	28	-	28	30	4	34	62
EL 1	67	6	73	60	27	87	160
APS 6	47	1	48	50	21	71	119
APS 5	18	-	18	15	3	18	36
APS 4	6	-	6	13	3	16	22
APS 3	-	-	-	1	1	2	2
APS 2	-	-	-	-	-	-	-
APS 1	-	-	-	-	-	-	-
Other*	2	-	2	4	-	4	6
Total	175	7	182	179	59	238	420

* The only staff included in the 'Other' category are ACMA graduates.

Note: The ACMA had no staff recorded in the human resource information system as indeterminate.

Table 1.32: Public Service Act non-ongoing employees—current report period (2019–20)

Classification	Male			Female			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	
SES 3	-	-	-	-	-	-	-
SES 2	-	-	-	-	-	-	-
SES 1	-	-	-	-	-	-	-
EL 2	-	-	-	1	-	1	1
EL 1	1	-	1	4	2	6	7
APS 6	7	-	7	3	2	5	12
APS 5	1	-	1	1	-	1	2
APS 4	1	-	1	2	-	2	3
APS 3	-	-	-	-	-	-	-
APS 2	-	-	-	-	-	-	-
APS 1	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
Total	10	-	10	11	4	15	25

Note: The ACMA had no staff recorded in the human resource information system as indeterminate.

Table 1.33: Public Service Act non-ongoing employees—previous report period (2018–19)

Classification	Male			Female			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	
SES 3	-	-	-	-	-	-	-
SES 2	-	-	-	-	-	-	-
SES 1	-	-	-				
EL 2	-	-	-	1	-	1	1
EL 1	3	-	3	1	2	3	6
APS 6	7	1	8	5	1	6	14
APS 5	1	-	1		1	1	2
APS 4	1	-	1	2	-	2	3
APS 3	-	-	-	-	-	-	-
APS 2	-	-	-	-	-	-	-
APS 1	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-
Total	12	1	13	9	4	13	26

Note: The ACMA had no staff recorded in the human resource information system as indeterminate.

Employment type by full-time and part-time status

Table 1.34: Public Service Act employees by full-time and part-time status—current report period (2019–20)

Classification	Ongoing			Non-ongoing			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	
SES 3	-	-	-	-	-	-	-
SES 2	5	-	5	-	-	-	5
SES 1	12	-	12	-	-	-	12
EL 2	64	1	65	1	-	1	66
EL 1	137	32	169	5	2	7	176
APS 6	94	22	116	10	2	12	128
APS 5	38	2	40	2	-	2	42
APS 4	17	1	18	3	-	3	21
APS 3	2	1	3	-	-	-	3
APS 2	-	-	-	-	-	-	-
APS 1	-	-	-	-	-	-	-
Other*	7	-	7	-	-	-	7
Total	376	59	435	21	4	25	460

* The only staff included in the 'Other' category are ACMA graduates.

Table 1.35: Public Service Act employees by full-time and part-time status—previous report period (2018–19)

Classification	Ongoing			Non-ongoing			Total
	Full-time	Part-time	Total	Full-time	Part-time	Total	
SES 3	-	-	-	-	-	-	-
SES 2	4	-	4	-	-	-	4
SES 1	9	-	9	-	-	-	9
EL 2	58	4	62	1	-	1	63
EL 1	127	33	160	4	2	6	166
APS 6	97	22	119	12	2	14	133
APS 5	33	3	36	1	1	2	38
APS 4	19	3	22	3	-	3	25
APS 3	1	1	2	-	-	-	2
APS 2	-	-	-	-	-	-	-
APS 1	-	-	-	-	-	-	-
Other*	6	-	6	-	-	-	6
Total	354	66	420	21	5	26	446

* The only staff included in the 'Other' category are ACMA graduates.

**Table 1.36: Public Service Act employment type by location—
current reporting period (2019–20)**

Location	Ongoing	Non-ongoing	Total
NSW	125	4	129
Qld	8	1	9
SA	-	-	-
Tas.	1	-	1
Vic.	164	10	174
WA	-	-	-
ACT	137	10	147
NT	-	-	-
Overseas	-	-	-
Total	435	25	460

**Table 1.37: Public Service Act employment type by location—
previous reporting period (2018–19)**

Location	Ongoing	Non-ongoing	Total
NSW	129	6	135
Qld	10	1	11
SA	-	-	-
Tas.	1	-	1
Vic.	154	10	164
WA	-	-	-
ACT	126	9	135
NT	-	-	-
Overseas	-	-	-
Total	420	26	446

Table 1.38: Public Service Act Indigenous employment—current report period (2019–20)

	Total
Ongoing	4
Non-ongoing	-
Total	4

Table 1.39: Public Service Act Indigenous employment—previous report period (2018–19)

	Total
Ongoing	3
Non-ongoing	-
Total	3

Arrangements of SES and non-SES employees

Table 1.40: Public Service Act employment arrangements—current report period (2019–20)

	SES	Non-SES	Total
ACMA Enterprise Agreement 2017–2020	-	443	443
Section 24(1) Determination	17	-	17
Total	17	443	460

Note: A total of 27 non-SES employees had individual flexibility arrangements in place during 2019–20 and are included in the ACMA Enterprise Agreement 2017–2020 total.

Salary ranges by classification level

Table 1.41: Public Service Act employment salary ranges by classification level (minimum/maximum)—current report period (2019–20)

	Minimum salary	Maximum salary
SES 3	-	-
SES 2	277,153	284,653
SES 1	209,382	224,413
EL 2	120,283	145,631 ²
EL 1	99,425	123,438 ³
APS 6	81,826	92,407
APS 5	74,241	80,159
APS 4	66,629	72,425
APS 3	59,488	64,691
APS 2	52,347	57,743
APS 1	46,588	51,321
Other	-	-
Total	46,588	284,653

² This is the EL 2.5 classification, which is restricted to employees who were grandfathered from ABA/ACA.

³ This is the top of the ACMA local designation Senior Lawyer, which is an EL1 equivalent.

Appendix 3: Executive remuneration

Table 1.42: Remuneration for key management personnel

Name	Position title	Short-term benefits (\$)			Post-employment benefits (\$)	Long-term benefits (\$)		Termination benefits (\$)	Total remuneration (\$)
		Base salary	Bonuses	Other benefits and allowances		Superannuation contributions	Long service leave	Other long-term benefits	
Nerida O'Loughlin	Chair	516,697	-	-	-	72,517	12,353	-	601,567
Creina Chapman	Deputy Chair	388,601	-	8,181	-	56,850	9,217	-	462,849
Julie Inman Grant	eSafety Commissioner	356,687	-	-	-	25,192	8,375	-	390,254
Linda Caruso	General Manager	279,441	-	-	-	46,391	6,924	-	332,756
Jonquill Ritter	Acting General Manager	172,769	-	34,468	-	28,795	4,723	-	240,755
Helen Owens	General Manager	275,190	-	-	-	47,630	6,924	-	329,744
Brendan Byrne	General Manager	286,879	-	-	-	40,966	6,924	-	334,769
Cathy Rainsford	General Manager	92,584	-	-	-	12,998	2,125	-	107,707
Rebecca Razavi	General Manager	58,989	-	-	-	8,865	1,334	-	69,188

Notes

- > Table 1.42 includes officers in a substantive key management personnel (KMP) role for any period during the financial year and officers acting in KMP roles for periods greater than three months. For these officers, the reported amounts reflect remuneration during these periods only.
- > Base salary includes:
 - > wages
 - > accrual of recreational leave entitlements.
- > Other benefits and allowances include:
 - > motor vehicle allowances
 - > allowances for higher duties
 - > other allowances under the relevant staff agreements.
- > Long service leave includes the accrual of entitlements.
- > For statutory office holders, the total remuneration reported in the above table includes elements outside the Remuneration Tribunal determination, such as the accrual of recreational and long service leave.

Table 1.43: Remuneration for senior executives

Total remuneration bands	Number of senior executives	Short-term benefits (\$)			Post-employment benefits (\$)	Long-term benefits (\$)		Termination benefits (\$)	Total remuneration (\$)
		Average base salary	Average bonuses	Average other benefits and allowances		Average long service leave	Average other long-term benefits		
\$0 – \$220,000	6	95,057	-	12,600	18,483	4,680	-	-	130,820
\$220,001 – \$245,000	2	191,876	-	1,213	26,911	4,791	-	-	224,791
\$245,001 – \$270,000	2	188,991	2,134	32,804	29,923	5,418	-	-	259,270
\$270,001 – \$295,000	6	232,841	-	580	40,738	5,626	-	-	279,785

Notes

- > Table 1.43 includes officers employed in a substantive SES role for any period during the financial year and officers acting in SES roles for periods greater than three months. For acting roles, the reported amounts reflect remuneration during these periods only.
- > Base salary includes:
 - > wages
 - > accrual of recreational leave entitlements.
- > ACMA SES officers are not paid bonuses. The average bonus in the table above reflects a bonus paid to an EL2 officer while acting in an SES role in 2019–20. This bonus related to 2018–19 performance when this officer was a substantive EL2.
- > Other benefits and allowances include:
 - > motor vehicle allowances
 - > allowances for higher duties
 - > other allowances under the relevant staff agreements.
- > Long service leave includes the accrual of entitlements.

Appendix 4: Telecommunications consumer protection compliance and enforcement outcomes

Appendix 4 includes information related to the ACMA's requirement under paragraphs 57(d) and 57(e) of the ACMA Act.

Investigations by the ACMA

Table 1.44 reports on the number and types of complaints made to the ACMA under Part 26 of the *Telecommunications Act 1997* and details of the subsequent investigations conducted during 1 July 2019 to 30 June 2020.

Table 1.44: Investigations conducted as a result of complaints made to the ACMA under Part 26 Telecommunications Act and the enforcement outcomes, 1 July 2019 to 30 June 2020

Entity/Entity type	Substance of complaint	Investigation outcome	Enforcement action
Spam Act 2003			
Oneflare Pty Ltd	Sending marketing SMS without consent	Breach of subsection 16(1)—sending or causing to be sent, commercial electronic messages to electronic addresses with an Australian link without consent. Breach of subsection 18(1)—sending or causing to be sent, commercial electronic messages without a functional unsubscribe facility.	\$75,600 infringement notice Enforceable undertaking
Singtel Optus Pty Limited	Sending marketing emails after consent was withdrawn and without an unsubscribe facility	Breach of subsection 16(1)—sending or causing to be sent, commercial electronic messages to electronic addresses with an Australian link, more than five business days after consent had been withdrawn by the relevant account holder. Breach of subsection 18(1)—sending or causing to be sent, commercial electronic messages without a functional unsubscribe facility.	\$504,000 infringement notice Enforceable undertaking
Woolworths Group Limited	Sending marketing emails after consent was withdrawn and without an unsubscribe facility	Breach of subsection 16(1)—sending or causing to be sent, commercial electronic messages to electronic addresses with an Australian link, more than five business days after consent had been withdrawn by the relevant account holder.	\$1,003,800 infringement notice Enforceable undertaking
A total of three investigations were conducted under the <i>Telecommunications Act 1997</i> from the 6,858 complaints received about alleged breaches of the <i>Spam Act 2003</i> .			

Entity/Entity type	Substance of complaint	Investigation outcome	Enforcement action
Do Not Call Register Act 2006 (DNCR Act) and Telecommunications (Telemarketing and Research Calls) Industry Standard 2017			
TownandCountry Solar.com.au Pty Ltd	Making telemarketing calls to numbers on the Do Not Call Register (DNCR) without consent	Breach of subsection 11(1) of the DNCR Act—making telemarketing calls to Australian numbers registered on the DNCR without consent.	Formal warning Enforceable undertakings
1st Energy Pty Ltd	Not having adequate contractual arrangements in place with call centres	Breach of subsection 12(1) of the DNCR Act—entering into agreements for telemarketing services that did not contain an express provision requiring compliance with the DNCR Act. Breach of subsection 139(1) of the Telecommunications Act—entering into agreements for telemarketing services that did not contain an express provision requiring compliance with Part 6 of the Telecommunications Act.	\$2,100 infringement notice
Wyndham Destinations Asia Pacific Pty Ltd	Making telemarketing calls to numbers on the DNCR without consent and not ending the call immediately when asked	Breach of subsection 11(1) of the DNCR Act—making telemarketing calls to Australian numbers registered on the DNCR without consent. Breach of section 128 of the Telecommunications Act for failing to comply with paragraph 13(1)(b) of the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017—failing to immediately terminate calls when the call recipient asked for the call to be terminated or otherwise indicated that they did not want the call to continue.	\$159,600 infringement notices
Wise Business Group (trading as Eco Wise Energy) Pty Ltd	Making telemarketing calls to numbers on the DNCR without consent	Breach of subsection 11(1) of the DNCR Act—making telemarketing calls to Australian numbers registered on the DNCR without consent.	Formal warning
Ausgreen International (trading as Ausgreen Solar) Pty Ltd	Making telemarketing calls to numbers on the DNCR without consent	Breach of subsection 11(1) of the DNCR Act—making telemarketing calls to Australian numbers registered on the DNCR without consent.	Formal warning
Suntech Solar (trading as Ausuntech Energy) Pty Ltd	Making telemarketing calls to numbers on the DNCR without consent	Breach of subsection 11(1) of the DNCR Act—making telemarketing calls to Australian numbers registered on the DNCR without consent.	\$4,200 infringement notice

Entity/Entity type	Substance of complaint	Investigation outcome	Enforcement action
Grand Group Pty Ltd	Making telemarketing calls to numbers on the DNCR without consent	Breach of subsection 11(1) of the DNCR Act—making telemarketing calls to Australian numbers registered on the DNCR without consent.	\$4,200 infringement notice
Data One Communications (trading as Pioneer Solar) Pty Ltd	Making telemarketing calls to numbers on the DNCR without consent	Breach of subsection 11(1) of the DNCR Act—making telemarketing calls to Australian numbers registered on the DNCR without consent.	Formal warning Enforceable undertaking
BVivid Pty Ltd	Making telemarketing calls to numbers on the DNCR without consent	Breach of subsection 11(1) of the DNCR Act—making telemarketing calls to Australian numbers registered on the DNCR without consent.	Formal warning Enforceable undertaking
Green Sales Pty Ltd	Making telemarketing calls to numbers on the DNCR without consent, not ending the call immediately when asked and not providing required information at the start of the call	<p>Breach of subsection 11(1) of the DNCR Act—making telemarketing calls to Australian numbers registered on the DNCR without consent.</p> <p>Breach of section 128 of the Telecommunications Act for failing to comply with paragraph 9(2)(b) of the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017—the caller failing to provide their employer's company name as soon as the call start.</p> <p>Breach of section 128 of the Telecommunications Act for failing to comply with paragraph 9(2)(e) of the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017—the caller failing to provide the purpose of the call as soon as the call starts.</p> <p>Breach of section 128 of the Telecommunications Act for failing to comply with paragraph 13(1)(b) of the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017—failing to immediately terminate calls when the call recipient asked for the call to be terminated or otherwise indicated that they did not want the call to continue.</p>	\$50,400 infringement notice

Entity/Entity type	Substance of complaint	Investigation outcome	Enforcement action
Liberal Party of Australia (SA Division)	Making or attempting to make research calls during prohibited calling times	Breach of section 128 of the Telecommunications Act for failing to comply with section 8 of the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017 — making or attempting to make calls to Australian numbers during prohibited calling times.	Formal warning
Illawarra Regional Information Service (IRIS Research)	Making or attempting to make research calls without calling line identification enabled	Breach of section 128 of the Telecommunications Act for failing to comply with section 14 of the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017 — making or attempting to make calls to Australian numbers without enabling call line identification.	Formal warning
Enxo Energy Pty Ltd trading as Energy Deal	Making telemarketing calls and not ending the call immediately when asked	Breach of section 128 of the Telecommunications Act for failing to comply with paragraph 13(1)(b) of the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017 — failing to immediately terminate calls when the call recipient asked for the call to be terminated or otherwise indicated that they did not want the call to continue.	Enforceable undertaking
Solar products and services provider	Making telemarketing calls to numbers on the DNCR without consent	No breach of subsection 11(1) of the DNCR Act — making telemarketing calls to Australian numbers registered on the DNCR without consent.	n/a
Solar products and services provider	Making telemarketing calls to numbers on the DNCR without consent	No breach of subsection 11(1) of the DNCR Act — making telemarketing calls to Australian numbers registered on the DNCR without consent.	n/a
Solar products and services provider	Making telemarketing calls to numbers on the DNCR without consent	No breach of subsection 11(1) of the DNCR Act — making telemarketing calls to Australian numbers registered on the DNCR without consent.	n/a
Solar products and services provider	Making telemarketing calls to numbers on the DNCR without consent	No breach of subsection 11(1) of the DNCR Act — making telemarketing calls to Australian numbers registered on the DNCR without consent	n/a

Entity/Entity type	Substance of complaint	Investigation outcome	Enforcement action
Solar products and services provider	Making telemarketing calls to numbers on the DNCR without consent	No breach of subsection 11(1) of the DNCR Act—making telemarketing calls to Australian numbers registered on the DNCR without consent	n/a
A total of 18 investigations were conducted under the <i>Telecommunications Act 1997</i> from the 30,603 complaints received about alleged non-compliance with the <i>Do Not Call Register Act 2006</i> and the Telecommunications (Telemarketing and Research Calls) Industry Standard 2017.			
Telecommunications Integrated Public Number Database Scheme 2017			
Localsearch Operations Pty Ltd	Publishing a customer's unlisted telephone number in a phone directory	<p>Breach of subparagraph 3.12(9) (c)(i) (releasing a document containing unlisted number customer data).</p> <p>Breach of paragraph 3.12(9) (d) (did not securely destroy all the unlisted number customer data within 10 business days of being notified the number was unlisted).</p> <p>Breach of subparagraph 3.12(15)(a)(i) (did not advise complainant that if they were dissatisfied with the way in which the complaint was handled, the customer could make a complaint to the Information Commissioner).</p> <p>Breach of paragraph 3.12(15) (b) (did not provide the complainant contact details of the Information Commissioner).</p> <p>Breach of paragraph 3.12(21) (c) (failed to notify the ACMA in writing as soon as practicable after becoming aware that it had breached a relevant requirement).</p> <p>Breach of paragraph 3.12(21) (d) (failed to take all reasonable steps to minimise the effects of the issue as soon as practicable).</p>	Formal warning
One investigation was conducted under the <i>Telecommunications Act 1997</i> from the one complaint received about alleged non-compliance with the Telecommunications Integrated Public Number Database Scheme 2017.			
Determination made under Part 8 of the <i>Telecommunications (Consumer Protection and Service Standards) Act 1999</i>			
No investigations were conducted from the four complaints received about alleged breaches of the Telecommunications (Emergency Call Service) Determination 2009.			
Codes registered under Part 6 of the <i>Telecommunications Act 1997</i>			
No investigations were conducted from the four complaints received about alleged breaches of the Handling of Life Threatening and Unwelcome Communications (C525:2017).			

Note: A single investigation can concern multiple complaints.

ACMA's operations on industry codes and industry standards

The following section includes information related to the ACMA's operation of Part 6 of the *Telecommunications Act 1997*. During 2019–20, two codes were revised by Communications Alliance (CA), and the varied codes were registered by the ACMA, and one industry standard was made and registered by the ACMA in response to combating mobile number porting fraud scams.

C555:2019 Integrated Public Number Database (IPND) Industry Code

C555:2019 Integrated Public Number Database (IPND) Industry Code – Revision was registered in March 2020. The revision sought to rectify three deficiencies in the Code identified by the ACMA. Broadly, the amendments seek to:

- > clarify that all numbers issued to a customer by a carriage service provider (CSP) are required to be listed in the IPND, and give greater clarity of the number types that are required to be in the IPND
- > set out what a CSP must do to reconcile Public Number Customer Data (PNCD) against their own customer data, including a mandatory obligation to review and action Changed Data Provider Reports issued by the IPND Manager
- > make reconciliation of PNCD compulsory between a CSP's customer systems and the IPND at least once every six months.

The revised Code makes it important for data providers to promptly and consistently provide information to the IPND. Similarly, it is important for data users to ensure consistency and prompt provision of information from the IPND.

C625:2020 Information on Accessibility Features for Telephone Equipment Industry Code

C625:2020 Information on Accessibility Features for Telephone Equipment Industry Code – Revision was registered in April 2020. Under the Code, equipment suppliers can provide information about accessibility features of equipment in a prescribed matrix. The revision replaced the Operational Matrices for Reporting on Accessibility Features for Telephone Equipment Industry Guideline (G627:2009) with the Accessibility Features Matrix. The new matrix aligns with the accessibility features reported within the Mobile & Wireless Forum Global Accessibility Reporting Initiative (GARI).

The revised Code continues to facilitate the provision of useful information to CSPs to assist them to guide consumers in choosing the most appropriate telecommunications equipment to meet their specific needs. The revised Code also ensures that consumers can approach equipment suppliers directly for information on equipment features, by requiring them to have a publicly available contact point for consumers.

Industry standards

During 2019–20, one industry standard was made and registered by the ACMA in response to combating mobile number porting fraud scams:

Telecommunications (Mobile Number Pre-Porting Additional Identity Verification) Industry Standard 2020

The Telecommunications (Mobile Number Pre-Porting Additional Identity Verification) Industry Standard 2020 commenced in April 2020. The new standard was made under subsection 125AA(1) of the Telecommunications Act and in accordance with the Telecommunications (Industry Standard for Mobile Number Pre-Porting Additional Identity Verification) Direction 2019. This standard requires CSPs to use additional identity verification measures before porting a mobile service number.

The objectives of this industry standard are, without limitation, to:

- > prevent the unauthorised porting of mobile service numbers
- > reduce harm to customers from the unauthorised porting of mobile service numbers
- > require gaining carriage service providers to take reasonable steps to confirm that the person requesting a port:
 - > is the rights of use holder of the mobile service number to be ported
 - > has direct and immediate access to a mobile device associated with that mobile service number.

This standard will enhance safeguards against fraudulent number porting.

The ACMA maintains a register of the industry codes and standards on our website at acma.gov.au/register-telco-industry-codes-and-standards.

Appendix 5: Disclosures of information

Customer information provided to telecommunications carriers and CSPs is protected under Part 13 of the Telecommunications Act. Carriers and CSPs are prohibited from disclosing that information to other parties—except in limited circumstances—and are required to report specific disclosures to the ACMA under section 308 of the Telecommunications Act.

The ACMA is required under paragraph 57(f) of the ACMA Act to include in its annual report information on disclosures of customer information made by carriers and CSPs during the reporting year. The disclosures made under Part 13 of the Telecommunications Act by carriers and CSPs, are included in reports to the ACMA under section 308 and are set out in Table 1.45 below for 2019–20.

Table 1.45: Disclosures made under Part 13 of the Telecommunications Act—by carriers and CSPs

Reason for disclosure	(Sub)section	Number of disclosures, 2019–20
Under the <i>Telecommunications Act 1997</i>		
Authorised by or under law	280	4,095
Made as a witness under summons	281	50
To assist the ACMA	284(1)	55,507 ⁴
To assist the eSafety Commissioner	284(1A)	0
To assist the ACCC	284(2)	20
To assist the TIO	284(3)	44,049
Calls to emergency service number	286	7,655
To avert a threat to a person's life or health	287	22,487
Communications for maritime purposes	288	0
With the knowledge or consent of the person concerned	289	1,008,841,738,842 ⁵
In circumstances prescribed in the Telecommunications Regulations 2001	292	0
Under the <i>Telecommunications (Interception and Access Act) 1979</i>		
Voluntary disclosure	177	17
Authorisations for access to existing information or documents—enforcement of the criminal law	178	541,072
Authorisations for access to existing information or documents—locating missing persons	178A	2,263
Authorisations for access to existing information or documents—enforcement of a law imposing pecuniary penalty or protection of the public revenue	179	330
Authorisations for access to prospective information or documents	180	201,961
Enforcement of the criminal law of a foreign country (existing information)	180A	66
Enforcement of the criminal law of a foreign country (prospective information)	180B	2
Total		1,008,842,618,416

Source: Carriers and carriage service providers.

⁴ This relates to information provided to the ACMA for investigations under section 510 of the Telecommunications Act.

⁵ This is primarily due to a CSP disclosing anonymised customer data to one of its related companies, with the consent of those customers. The customer data is combined with other data sources to provide insights about population movements.

Part 13 of the Telecommunications Act allows information contained in the IPND to be disclosed for the testing and operation of telephone-based emergency warning systems by state and territory governments. The number and type of disclosures made under subsections 295V(1) or 295V(2) of the Telecommunications Act in 2019–20, as reported to the ACMA under section 295ZC of the Telecommunications Act, are set out in Table 1.46.

**Table 1.46: Disclosures made under Part 13 of the Telecommunications Act—
by emergency management persons (EMP) for telephone-based emergency
warning systems**

Reason for disclosure	(Sub)section	Number of disclosures, 2019–20
Likely emergency	295V(1)	0
Actual emergency	295V(2)	17,126
Total		17,126

Appendix 6: Lawful disruption of access to online services by government agencies

If an Australian Government agency relies on subsection 313(3) of the Telecommunications Act to request internet service providers disrupt access to certain online services, they are required to follow the *Guidelines for the use of section 313(3) of the Telecommunications Act 1997 by government agencies for the lawful disruption of access to online services*. State and territory agencies are also encouraged to follow the guidelines. Agencies are advised to limit the use of subsection 313(3) in disrupting services to cases involving serious criminal or civil offences, or threats to national security.

The guidelines require agencies to report to the ACMA on the use of subsection 313(3) to disrupt online services and for this statistical information to be included in the ACMA's annual report.

Two agencies reported using subsection 313(3) of the Telecommunications Act to disrupt access to online services during the reporting period. This is reflected in tables 1.47 and 1.48 below.

Table 1.47: Requests to disrupt online services by agencies under section 313(3) of the Telecommunications Act

Reason for requests to disrupt services under section 313(3)	(Sub)section	Number of requests 2019–20
Enforcing the criminal law and laws imposing pecuniary penalties	313(3)(c)	8
Assisting the enforcement of the criminal laws in force in a foreign country	313(3)(ca)	0
Assisting the investigation and prosecution of: (i) crimes within the jurisdiction of the ICC (within the meaning of the <i>International Criminal Court Act 2002</i>) (ii) Tribunal offences (within the meaning of the <i>International War Crimes Tribunals Act 1995</i>)	313(3)(cb)	0
Protecting the public revenue	313(3)(d)	0
Safeguarding national security	313(3)(e)	0
Total number of disruption requests		8

Source: Government agencies.

Table 1.48: Online services blocked by agencies under section 313(3) of the Telecommunications Act

Reason for online services blocked under section 313(3)	(Sub)section	Number of services blocked 2019–20
Enforcing the criminal law and laws imposing pecuniary penalties	313(3)(c)	67
Assisting the enforcement of the criminal laws in force in a foreign country	313(3)(ca)	0
Assisting the investigation and prosecution of: (i) crimes within the jurisdiction of the ICC (within the meaning of the <i>International Criminal Court Act 2002</i>) (ii) Tribunal offences (within the meaning of the <i>International War Crimes Tribunals Act 1995</i>)	313(3)(cb)	0
Protecting the public revenue	313(3)(d)	0
Safeguarding national security	313(3)(e)	0
Total number of online services blocked		67

Source: Government agencies.

Appendix 7: Regional and Small Publishers Innovation Fund

The following information addresses the ACMA's requirement under section 205ZL of the BSA to report on information about the recipients of grants in accordance with section 46 of the PGPA Act.

Regional Grant Opportunity

In October 2019, the ACMA awarded 62 grants of financial assistance to grantees under the Regional Grant Opportunity (RGO). The ACMA subsequently executed grant agreements with 59 grantees (three grantees withdrew). Advice about executed agreements was published on GrantConnect within 21 days of execution.

Table 1.49: Grants awarded by the ACMA during 2019–20 under the Regional Grant Opportunity

Recipient name	Amount (excl. GST)	Purpose of grant
Alexandra Newspapers Pty Ltd	\$19,547.00	Publish weekly, large print editions of its newspapers
Australian Cybermalls Pty Ltd	\$71,740.00	Upgrade its current website and expand coverage to include real estate, business and tourism sections
Barham Media Pty Ltd ATF Shiloh Media Trust	\$60,000.00	Implement a news website and content management system
Beaconwood Holdings Pty Ltd	\$381,954.00	Develop multi-channel online news delivery capacity
Buloke Times	\$60,000.00	Purchase a digital publishing and technology package for a new website
Business News Australia Pty Ltd	\$286,000.00	Upgrade current website and implement a subscription management system
Cassowary Coast Independent News Pty. Ltd.	\$39,036.36	Support the creation of a weekly film segment on social media
Central Coast Newspapers Pty Ltd	\$158,500.00	Upgrade website and develop an integrated database and content management system
Condobolin Argus Pty Ltd*	\$84,072.00	Build digital and print circulation, update critical equipment and increase staff capabilities to improve digital presence (webpage and social media)
Croakey Health Media Ltd	\$142,000.00	Establish a customer relationship management database, develop social media analytics and website redevelopment
Diamond Valley Enterprises Pty Ltd as trustee for Lomas Family Trust	\$94,500.00	Design and develop a news website
Elliott Gippsland Newspapers Pty Ltd trading as Latrobe Valley Express Partnership	\$237,000.00	Acquire a content management system, develop a photo sales website and online classified advertising section
Elliott Midland Newspapers Pty Ltd	\$215,000.00	Purchase a content management system, develop a photo sales website and online classified advertising section

Recipient name	Amount (excl. GST)	Purpose of grant
Forty South Publishing Pty Ltd	\$249,206.37	Upgrade the current website and purchase content management system and customer relationship management tool
Giles Newspapers Pty. Ltd.	\$150,749.11	Implement a new digital platform to support the online paper
Gilgandra Newspapers Pty Ltd	\$232,920.00	Upgrade printing equipment and develop its current digital presence and technology capabilities
Gippslandia Ltd	\$265,000.00	Upgrade its website, produce podcasts and conduct market research
GJ Adams Trust	\$104,002.00	Develop capacity, skills and content via training to assist transitioning to an online environment
Graziher Publishing Pty Ltd	\$170,000.00	Employ journalists in rural and remote areas, develop an integrated content platform and appoint a dedicated designer
Greysen Enterprises Pty Ltd	\$179,091.00	Redevelop website and social media platforms
Indigenous Remote Communications Association Aboriginal and Torres Strait Islanders Corporation	\$382,500.00	Establish an online news sharing platform and network
James Yeates & Sons Pty Ltd	\$78,718.18	Purchase production equipment for a video and podcast content studio
Junkies Magazine Australia Pty Ltd	\$291,500.00	Purchase a digital publishing and technology package including content management system
King Media Regional Pty. Ltd.	\$335,341.00	Develop a digital platform and increase multimedia content and editorial outputs
Kvitko Holdings Pty Ltd	\$5,141.20	Upskill content writing and graphic design skills via training
Local Media Pty Ltd	\$65,454.00	Develop an online newspaper and expand journalistic content
Locolee Pty Ltd trading as Coonamble Times	\$52,000.00	Transition from its current print and limited online presence to a fully integrated multimedia content publisher
Longreach Printing Company Limited	\$217,475.00	Purchase a content management system to improve digital infrastructure
Lynwood Press	\$15,000.00	Design and develop a new website
Maryborough Regional Newspapers Pty. Ltd	\$112,000.00	Design and build a new website
McPherson Newspapers Proprietary Limited (Trading as McPherson Media Group)	\$160,000.00	Redesign existing website and content management system and develop classified and photo sales module
Mildura Weekly Pty Ltd	\$54,920.00	Implement a software solution that will streamline production and editorial functions
Moscol Group Pty Ltd	\$60,000.00	Create news website driven by a content management system
Myall Coast Communications Pty Ltd	\$139,382.00	Engage a reporter and an advertising expert and provide training to existing staff

Recipient name	Amount (excl. GST)	Purpose of grant
Narrandera Argus Pty Ltd	\$172,680.25	Design and build a new website and content management system
Newcastle Newspapers Pty Ltd	\$211,399.00	Develop an audio news/podcast department
Newstate Media Newcastle Pty Ltd	\$82,806.00	Create a new website and upgrade existing IT infrastructure
Newstate Media Pty Ltd	\$163,150.00	Upgrade existing website, publishing and editorial software, and recruit journalists to assist in delivering new content
North East Media Pty Ltd	\$317,000.00	Use a content management system and digital asset manager to consolidate all publications and online media into an online newsroom
Papers & Publications Pty Ltd	\$83,278.55	Upgrade desktop hardware, publishing software and purchase a new phone system
Phillip Island & San Remo Advertiser Pty Ltd	\$104,043.54	Develop a news website and purchase a content management system
Portasea Pty Ltd	\$217,320.00	Purchase a digital publishing and technology package, including content management system, for a new website
Propeller Media Pty Ltd	\$156,200.00	Upgrade existing publication and website
Quirindi Printing & Publishing Pty Ltd	\$40,335.04	Develop a new website, email portal and upgrade its computer systems
Research for Agriculture	\$210,000.00	Hold an industry event, publish and distribute an annual publication, and engage with tertiary institutions
RFP Enterprises Pty Ltd T/ AS Bendigo Magazine	\$90,800.00	Develop a new website and upgrade its customer relationship management system, and fund an advertising consultant and a digital marketing consultant
SCMH Enterprises Pty Ltd atf the Law Family Trust	\$53,999.70	Purchase a van for distribution, implement software and new system to boost its existing business
Shore Media	\$13,930.00	Design and develop a new website
Southern Cross Austereo Pty Ltd	\$250,000.00	Conduct a feasibility study and develop strategies for distribution of its new digital news content
Southern Star (NSW) Pty Ltd*	\$95,874.72	Build a new website and print colour wraps for its newspapers
Spilled Ink Pty Ltd*	\$17,300.00	Transition from an in-house server to a cloud-based server and acquire software upgrade and IT support
Star News Group Pty Ltd as Trustee for Ian Thomas Family Trust	\$170,049.00	Employ editorial personnel to increase types of content distributed through the digital channels
Sunraysia Publishing Co Pty Ltd	\$142,775.82	Purchase a customer relationship management system and a sales training program
Surf Coast News Australia Pty Ltd	\$129,993.00	Purchase production equipment to establish a video and podcast content studio

Recipient name	Amount (excl. GST)	Purpose of grant
Tarrangower Times Pty Ltd	\$102,000.00	Purchase a digital publishing and technology package to develop a new website and content management system
The Local Publishing Group Pty Ltd	\$210,000.00	Upgrade IT infrastructure and website and conduct initial marketing
Tropic Group Pty Ltd ATF Tropic Trust	\$55,000.00	Implement a community engagement campaign and generate community created content
Warracknabeal Herald Proprietary Limited	\$102,332.72	Upgrade existing digital services capabilities with new technology, hardware and software
Warragul Regional Newspapers P/L	\$205,000.00	Acquire a content management system and develop a new website
Warrumbungle Publications Pty Ltd	\$72,664.56	Upgrade existing website
Wilkie Watson Publications	\$257,841.90	Redevelop existing websites and upgrade existing IT infrastructure
YP Publishers PTY LTD	\$161,711.49	Develop a new website including a new newsroom content management system and provide training to staff
Total	\$9,059,234.51	

* Denotes a grantee that withdrew from the program before a grant agreement was executed.

Advice to the ACMA by the Advisory Committee

The Advisory Committee reviewed 100 applications of the 113 applications received for the RGO round. Thirteen applications were not reviewed as they did not progress past the eligibility assessment stage. The Advisory Committee recommended that, based on this assessment, 64 applications should be considered for full- or part-funding. The total amount recommended by the Advisory Committee was \$9,461,265.42.

Membership of the Advisory Committee is listed in Table 1.50. The advice provided by the Advisory Committee was consistent with the RGO objectives and outcomes and represent the application of the Advisory Committee's collective expertise and experience in publishing, journalism and business.

Table 1.50: Innovation Fund Advisory Committee members

Name	Organisation
Megan Brownlow (Chair)	Partner, PricewaterhouseCoopers (retired)
John Angillely	Expert nominee of Country Press Australia
Louisa Graham	CEO, Walkley Foundation
Michael Malone	Chairman, Superloop
Susan Skelly	Adjudication Panel Member, Australian Press Council

Recommendations to the ACMA

In general, the Advisory Committee looked favourably on applications that included one or more of the following features:

- > a well-articulated business case that:
 - > would increase the sustainability of the applicant's public interest journalism through a clear and realistic outcome by increasing revenue or circulation, or decreasing operating costs
 - > clearly linked requests for items to the business case and explained how they would support the business case or solve a market problem
- > a manageable proposal of a size and scope within the capacity of the applicant to implement
- > proposals to employ journalists or to provide additional resources and training for journalists to produce public interest journalism
- > proposals for a pilot program that could be expanded over time if successful or for research and development that could be used to come up with viable proposals in the future.

By contrast the Advisory Committee generally looked unfavourably on applications that:

- > contained ineligible components, for example, requests to fund activities that do not support the RGO objectives and outcomes
- > proposed an outdated, unproven or disproven technology solution, such as the reliance on app development, a paywall or server technology
- > sought funding for untested 'start-up' proposals to enter new markets in which the applicant had little expertise.

The Advisory Committee considered the quality of applications could be improved by:

- > adjusting the guidelines and application form for the next grant round
- > limiting text explaining the funding proposal to 200 words—to include information only about the key activities of the proposal
- > advising applicants to state explicitly how they will demonstrate (or plan to demonstrate) that market demand for their proposal exists and how meeting that demand will ensure sustainability
- > advising applicants to show how requested hardware is linked to a sound business strategy and supports business sustainability
- > requiring applicants to be as precise as possible when listing activities to be funded, including:
 - > not using general terms such as 'equipment', 'staffing', 'training' or bundling activities into non-specific groups of items or activities
 - > when referring to staff, being clear about the number required and their roles (for example, journalist, advertising sales)
 - > where possible, providing brand names of the items requested and the likely supplier of each item, in addition to describing what the item is.

2020 Round

On 24 April 2020, the ACMA opened the 2020 Round of the Regional and Small Publishers Innovation Fund (the 2020 Round), offering \$5 million in grants to regional and small metropolitan publishers. The application period closed on 22 May 2020 and an announcement of successful applicants was due to be made in July 2020. As at 30 June, the Advisory Committee had not provided any advice to the ACMA.

Appendix 8: Advertising expenditure and market research

This appendix contains information for both the ACMA and eSafety.

Advertising

During the reporting period, advertising was placed for a range of purposes, including public notices, legal notices, job vacancies and small-scale campaigns targeted to both consumer and industry audiences.

During 2019–20, the ACMA or eSafety did not undertake any advertising campaigns with expenditure in excess of \$250,000.

Total expenditure on advertising in 2019–20 was \$255,700.

Table 1.51: Expenditure on media advertising organisations, ACMA and eSafety, 2019–20

Organisation name	Purpose	Amount of payment (incl. GST)
ACMA expenditure:		
Universal McCann	Public notices and general advertising	\$203,856
eSafety expenditure:		
Facebook	General advertising	\$51,844
Total		\$255,700

Market research

Table 1.52: Expenditure on market research organisations, ACMA and eSafety, 2019–20

Organisation name	Purpose	Amount of payment (including GST)
ACMA expenditure		
Woolcott Research & Engagement	ACMA Customer Service Centre satisfaction survey 2020	\$27,500
Social Research Centre	ACMA Annual consumer survey 2020	\$123,657
Loneragan Research Pty Ltd	Credit assessment shadow shopping study	\$60,000
Heartward Strategic	Australians and news qualitative research	\$106,458
Social Research Centre	New omnibus quantitative survey	\$38,940
Engine Asia pacific	Telecommunications consumer experience research	\$341,727
ACMA total		\$698,282
eSafety expenditure		
Omnipoll Pty Ltd	COVID-19 omnibus survey	\$15,950
University of NSW	Research: Child exploitation during COVID-19	\$30,000
Queensland University of Technology	Qualitative research on technology-facilitated abuse of women with intellectual disability	\$21,450
Whereto Research	National adult e-safety online survey	\$165,000
Griffith University	Children and technology-facilitated abuse in domestic or family violence	\$230,830
Whereto Research	Qualitative research: Online safety of young people	\$28,600
Whereto Research	Understanding experiences and support needs of frontline workers	\$43,780
Queensland University of Technology	Online safety education—best practice framework	\$20,000
eSafety total		\$555,610
Total		\$1,253,892

Appendix 9: Data reported by regulated entities

Data about control of media assets

Notifications by foreign stakeholders

Foreign persons have an ongoing obligation to notify the ACMA if they become, or cease to be, a foreign stakeholder in an Australian media company. These notifications are recorded in the Register of Foreign Owners of Media Assets. Foreign stakeholders have further annual notification obligations, which are required by 31 July each year. Based on annual notifications provided during the reporting period, there were 94 foreign stakeholders in Australian media companies as at 30 June 2019.

Notifications of changes in control

Licensees, publishers and persons assuming control are obliged to notify the ACMA of changes in control of regulated media assets; namely, commercial radio broadcasting licences, commercial television broadcasting licences and associated newspapers.

The ACMA received notifications of 10 events that affected the control of media operations comprising:

- > five commercial television broadcasting licences
- > 31 commercial radio broadcasting licences
- > 15 associated newspapers.

The ACMA updated its public register with these new notifications, as well as our public database of regulated media assets and their controllers.

All notifications lodged with us in the reporting period for change-of-control events were processed within the statutory timeframes.

During the reporting period, we received two applications under section 67 of the *Broadcasting Services Act 1992* (the BSA) for prior approval of temporary breaches of the media control rules, and four applications under section 61AJ of the BSA for unacceptable media diversity situations. The applications related to proposals by Seven West Media Limited (Seven) and by Southern Cross Media Group Limited (SCA) (respectively) to enter into transactions that would result in breaches of the media control rules and the media diversity rules under the BSA. One of the applications under section 67 and two of the applications under section 61AJ of the BSA were subsequently withdrawn. The applications were finalised within the allowed statutory period of 45 days.

The ACMA also accepted an enforceable undertaking given by Seven under section 61AS of the BSA to remedy breaches of the media diversity rules under the BSA in six commercial radio licence areas in Western Australia and an enforceable undertaking given by SCA under sections 61AS and 205W of the BSA to remedy breaches of the media control rules and the media diversity rules under the BSA in Bunbury RA1 Western Australia.

Breaches of media control and diversity rules

In 2019–20, the ACMA investigated whether Mr Bruce Gordon was in breach of media control and diversity rules in Part 5 of the BSA as a result of information reported by Mr Gordon about a transaction involving shares in Prime Media Limited (Prime) that may have caused him to be in position to exercise control of Prime from 29 April 2019 until 24 May 2019.

Mr Gordon was found to be in breach of the ‘one-to-a-market’ commercial television licence rule in eight separate licence areas during this time. Mr Gordon’s interests also caused an unacceptable media diversity situation to occur, or to be worsened, in more than 40 licence areas.

The ACMA considered evidence from Mr Gordon that the breaches occurred as a result of actions taken by a third party that were contrary to his instructions and that, as a result, he could not reasonably have known that he was in breach of media laws. The ACMA also noted that Mr Gordon acted immediately to sell down his shareholding in Prime as soon as he became aware of the mistake. The ACMA found no evidence to suggest that Mr Gordon took any steps to exercise control over Prime during the period of his control. Consequently, the ACMA took no formal action under the BSA in relation to the breaches.

Register of licensed interactive wagering services

In raising awareness of Australian gambling laws to help minimise the supply and use of illegal interactive gambling services, the ACMA is required under the *Interactive Gambling Act 2001* (IGA) to maintain a register of interactive wagering service providers that are licensed by an Australian state or territory. At 30 June 2020, there were 124 entries on the register—35 were TABs, corporate bookmakers and betting exchanges and 89 were on-course bookmakers.

Australian content

All commercial television broadcasting licensees reported meeting primary channel (55 per cent) and non-primary channel (1,460 hours) transmission quotas for Australian content in 2019.

The transmission quotas are specified by the BSA and apply to programs televised by free-to-air commercial television broadcasters between 6 am and midnight each calendar year.

The amount of Australian content provided by metropolitan commercial television licensees on their primary channels was high, with the Seven Network providing an average of 77 per cent local programming, the Nine Network an average of 75 per cent and Network Ten an average of 70 per cent. All three networks met the 1,460 hours quota for non-primary channels:

- > Seven Network averaged 4,770 hours
- > Nine Network averaged 2,598 hours
- > Network Ten averaged 2,533 hours.

Broadcasting Services (Australian Content) Standard 2016 and the Children’s Television Standards 2009

All licensees reported compliance with the annual sub-quota requirements for first-release Australian drama, documentary and children’s programs in 2019.

Regional radio local content obligations

Local content and presence obligations due to a regional radio trigger event

The BSA sets out circumstances where a trigger event for a regional commercial radio broadcasting licence causes additional obligations to apply to a regional commercial radio licence.⁶

There were two trigger events affecting 10 regional commercial radio licences. All required draft local content plans and local presence reports were provided in the 90-day statutory timeframe.

Compliance with local content plans⁷

Annual reporting for the 2018–19 financial year showed a high level of compliance with their local content plans by trigger event-affected regional commercial radio broadcasting licensees.

Of the 146 annual compliance reports provided to us by 79 trigger event-affected licensees, 140 reported compliance with their approved local content plans. Of the six licences who reported non-compliance with their local content plan:

- > two provided less than the minimum number of eligible local weather bulletins (although all provided well in excess of the statutory minimum of five eligible local weather bulletins per week)
- > two provided less than the minimum number of eligible local news bulletins and did not meet the required daily duration for eligible local news bulletins
- > two did not meet the required daily duration for eligible local news bulletins.

⁶ Subject to certain exceptions, a 'trigger event' for a regional commercial radio broadcasting licence is defined as: (a) a change in control of a regional commercial radio licence, (b) the formation of a new registrable media group where a regional commercial radio broadcasting licence is in the group or (c) a change in controller of a registrable media group where a regional commercial radio broadcasting licence is in the group. A trigger event for a regional commercial radio broadcasting licence is different to a trigger event for a regional commercial television broadcasting licence, as introduced by the Broadcasting Reform Act.

⁷ Local content plans include obligations to meet minimum service standards for local news, weather, community service announcements and emergency warnings, and the requirement to prepare a local content plan and take all reasonable steps to comply with it.

Appendix 10: Outcome table

This appendix contains information for both the ACMA and the eSafety and shows how much was spent (on an accrual basis) on achieving the outcome by funding source.

Outcome 1: A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice

	Budget ¹ (1) \$'000	Actual ² (2) \$'000	Variance (2) minus (1) \$'000
Program 1.1: Communications regulation, planning and licensing			
<i>Administered expenses</i>			
Ordinary annual services (Appropriation Act Nos. 1 and 3)	50	-	50
<i>Departmental expenses</i>	-	-	-
Departmental appropriation	39,772	35,970	3,802
Expenses not requiring appropriation in the budget year ³	5,332	8,418	(3,086)
Subtotal for Program 1.1	45,154	44,388	766
Program 1.2: Consumer safeguards, education and information			
<i>Administered expenses</i>			
Ordinary annual services (Appropriation Act Nos. 1 and 3)	16,000	5,132	10,868
Special appropriations	300	165	135
<i>Departmental expenses</i>	-	-	-
Departmental appropriation	40,316	36,631	3,685
Expenses not requiring appropriation in the budget year ³	4,922	8,418	(3,496)
Subtotal for Program 1.2	61,538	50,346	11,192
Program 1.3: Office of the eSafety Commissioner			
<i>Administered expenses</i>			
Ordinary annual services (Appropriation Act Nos. 1 and 3)	7,749	5,359	2,390
<i>Departmental expenses</i>			
Special account	-	-	-
Online Safety Special Account—s72 Enhancing Online Safety Act 2015	17,341	18,889	(1,548)
Subtotal for Program 1.3	25,090	24,248	842
Departmental	107,683	108,326	(643)
Administered	24,099	10,656	13,443
Total for Outcome 1	131,782	118,982	12,800
Average staffing level	456	427	-

¹ Budget represents the original budget per the 2019–20 Portfolio Budget Statements.

² Actual appropriations are the total available appropriation in 2019–20, including MYEFO budget adjustments.

³ This overspend is due to the application of the new accounting standard on leases and is offset by the underspend in departmental appropriation.

Appendix 11: Agency resource statement

This appendix contains information for both the ACMA and the eSafety.

	Actual available appropriations for 2019-20 \$'000 (a)	Payments made 2019-20 \$'000 (b)	Balance remaining \$'000 (a-b)
Ordinary Annual Services			
Departmental appropriation ¹	130,305	95,980	34,325
Total	130,305	95,980	34,325
Administered expenses			
Outcome 1	23,749	9,556	
Total	23,749	9,556	
Total ordinary services A	154,054	105,536	
Other services			
Departmental non-operating	-	-	
Total other services B	-	-	
Special appropriations			
Special appropriations limited by entitlement			
<i>Public Governance, Performance and Accountability Act 2013 — s77</i>		7,623	
<i>Telecommunication Act 1997— s. 136C(4)</i>		165	
Total special appropriations C		7,788	
Special Accounts			
Opening balance	2,161	2,161	-
Appropriation receipts	17,353	15,828	1,525
Non-appropriations receipts	995	995	-
Total Special Accounts D	20,509	18,984	1,525
Total Resourcing A + B + C + D	174,563	132,308	

¹ Children's Online Safety appropriation is included in the Australian Communication and Media Authority's Appropriation Act 1; however, the appropriation is moved to the Online Safety Special Account s72 Enhancing Online Safety Act 2015.

Appendix 12: eSafety financial reporting

This appendix contains financial information on the operation of eSafety, presented in accordance with subsection 57(aa) of the ACMA Act.

	2020 \$'000	2019 \$'000
Departmental		
Operating expenses		
<i>Employee benefits</i>	7,545	7,450
<i>Supplier expenses</i>		
Consultants	962	316
Contractors	4,781	2,547
Outsourced services	3,423	2,405
I.T. and communications services	590	475
Travel costs	433	471
Other	763	553
<i>Total supplier expenses</i>	10,952	6,767
Total operating expenses	18,497	14,217
Capital purchases		
Internally developed software	151	1,140
Leasehold improvements	-	215
Total capital purchases	151	1,355
Total departmental expenditure	18,648	15,572
Administered		
<i>Supplier expenses</i>		
Consultants	39	396
Contractors	2,976	3,749
Outsourced services	1,422	1,479
I.T. and communications services	166	1,014
Travel costs	35	100
Other	721	95
<i>Total supplier expenses</i>	5,359	6,833
Total administered expenditure	5,359	6,833

Appendix 13: List of requirements

Requirements for annual reports

Schedule 2 of the Public Governance, Performance and Accountability Rule 2014.

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
17AD(g)	Letter of transmittal		
17AI	A copy of the letter of transmittal signed and dated by accountable authority on date final text approved, with statement that the report has been prepared in accordance with section 46 of the PGPA Act and any enabling legislation that specifies additional requirements in relation to the annual report.	7	n/a
17AD(h)	Aids to access		
17AJ(a)	Table of contents.	iii	iii
17AJ(b)	Alphabetical index.	235–44	235–44
17AJ(c)	Glossary of abbreviations and acronyms.	230–4	230–4
17AJ(d)	List of requirements.	143–50	143–50
17AJ(e)	Details of contact officer.	6	198
17AJ(f)	Entity's website address.	2	3
17AJ(g)	Electronic address of report.	6	198
17AD(a)	Review by accountable authority		
17AD(a)	A review by the accountable authority of the entity.	8–9	200–1
17AD(b)	Overview of the entity		
17AE(1)(a)(i)	A description of the role and functions of the entity.	13	205
17AE(1)(a)(ii)	A description of the organisational structure of the entity.	17	206
17AE(1)(a)(iii)	A description of the outcomes and programmes administered by the entity.	18, 21	21, 209
17AE(1)(a)(iv)	A description of the purposes of the entity as included in corporate plan.	18	n/a
17AE(1)(aa)(i)	Name of the accountable authority or each member of the accountable authority.	14, 16	n/a
17AE(1)(aa)(ii)	Position title of the accountable authority or each member of the accountable authority.	14, 16	n/a
17AE(1)(aa)(iii)	Period as the accountable authority or member of the accountable authority within the reporting period.	14, 16	n/a
17AE(1)(b)	An outline of the structure of the portfolio of the entity.	n/a	n/a

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
17AE(2)	Where the outcomes and programs administered by the entity differ from any Portfolio Budget Statement, Portfolio Additional Estimates Statement or other portfolio estimates statement that was prepared for the entity for the period, include details of variation and reasons for change.	n/a	n/a
17AD(c)	Report on the performance of the entity		
	Annual performance statements		
17AD(c)(i); 16F	Annual performance statement in accordance with paragraph 39(1)(b) of the Act and section 16F of the Rule.	20–83	n/a
17AD(c)(ii)	Report on financial performance		
17AF(1)(a)	A discussion and analysis of the entity's financial performance.	84–5, 95–100	84–5, 95–100, 229
17AF(1)(b)	A table summarising the total resources and total payments of the entity.	141	141
17AF(2)	If there may be significant changes in the financial results during or after the previous or current reporting period, information on those changes, including: the cause of any operating loss of the entity; how the entity has responded to the loss and the actions that have been taken in relation to the loss; and any matter or circumstances that it can reasonably be anticipated will have a significant impact on the entity's future operation or financial results.	n/a	n/a
17AD(d)	Management and accountability		
	Corporate governance		
17AG(2)(a)	Information on compliance with section 10 (fraud systems).	7, 88	7
17AG(2)(b)(i)	A certification by accountable authority that fraud risk assessments and fraud control plans have been prepared.	7	7
17AG(2)(b)(ii)	A certification by accountable authority that appropriate mechanisms for preventing, detecting incidents of, investigating or otherwise dealing with, and recording or reporting fraud that meet the specific needs of the entity are in place.	7	7
17AG(2)(b)(iii)	A certification by accountable authority that all reasonable measures have been taken to deal appropriately with fraud relating to the entity.	7	7

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
17AG(2)(c)	An outline of structures and processes in place for the entity to implement principles and objectives of corporate governance.	17–8, 87–8	206
17AG(2)(d) – (e)	A statement of significant issues reported to Minister under paragraph 19(1)(e) of the Act that relates to non-compliance with Finance law and action taken to remedy non-compliance.	87	87
Audit committee			
17AG(2A)(a)	A direct electronic address of the charter determining the functions of the entity's audit committee.	106	n/a
17AG(2A)(b)	The name of each member of the entity's audit committee.	107	n/a
17AG(2A)(c)	The qualifications, knowledge, skills or experience of each member of the entity's audit committee.	107	n/a
17AG(2A)(d)	Information about the attendance of each member of the entity's audit committee at committee meetings.	107	n/a
17AG(2A)(e)	The remuneration of each member of the entity's audit committee.	107	n/a
External scrutiny			
17AG(3)	Information on the most significant developments in external scrutiny and the entity's response to the scrutiny.	89	n/a
17AG(3)(a)	Information on judicial decisions and decisions of administrative tribunals and by the Australian Information Commissioner that may have a significant effect on the operations of the entity.	89	n/a
17AG(3)(b)	Information on any reports on operations of the entity by the Auditor-General (other than report under section 43 of the Act), a Parliamentary Committee, or the Commonwealth Ombudsman.	89	n/a
17AG(3)(c)	Information on any capability reviews on the entity that were released during the period.	89	n/a
Management of human resources			
17AG(4)(a)	An assessment of the entity's effectiveness in managing and developing employees to achieve entity objectives.	90–3	90–3

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
17AG(4)(aa)	Statistics on the entity's employees on an ongoing and non-ongoing basis, including the following: <ul style="list-style-type: none"> > statistics on full-time employees > statistics on part-time employees > statistics on gender > statistics on staff location. 	109–10	90–3, 109–10
17AG(4)(b)	Statistics on the entity's APS employees on an ongoing and non-ongoing basis; including the following: <ul style="list-style-type: none"> > statistics on staffing classification level > statistics on full-time employees > statistics on part-time employees > statistics on gender > statistics on staff location > statistics on employees who identify as Indigenous. 	109–14	109–14
17AG(4)(c)	Information on any enterprise agreements, individual flexibility arrangements, Australian workplace agreements, common law contracts and determinations under subsection 24(1) of the <i>Public Service Act 1999</i> .	90, 93, 115	90, 93, 115
17AG(4)(c)(i)	Information on the number of SES and non-SES employees covered by agreements etc identified in paragraph 17AG(4)(c).	90, 115	90, 115
17AG(4)(c)(ii)	The salary ranges available for APS employees by classification level.	115	115
17AG(4)(c)(iii)	A description of non-salary benefits provided to employees.	90	90
17AG(4)(d)(i)	Information on the number of employees at each classification level who received performance pay.	90	90
17AG(4)(d)(ii)	Information on aggregate amounts of performance pay at each classification level.	90	90
17AG(4)(d)(iii)	Information on the average amount of performance payment, and range of such payments, at each classification level.	90	90
17AG(4)(d)(iv)	Information on aggregate amount of performance payments.	90	90
Assets management			
17AG(5)	An assessment of effectiveness of assets management where asset management is a significant part of the entity's activities.	100	100

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
	Purchasing		
17AG(6)	An assessment of entity performance against the <i>Commonwealth Procurement Rules</i> .	98	98
	Consultants		
17AG(7)(a)	A summary statement detailing the number of new contracts engaging consultants entered into during the period; the total actual expenditure on all new consultancy contracts entered into during the period (inclusive of GST); the number of ongoing consultancy contracts that were entered into during a previous reporting period; and the total actual expenditure in the reporting year on the ongoing consultancy contracts (inclusive of GST).	98–9	98–9
17AG(7)(b)	A statement that “ <i>During [reporting period], [specified number] new consultancy contracts were entered into involving total actual expenditure of \$[specified million]. In addition, [specified number] ongoing consultancy contracts were active during the period, involving total actual expenditure of \$[specified million]</i> ”.	98	98
17AG(7)(c)	A summary of the policies and procedures for selecting and engaging consultants and the main categories of purposes for which consultants were selected and engaged.	98	98
17AG(7)(d)	A statement that “ <i>Annual reports contain information about actual expenditure on contracts for consultancies. Information on the value of contracts and consultancies is available on the AusTender website.</i> ”	98	98
	Australian National Audit Office access clauses		
17AG(8)	If an entity entered into a contract with a value of more than \$100,000 (inclusive of GST) and the contract did not provide the Auditor-General with access to the contractor’s premises, the report must include the name of the contractor, purpose and value of the contract, and the reason why a clause allowing access was not included in the contract.	99–100	99–100

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
Exempt contracts			
17AG(9)	If an entity entered into a contract or there is a standing offer with a value greater than \$10 000 (inclusive of GST) which has been exempted from being published in AusTender because it would disclose exempt matters under the FOI Act, the annual report must include a statement that the contract or standing offer has been exempted, and the value of the contract or standing offer, to the extent that doing so does not disclose the exempt matters.	100	100
Small business			
17AG(10)(a)	A statement that “[Name of entity] supports small business participation in the Commonwealth Government procurement market. Small and Medium Enterprises (SME) and Small Enterprise participation statistics are available on the Department of Finance’s website.”	99	99
17AG(10)(b)	An outline of the ways in which the procurement practices of the entity support small and medium enterprises.	99–100	99–100
17AG(10)(c)	If the entity is considered by the Department administered by the Finance Minister as material in nature—a statement that “[Name of entity] recognises the importance of ensuring that small businesses are paid on time. The results of the Survey of Australian Government Payments to Small Business are available on the Treasury’s website.”	99	99
Financial statements			
17AD(e)	Inclusion of the annual financial statements in accordance with subsection 43(4) of the Act.	151–96	n/a
Executive remuneration			
17AD(da)	Information about executive remuneration in accordance with Subdivision C of Division 3A of Part 2-3 of the Rule.	116–9	116–9

PGPA Rule reference	Description	ACMA page reference	eSafety page reference
17AD(f)	Other mandatory information		
17AH(1)(a)(i)	If the entity conducted advertising campaigns, a statement that “ <i>During [reporting period], the [name of entity] conducted the following advertising campaigns: [name of advertising campaigns undertaken]. Further information on those advertising campaigns is available at [address of entity’s website] and in the reports on Australian Government advertising prepared by the Department of Finance. Those reports are available on the Department of Finance’s website.</i> ”	n/a	n/a
17AH(1)(a)(ii)	If the entity did not conduct advertising campaigns, a statement to that effect.	135	135
17AH(1)(b)	A statement that “ <i>Information on grants awarded by [name of entity] during [reporting period] is available at [address of entity’s website].</i> ”	100	n/a
17AH(1)(c)	Outline of mechanisms of disability reporting, including reference to website for further information.	91	91
17AH(1)(d)	Website reference to where the entity’s Information Publication Scheme statement pursuant to Part II of FOI Act can be found.	103	229
17AH(1)(e)	Correction of material errors in previous annual report.	99	n/a
17AH(2)	Information required by other legislation.	See tables on next page	

Requirements in section 57 of Part 6 of the *Australian Communications and Media Authority Act 2005*

ACMA Act reference	Requirement	Page reference
57(a)	A copy of each direction given to the ACMA under section 14 during the period.	104
57(aa)	A report on the following matters: > remuneration, and other employment-related costs and expenses, in respect of APS employees whose duties relate to the performance of the eSafety Commissioner's functions or the exercise of the eSafety Commissioner's powers; > any other costs, expenses and other obligations incurred by the Commonwealth in connection with the performance of the eSafety Commissioner's functions or the exercise of the eSafety Commissioner's powers.	90, 115–9, 142
57(b), (c)	A copy, or extract, of each instrument given to a carrier or to a carriage service provider under section 581 of the <i>Telecommunications Act 1997</i> during the financial year.	104
57(d)	A report on the number and types of complaints made under Part 26 of the <i>Telecommunications Act 1997</i> . A report on the investigations conducted as a result of complaints made under Part 26. The results of those investigations.	120–4
57(e)	A report on the operation of Part 6 of the <i>Telecommunications Act 1997</i> .	125–6
57(f)	A report setting out statistical information relating to information or documents disclosed under Division 3 of Part 13 of the <i>Telecommunications Act 1997</i> .	127–8

Requirement under section 205ZL of the *Broadcasting Services Act 1992*

BSA Act reference	Requirement	Page reference
205ZL	Reporting on information about the recipients of grants in accordance with section 46 of the <i>Public Governance, Performance and Accountability Act 2013</i> .	45–6, 130–4

Other information required to be included by an Act or instrument

Requirement	Page reference
Reporting on work health and safety under Schedule 2, Part 4 of the <i>Work Health and Safety Act 2011</i> .	92–3
Advertising and market research reporting requirements in section 311A of the <i>Commonwealth Electoral Act 1918</i> .	135–6
Ecologically sustainable development and environmental performance (section 516A of the <i>Environment Protection and Biodiversity Conservation Act 1999</i>).	101–2
Reporting requirements under the Guidelines for the use of section 313(3) of the <i>Telecommunications Act 1997</i> .	129

Appendix 14: Financial statements

For the period ended 30 June 2020.



INDEPENDENT AUDITOR'S REPORT

To the Minister for Communications, Cyber Safety and the Arts

Opinion

In my opinion, the financial statements of Australian Communications and Media Authority ('the Entity') for the year ended 30 June 2020:

- (a) comply with Australian Accounting Standards – Reduced Disclosure Requirements and the *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015*; and
- (b) present fairly the financial position of the Entity as at 30 June 2020 and its financial performance and cash flows for the year then ended.

The financial statements of the Entity, which I have audited, comprise the following statements as at 30 June 2020 and for the year then ended:

- Statement by the Chair and Chief Financial Officer;
- Statement of Comprehensive Income;
- Statement of Financial Position;
- Statement of Changes in Equity;
- Statement of Cashflows;
- Administered Schedule of Comprehensive Income;
- Schedule of Administered Assets and Liabilities;
- Administered Reconciliation Schedule;
- Administered Cash Flow Statement; and
- Notes to and forming part of the financial statements.

Basis for opinion

I conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of my report. I am independent of the Entity in accordance with the relevant ethical requirements for financial statement audits conducted by the Auditor-General and his delegates. These include the relevant independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) to the extent that they are not in conflict with the *Auditor-General Act 1997*. I have also fulfilled my other responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Accountable Authority's responsibility for the financial statements

As the Accountable Authority of the Entity, the Chair is responsible under the *Public Governance, Performance and Accountability Act 2013* (the Act) for the preparation and fair presentation of annual financial statements that comply with Australian Accounting Standards – Reduced Disclosure Requirements and the rules made under the Act. The Chair is also responsible for such internal control as the Chair determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

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In preparing the financial statements, the Chair is responsible for assessing the ability of the Entity to continue as a going concern, taking into account whether the Entity's operations will cease as a result of an administrative restructure or for any other reason. The Chair is also responsible for disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the assessment indicates that it is not appropriate.

Auditor's responsibilities for the audit of the financial statements

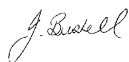
My objective is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian National Audit Office Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with the Australian National Audit Office Auditing Standards, I exercise professional judgement and maintain professional scepticism throughout the audit. I also:

- identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control;
- obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control;
- evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Accountable Authority;
- conclude on the appropriateness of the Accountable Authority's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern; and
- evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Accountable Authority regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Australian National Audit Office



Josephine Bushell
Senior Director

Delegate of the Auditor-General

Canberra
4 September 2020

Australian Communications and Media Authority
STATEMENT BY THE CHAIR AND CHIEF FINANCIAL OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2020 comply with subsection 42(2) of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), and are based on properly maintained financial records as per subsection 41(2) of the PGPA Act.

In our opinion, at the date of this statement, there are reasonable grounds to believe that the Australian Communications and Media Authority will be able to pay its debts as and when they fall due.



Signed.....

Nerida O'Loughlin PSM
Chair

3 September 2020



Signed.....

Matthew Geysen
Chief Financial Officer

3 September 2020

Australian Communications and Media Authority
STATEMENT OF COMPREHENSIVE INCOME
for the period ended 30 June 2020

		2020	2019	Original Budget 2020
	Notes	\$'000	\$'000	\$'000
NET COST OF SERVICES				
Expenses				
Employee benefits	1.1A	58,749	56,940	62,211
Suppliers	1.1B	31,814	32,907	35,218
Depreciation and amortisation	3.2A	16,835	11,539	10,254
Finance costs	1.1C	716	42	-
Impairment loss on financial instruments	1.1D	-	20	-
Write-down and impairment of assets	1.1E	213	1,560	-
Total expenses		108,327	103,008	107,683
Own-Source Income				
Own-source revenue				
Revenue from contracts with customers	1.2A	1,012	32	900
Other revenue		16	792	-
Total own-source revenue		1,028	824	900
Gains				
Reversals of write-downs and impairment	1.2B	3	-	-
Other gains	1.2C	81	81	-
Total gains		84	81	-
Total own-source income		1,112	905	900
Net cost of services		(107,215)	(102,103)	(106,783)
Revenue from Government	5.1A	96,039	90,157	96,529
Deficit attributable to the Australian Government		(11,176)	(11,946)	(10,254)
OTHER COMPREHENSIVE INCOME				
Items not subject to subsequent reclassification to net cost of services				
Changes in asset revaluation surplus		604	(385)	-
Total other comprehensive income/(loss)		604	(385)	-
Total comprehensive loss		(10,572)	(12,331)	(10,254)

The above statement should be read in conjunction with the accompanying notes.

Budget Variances Commentary

There has been a major change in the categorisation of expenses associated with lease costs, which were budgeted in supplier expenses, but as per the new accounting standard AASB 16 *Leases*, are now recognised as depreciation and amortisation, and finance costs. This has also driven actual expenses to be over the Original Budget set in April 2019 by 0.6% due to the accounting treatment of the leases held by the ACMA.

Additionally, employee benefits were lower than the Original Budget due to the ACMA budgeting for 456 staff, however, actual staffing did not reach this level.

Revenue from Government has decreased slightly from the Original Budget due to an increase in the efficiency dividend applied to the 2019-20 departmental appropriation.

Australian Communications and Media Authority
STATEMENT OF FINANCIAL POSITION
for the period ended 30 June 2020

		2020	2019	Original Budget 2020
	Notes	\$'000	\$'000	\$'000
ASSETS				
Financial Assets				
Cash and cash equivalents	3.1A	1,881	3,630	2,100
Trade and other receivables	3.1B	35,099	23,887	24,539
Total financial assets		36,980	27,517	26,639
Non-Financial Assets				
Land and buildings ¹	3.2A	62,997	13,649	20,177
Plant and equipment	3.2A	5,600	7,980	9,244
Intangibles	3.2A	10,142	11,174	5,816
Prepayments		2,902	1,867	2,331
Total non-financial assets		81,641	34,670	37,568
Assets held for sale	3.2A	-	4,100	-
Total assets		118,621	66,287	64,207
LIABILITIES				
Payables				
Suppliers	3.3A	2,174	4,856	4,377
Other payables	3.3B	1,973	1,074	441
Total payables		4,147	5,930	4,818
Interest Bearing Liabilities				
Leases	3.4A	53,415	-	3,077
Total interest bearing liabilities		53,415	-	3,077
Provisions				
Employee provisions	6.1A	21,803	20,030	17,391
Make good provisions	3.5	2,686	2,617	2,575
Total provisions		24,489	22,647	19,966
Total liabilities		82,051	28,577	27,861
Net assets		36,570	37,710	36,346
EQUITY				
Contributed equity		128,624	121,274	128,004
Reserves		2,204	1,600	1,985
Accumulated deficit		(94,258)	(85,164)	(93,643)
Total equity		36,570	37,710	36,346

¹ Right-of-use assets recognised under AASB 16 *Leases* are included in Land and Buildings.
The above statement should be read in conjunction with the accompanying notes.

Budget Variances Commentary

While the Original Budget net assets position is broadly in line with actual results, there are some variances in the categorisation of the balances. There has been an increase in trade and other receivables due to an increase in unspent capital appropriations, with some capital projects delayed to the next financial year due to COVID-19 restrictions. Additionally, there is an offsetting significant increase in both land and buildings, and leases, as a result of the accounting treatment of AASB 16 *Leases*.

(continued on next page.)

Australian Communications and Media Authority
STATEMENT OF FINANCIAL POSITION
for the period ended 30 June 2020

(continued from previous page.)

Plant and equipment was lower than the Original Budget due to the delays in the purchase of capital items as a result of COVID-19 restrictions. Additionally, although at a total level non-financial assets remained relatively stable (excluding the impact of AASB 16 *Leases*), Intangibles were higher than the Original Budget as a result of expenditure being redirected to computer software projects from leasehold improvement works, which were delayed.

The 2019-20 employee provisions balance was higher than the Original Budget due to the fall in the 10-year government bond rate used to discount the provision, and a decrease in leave utilisation during the COVID-19 pandemic.

Suppliers payable is lower than the Original Budget due to the derecognition of lease payables following the implementation of AASB 16 *Leases*.

Australian Communications and Media Authority
STATEMENT OF CHANGES IN EQUITY
for the period ended 30 June 2020

	2020	2019	Original Budget 2020
	\$'000	\$'000	\$'000
CONTRIBUTED EQUITY/CAPITAL			
Opening balance			
Balance carried forward from previous period	121,274	113,826	120,617
Adjusted opening balance	121,274	113,826	120,617
Contributions by owners			
Equity injection - Appropriations	-	535	-
Departmental capital budget	7,350	6,913	7,387
Total transactions with owners	7,350	7,448	7,387
Closing balance as at 30 June	128,624	121,274	128,004
RETAINED EARNINGS			
Opening balance			
Balance carried forward from previous period	(85,164)	(73,136)	(83,389)
Other movements	-	(82)	-
Adjustment on initial application of AASB 16	2,082	-	-
Adjusted opening balance	(83,082)	(73,218)	(83,389)
Comprehensive income			
Deficit for the period	(11,176)	(11,946)	(10,254)
Total comprehensive income	(11,176)	(11,946)	(10,254)
Closing balance as at 30 June	(94,258)	(85,164)	(93,643)
ASSET REVALUATION RESERVE			
Opening balance			
Balance carried forward from previous period	1,600	1,985	1,985
Adjusted opening balance	1,600	1,985	1,985
Comprehensive income			
Revaluation increment/(decrement) on non-financial assets	604	(385)	-
Total comprehensive income	604	(385)	-
Closing balance as at 30 June	2,204	1,600	1,985

Australian Communications and Media Authority
STATEMENT OF CHANGES IN EQUITY
for the period ended 30 June 2020

	2020 \$'000	2019 \$'000	Original Budget 2020 \$'000
TOTAL EQUITY			
Opening balance			
Balance carried forward from previous period	37,710	42,675	39,213
Other movements	-	(82)	-
Adjustment on initial application of AASB 16	2,082	-	-
Adjusted opening balance	39,792	42,593	39,213
Comprehensive income			
Revaluation increment/(decrement) on non-financial assets	604	(385)	-
Deficit for the period	(11,176)	(11,946)	(10,254)
Total comprehensive income	(10,572)	(12,331)	(10,254)
Contributions by owners			
Equity injection - Appropriations	-	535	-
Departmental capital budget	7,350	6,913	7,387
Total transactions with owners	7,350	7,448	7,387
Closing balance as at 30 June	36,570	37,710	36,346

Accounting Policy

Equity Injections

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) and Departmental Capital Budgets (DCBs) are recognised directly in contributed equity in that year.

Budget Variances Commentary

The departmental capital budget has decreased slightly from the Original Budget due to an increase in the efficiency dividend applied to the 2019-20 departmental appropriation.

Australian Communications and Media Authority
STATEMENT OF CASHFLOWS
for the period ended 30 June 2020

		Original Budget 2020 \$'000	2019 \$'000	2020 \$'000
Notes				
OPERATING ACTIVITIES				
Cash received				
Sale of goods and rendering of services		1,843	29	900
Appropriations		93,352	90,885	96,529
GST received		3,578	3,962	191
Other		16	1,505	-
Total cash received		98,789	96,381	97,620
Cash used				
Employees		56,637	54,538	62,211
Suppliers		36,514	39,021	35,409
Section 74 receipts transferred to the Official Public Account		4,434	1,535	-
Interest payments on lease liabilities		647	-	-
Total cash used		98,232	95,094	97,620
Net cash from operating activities		557	1,287	-
INVESTING ACTIVITIES				
Proceeds from the sale of land ¹		4,100	-	-
Total cash received		4,100	-	-
Cash used				
Purchase of property, plant and equipment		601	4,772	7,387
Purchase of intangibles		2,181	4,766	-
Total cash used		2,782	9,538	7,387
Net cash from/(used by) investing activities		1,318	(9,538)	(7,387)
FINANCING ACTIVITIES				
Cash received				
Equity injections		-	535	-
Departmental capital budget		2,630	8,246	7,387
Total cash received		2,630	8,781	7,387
Cash used				
Principal payments of lease liabilities		6,254	-	-
Total cash used		6,254	-	-
Net cash from/(used by) financing activities		(3,624)	8,781	7,387
Net increase/(decrease) in cash held		(1,749)	530	-
Cash and cash equivalents at the beginning of the reporting period		3,630	3,100	2,100
Cash and cash equivalents at the end of the reporting period	3.1A	1,881	3,630	2,100

¹ Proceeds from the sale of land relates to the funds received from the sale of the Capalaba land asset.

The above statement should be read in conjunction with the accompanying notes.

Australian Communications and Media Authority
STATEMENT OF CASHFLOWS
for the period ended 30 June 2020

Budget Variances Commentary

Net cash from operating activities – The small increase to the Original Budget reflects a reduction in cash used for lease payments, which was budgeted as an operating activity, but under the new accounting standard AASB 16 *Leases* is recognised as a financing activity. This is offset by an increase in section 74 receipts transferred to the OPA due to the return of cash proceeds from the sale of the Capalaba site to the Redland City Council.

Net cash from investing activities – The increase from the Original Budget is due to delays in capital projects, predominantly caused by COVID-19 restrictions, and the unbudgeted cash proceeds of the sale of the Capalaba site.

Net cash from financing activities – The decrease from the Original Budget is due to delays in capital projects and the recognition of lease payments as a financing activity under the new leasing standard, rather than an operating activity.

Australian Communications and Media Authority
ADMINISTERED SCHEDULE OF COMPREHENSIVE INCOME
for the period ended 30 June 2020

		2020	2019	Original Budget 2020
	Notes	\$'000	\$'000	\$'000
NET COST OF SERVICES				
EXPENSES				
Suppliers	2.1A	5,521	6,833	5,799
Grants	2.1B	5,132	2,266	18,250
Impairment loss on financial instruments	2.1C	-	4,689	50
Total expenses		10,653	13,788	24,099
INCOME				
Revenue				
Taxation revenue				
Other taxes	2.2A	508,451	649,628	1,214,098
Total taxation revenue		508,451	649,628	1,214,098
Non-taxation revenue				
Revenue from contracts with customers	2.2B	8,397	5,876	5,033
Fees and fines	2.2C	33,141	31,819	40,018
Other revenue	2.2D	2,497	17,607	4,130
Total non-taxation revenue		44,035	55,302	49,181
Total revenue		552,486	704,930	1,263,279
Gains				
Sale of assets	2.2E	-	115	855,353
Resources received free of charge	2.2F	852,853	-	-
Reversal of write-downs and impairment		9,906	-	-
Total gains		862,759	115	855,353
Total income		1,415,245	705,045	2,118,632
Net contribution by services		1,404,592	691,257	2,094,533

The above schedule should be read in conjunction with the accompanying notes.

Budget Variances Commentary

Expenses – The Original Budget for Grants expected the full expenditure of the funding for the Regional and Small Publishers Innovation Fund. Actual expenditure was less than the Original Budget due to delays in grant agreements being finalised. Impairment loss on financial instruments were nil in 2020, as the expected credit loss model under AASB 9 *Financial Instruments* resulted in a Reversal of write-downs and impairment recorded under Gains. This was due to the reduction in the administered receivables balance and increased likelihood of collectability of these debts.

Revenues – The Original Budget for Other taxes is significantly higher than the actual result due to the delay of Regional Broadband Scheme (RBS) legislation, which included \$682m in the Original Budget. The RBS legislation has now been passed with revenue expected to be recognised in 2020-21. Additionally, the Original Budget included the sale of licences for the 3.6GHz spectrum as sale of assets, however, under the new accounting standards, the proceeds are recognised as resources received free of charge.

Australian Communications and Media Authority
ADMINISTERED SCHEDULE OF ASSETS AND LIABILITIES
as at 30 June 2020

		2020	2019	Original Budget 2020
	Notes	\$'000	\$'000	\$'000
ASSETS				
Financial Assets				
Cash and cash equivalents	4.1A	436	451	868
Taxation receivables	4.1B	25,931	103,044	711,201
Trade and other receivables	4.1C	31,137	30,199	31,399
Other financial assets	4.1D	-	429,845	-
Total financial assets		57,504	563,539	743,468
Total assets administered on behalf of Government		57,504	563,539	743,468
LIABILITIES				
Payables				
Other payables	4.2A	131,160	108,904	130,728
Total payables		131,160	108,904	130,728
Total liabilities administered on behalf of Government		131,160	108,904	130,728
Net assets/(liabilities)		(73,656)	454,635	612,740

The above schedule should be read in conjunction with the accompanying notes.

Budget Variances Commentary

The main driver for reduced Taxation receivables against Original Budget is due to the delayed commencement of the RBS. The balance for Other financial assets in 2018-19 represents the remaining instalment relating to the sale of 700MHz spectrum in 2017-18. This instalment was paid in 2019-20.

Australian Communications and Media Authority
ADMINISTERED RECONCILIATION SCHEDULE
for the period ended 30 June 2019

	2020 \$'000	2019 \$'000
Opening assets less liabilities as at 1 July	454,635	809,204
Income	1,415,245	705,045
Expenses	(10,653)	(13,788)
Transfers (to)/from Australian Government		
Other movements	-	117
Appropriation transfers from the OPA	18,711	16,764
Transfers to the OPA	(1,689,731)	(808,820)
Transfers to the OPA (collected on behalf on another entity) ¹	(261,863)	(253,887)
Closing assets less liabilities as at 30 June	(73,656)	454,635

¹ Relates to the collection of the Telecommunications Industry Levy collected on behalf of the Department of Infrastructure, Transport, Regional Development and Communications Public Interest Telecommunications Services Special Account.

Accounting Policy

Administered Cash Transfers to and from the OPA

Revenue collected by the ACMA for use by the Australian Government rather than the ACMA is Administered revenue. Collections are transferred to the OPA maintained by the Department of Finance. Conversely, cash is drawn from the OPA to make payments under Parliamentary appropriation on behalf of the Australian Government. These transfers to and from the OPA are adjustments to the Administered cash held by the ACMA on behalf of the Australian Government and reported as such in the Administered Cash Flow Statement and in the Administered Reconciliation Schedule.

Australian Communications and Media Authority
ADMINISTERED CASH FLOW STATEMENT
for the period ended 30 June 2020

	Notes	2020 \$'000	2019 \$'000
OPERATING ACTIVITIES			
Cash received			
Sale of goods and rendering of services		7,575	5,082
Taxes		617,059	580,315
Rental income ¹		852,853	-
Fees		31,262	31,751
Fines		1,999	560
Other		5	4,154
Total cash received		1,510,753	621,862
Cash used			
Grants		5,002	2,266
Suppliers		6,111	6,510
Total cash used		11,113	8,776
Net cash from operating activities		1,499,640	613,086
INVESTING ACTIVITIES			
Cash received			
Revenue from sales of intangibles		432,329	432,440
Total cash received		432,329	432,440
Net cash from investing activities		432,329	432,440
Net increase in cash held		1,931,969	1,045,526
Cash and cash equivalents at the beginning of the reporting period		451	868
Cash from the Official Public Account			
Appropriations		18,711	16,764
Total cash from the Official Public Account		18,711	16,764
Cash to the Official Public Account			
Administered revenue		(1,688,832)	(808,820)
Transfer to other entities (collected on behalf of another entity)		(261,863)	(253,887)
Total cash to the Official Public Account		(1,950,695)	(1,062,707)
Cash and cash equivalents at the end of the reporting period	4.1A	436	451
¹ Rental income relates to the proceeds from the 3.6GHz spectrum licences.			
The above schedule should be read in conjunction with the accompanying notes.			

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

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Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Overview

Objectives of the Entity

The Australian Communications and Media Authority (ACMA) is an Australian Government controlled entity. It is a not-for-profit entity. The ACMA is Australia's regulator for telecommunications, broadcasting, radiocommunications, and certain online content. The ACMA's purpose is to maximise the economic and social benefits of communications and media for Australia.

Basis of Preparation

The financial statements are general purpose financial statements and are required by section 42 of the *Public Governance, Performance and Accountability Act 2013*.

The financial statements have been prepared in accordance with the:

- *Public Governance, Performance and Accountability (Financial Reporting) Rule 2015* (FRR); and
- Australian Accounting Standards and Interpretations – Reduced Disclosure Requirements issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except where certain assets and liabilities are recorded at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position. The financial statements are presented in Australian dollars and are rounded to the nearest thousand dollars unless otherwise specified.

New Australian Accounting Standards

All new standards that were issued prior to the sign-off date and are applicable to the current reporting period were implemented and details of the effect are outlined below.

Standard/ Interpretation	Nature of change in accounting policy, transitional provisions, and adjustment to financial statements
AASB 15 <i>Revenue from Contracts with Customers</i> / AASB 2016-8 <i>Amendments to Australian Accounting Standards – Australian Implementation Guidance for Not-for-Profit Entities</i> and AASB 1058 <i>Income of Not-For-Profit Entities</i>	<p>AASB 15, AASB 2016-8 and AASB 1058 became effective 1 July 2019.</p> <p>AASB 15 establishes a comprehensive framework for determining whether, how much and when revenue is recognised. It replaces existing revenue recognition guidance, including AASB 118 <i>Revenue</i>, AASB 111 <i>Construction Contracts</i> and Interpretation 13 <i>Customer Loyalty Programmes</i>. The core principle of AASB 15 is that an entity recognises revenue to depict the transfer of promised goods or services to customers in an amount that reflects the consideration to which the entity expects to be entitled in exchange for those goods or services.</p> <p>AASB 1058 is relevant in circumstances where AASB 15 does not apply. AASB 1058 replaces most of the not-for-profit (NFP) provisions of AASB 1004 <i>Contributions</i> and applies to transactions where the consideration to acquire an asset is significantly less than fair value principally to enable the entity to further its objectives, and where volunteer services are received.</p> <p>The details of the changes in accounting policies, transitional provisions and adjustments are disclosed below and in the relevant notes to the financial statements.</p>

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Standard/ Interpretation	Nature of change in accounting policy, transitional provisions, and adjustment to financial statements
AASB 16 Leases	<p>AASB 16 became effective on 1 July 2019. This new standard has replaced AASB 117 <i>Leases</i>, Interpretation 4 <i>Determining whether an Arrangement contains a Lease</i>, Interpretation 115 <i>Operating Leases—Incentives</i> and Interpretation 127 <i>Evaluating the Substance of Transactions Involving the Legal Form of a Lease</i>.</p> <p>AASB 16 provides a single lessee accounting model, requiring the recognition of assets and liabilities for all leases, together with options to exclude leases where the lease term is 12 months or less, or where the underlying asset is of low value. AASB 16 substantially carries forward the lessor accounting in AASB 117, with the distinction between operating leases and finance leases being retained. The details of the changes in accounting policies, transitional provisions and adjustments are disclosed below and in the relevant notes to the financial statements.</p>

No accounting standard has been adopted earlier than the application date as stated in the standard.

Other new standards, revised standards, interpretations and amending standards that were issued prior to the sign-off date, and are applicable to the current reporting period, did not have a material financial impact, and are not expected to have a future material financial impact on the ACMA.

Application of AASB 15 Revenue from Contracts with Customers / AASB 1058 Income of Not-For-Profit Entities
The ACMA adopted AASB 15 and AASB 1058 using the modified retrospective approach, under which the cumulative effect of initial application is recognised in retained earnings at 1 July 2019. Accordingly, the comparative information presented for 2019 is not restated, that is, it is presented as previously reported under the various applicable AASBs and related interpretations.

Under the new income recognition model the ACMA shall first determine whether an enforceable agreement exists and whether the promises to transfer goods or services to the customer are 'sufficiently specific'. If an enforceable agreement exists and the promises are 'sufficiently specific' (to a transaction or part of a transaction), the ACMA applies the general AASB 15 principles to determine the appropriate revenue recognition. If these criteria are not met, the ACMA considers whether AASB 1058 applies.

In relation to AASB 15, the ACMA elected to apply the new standard to all new and uncompleted contracts from the date of initial application. The ACMA is required to aggregate the effect of all of the contract modifications that occur before the date of initial application.

In terms of AASB 1058, the ACMA is required to recognise volunteer services at fair value if those services would have been purchased if not provided voluntarily, and the fair value of those services can be measured reliably

Upon transition, the application of AASB 15 *Revenue from Contracts with Customers / AASB 1058 Income of Not-For-Profit Entities* had no material impact on the Statement of Financial Position or the Administered Schedule of Assets and Liabilities.

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Set out below are the amounts by which each financial statement line item is affected as at and for the year ended 30 June 2020 as a result of the adoption of AASB 15 and AASB 1058. The first column shows amounts prepared under AASB 15 and AASB 1058 and the second column shows what the amounts would have been had AASB 15 and AASB 1058 not been adopted:

Transitional disclosure	AASB 15 / AASB 1058	Previous AAS	Increase / (decrease)
	\$'000	\$'000	\$'000
Administered Revenue			
Revenue from contracts with customers	1,189	2,084	(895)
Total Revenue	1,189	2,084	(895)
Net contribution by services	1,189	2,084	(895)
Administered Liabilities			
Other payables	895	-	895
Total liabilities	895	-	895

The table above reflects the Do Not Call Register subscription revenue recognition changing from point in time to over time. The table does not include the treatment of transactions related to the 3.6GHz spectrum licences, which have been accounted for under AASB 16 *Leases* and AASB 138 *Intangible Assets*.

Application of AASB 16 Leases

The ACMA adopted AASB 16 using the modified retrospective approach, under which the cumulative effect of initial application is recognised in retained earnings at 1 July 2019. Accordingly, the comparative information presented for 2019 is not restated, that is, it is presented as previously reported under AASB 117 and related interpretations.

The ACMA elected to apply the practical expedient to not reassess whether a contract is or contains a lease at the date of initial application. Contracts entered into before the transition date that were not identified as leases under AASB 117 were not reassessed. The definition of a lease under AASB 16 was applied only to contracts entered into or changed on or after 1 July 2019.

AASB 16 provides for certain optional practical expedients, including those related to the initial adoption of the standard. The ACMA applied the following practical expedients when applying AASB 16 to leases previously classified as operating leases under AASB 117:

- Apply a single discount rate to a portfolio of leases with reasonably similar characteristics;
- Exclude initial direct costs from the measurement of right-of-use assets at the date of initial application for leases where the right-of-use asset was determined as if AASB 16 had been applied since the commencement date;
- Reliance on previous assessments on whether leases are onerous as opposed to preparing an impairment review under AASB 136 *Impairment of assets* as at the date of initial application; and
- Applied the exemption not to recognise right-of-use assets and liabilities for leases with less than 12 months of lease term remaining as of the date of initial application.

As a lessee, the ACMA previously classified leases as operating or finance leases based on its assessment of whether the lease transferred substantially all of the risks and rewards of ownership. Under AASB 16, the ACMA recognises right-of-use assets and lease liabilities for most leases.

On adoption of AASB 16, the ACMA recognised right-of-use assets and lease liabilities in relation to leases of office space, which had previously been classified as operating leases.

The lease liabilities were measured at the present value of the remaining lease payments, discounted using the ACMA's incremental borrowing rate as at 1 July 2019. The ACMA's incremental borrowing rate is the rate at which

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

a similar borrowing could be obtained from an independent creditor under comparable terms and conditions. The weighted-average rate applied was 1.22%.

The right-of-use assets were measured as follows:

- Office space: measured at an amount equal to the lease liability, adjusted by the amount of any prepaid or accrued lease payments.
- All other leases: the carrying value that would have resulted from AASB 16 being applied from the commencement date of the leases, subject to the practical expedients noted above.
- Impact on transition

On transition to AASB 16, the ACMA recognised additional right-of-use assets and additional lease liabilities, recognising the difference in retained earnings. The impact on transition is summarised below:

Impact on Transition of AASB 16

Departmental	1 July 2019
	\$'000
Right-of-use assets - land and buildings	59,600
Lease liabilities	(59,600)
Retained earnings	2,082

The following table reconciles the Departmental minimum lease commitments disclosed in the ACMA's 30 June 2019 annual financial statements to the amount of lease liabilities recognised on 1 July 2019:

	1 July 2019
	\$'000
Minimum operating lease commitment at 30 June 2019	25,218
Plus: effect of extension options reasonable certain to be exercised	38,711
Undiscounted lease payments	63,929
Less: effect of discounting using the incremental borrowing rate as at the date of initial application	(4,329)
Lease liabilities recognised at 1 July 2019	59,600

Reporting of Administered activities

Administered revenues, expenses, assets, liabilities and cash flows are disclosed in the Administered schedules and related notes.

Except where stated below, Administered items are accounted for on the same basis and using the same policies as for departmental items, including the application of Australian Accounting Standards.

Taxation

The ACMA is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Significant Accounting Judgements and Estimates

In the process of applying the accounting policies listed in this note, the ACMA has made a judgement for the provision for long service leave which has been estimated using present value techniques, which take into account attrition rates and pay increases through promotion and inflation.

No other accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next reporting period.

Events after the reporting period

Departmental

There are no known events occurring after the reporting period that could impact on the financial statements.

Administered

There are no known events occurring after the reporting period that could impact on the financial statements.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

1. Financial Performance

This section analyses the financial performance of the ACMA for the year ended 30 June 2020.

1.1 Expenses

	2020	2019
	\$'000	\$'000
Note 1.1A: Employee Benefits		
Wages and salaries	42,025	39,012
Superannuation		
Defined contribution plans	4,333	4,147
Defined benefit plans	3,974	4,021
Leave and other entitlements	8,348	9,233
Separation and redundancies	69	527
Total employee benefits	58,749	56,940

Accounting Policy

For accounting policies on employee related expenses please refer to Section 6, People and Relationships.

Note 1.1B: Suppliers

Goods and services supplied or rendered

Contractors	9,617	7,110
IT and communications services	7,494	6,936
Outsourced services	5,640	5,222
Consultants	3,041	2,416
Travel costs	1,166	2,101
Occupancy costs	1,432	1,613
Other	1,635	1,191
Stationery and publications	588	551
Legal costs	722	246
Total goods and services supplied or rendered	31,335	27,386

Goods supplied	889	571
Services rendered	30,446	26,815
Total goods and services supplied or rendered	31,335	27,386

Other suppliers

Operating lease rentals ¹	-	5,126
Low value leases	283	-
Workers compensation expenses	196	395
Total other suppliers	479	5,521
Total suppliers	31,814	32,907

¹ The ACMA has applied AASB 16 using the modified retrospective approach and therefore the comparative information has not been restated and continues to be reported under AASB 117.

The ACMA has no short-term lease commitments as at 30 June 2020.

The above lease disclosures should be read in conjunction with the accompanying notes 1.1C, 3.2A and 3.4A.

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Accounting Policy

Short-term leases and leases of low-value assets

The ACMA has elected not to recognise right-of-use assets and lease liabilities for short-term leases of assets that have a lease term of 12 months or less and leases of low-value assets (less than \$10,000). The ACMA recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

	2020 \$'000	2019 \$'000
Note 1.1C: Finance Costs		
Unwinding of discount	69	42
Interest on lease liabilities ¹	647	-
Total finance costs	716	42

¹ The ACMA has applied AASB 16 using the modified retrospective approach and therefore the comparative information has not been restated and continues to be reported under AASB 117.

The above lease disclosures should be read in conjunction with the accompanying notes 1.1B, 3.2A and 3.4A.

Note 1.1D: Impairment Loss on Financial Instruments

Impairment of financial instruments	-	20
Total impairment loss on financial instruments	-	20

Note 1.1E: Write-Down and Impairment of Other Assets

Write-down of property, plant and equipment	213	3
Write-down of land	-	1,385
Impairment of intangible assets	-	172
Total write-down and impairment of assets	213	1,560

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

1.2 Own-Source Revenue and Gains

	2020	2019
	\$'000	\$'000

Own-Source Revenue

Note 1.2A: Revenue from Contract with Customers

Sale of goods	101	32
Rendering of services	911	-
Total revenue from contract with customers	1,012	32

Disaggregation of revenue from contracts with customers¹

Major product / service line:

Service delivery	911	-
Sales of low value plant and equipment	101	-
	1,012	-

Type of customer:

Australian Government entities (related parties)	724	-
Non-government entities	288	-
	1,012	-

Timing of transfer of goods and services:

Over time	911	-
Point in time	101	-
	1,012	-

¹ The ACMA has applied AASB 15 using the modified retrospective approach and therefore the comparative information has not been restated and continues to be reported under AASB 118.

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Accounting Policy

Revenue from the sale of goods is recognised by the ACMA when all of the following conditions have been satisfied:

- a. the entity has transferred to the buyer the significant risks and rewards of ownership of the goods;
- b. the entity retains neither continuing managerial involvement to the degree usually associated with ownership nor effective control over the goods sold;
- c. the amount of revenue can be measured reliably;
- d. it is probable that the economic benefits associated with the transaction will flow to the entity; and
- e. the costs incurred or to be incurred in respect of the transaction can be measured reliably.

Revenue from a transaction involving the rendering of services shall be recognised by reference to the stage of completion of the transaction at the end of the reporting period. The outcome of a transaction can be estimated reliably when all of the following conditions are satisfied:

- a. the amount of revenue can be measured reliably;
- b. it is probable that the economic benefits associated with the transaction will flow to the entity;
- c. the stage of completion of the transaction at the end of the reporting period can be measured reliably; and
- d. the costs incurred for the transaction and the costs to complete the transaction can be measured reliably.

When the outcome of a transaction involving the rendering of services cannot be estimated reliably, revenue is recognised only to the extent of the expenses recognised that are recoverable. Revenue is recognised only when it is probable that the economic benefits associated with the transaction will flow to the entity.

For the ACMA, in general, sale of goods is recognised at a point in time when control is transferred to the buyer, and rendering of services is recognised over time as performance obligations are met. Each contract is assessed at inception against AASB 15, or AASB 1058 where AASB 15 does not apply, and determines whether the ACMA will recognise the revenue over time or at a point in time.

The following is a description of principal activities from which the ACMA generates its departmental revenue: sale of minor assets (generally point in time), service arrangements with other Australian Government entities (generally over time), and cost recovery income received for work completed for satellite co-ordination charges collected by the ACMA, Emergency Position Indicating Radio Beacon triangulation (EPIRB) and police investigation assistance (generally over time).

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at end of the reporting period. Allowances are made when collectability of the debt is no longer probable.

	2020 \$'000	2019 \$'000
Note 1.2B: Reversals of Write-Downs and Impairment		
Receivables	3	-
Total reversals of previous asset write-downs and impairments	3	-

Note 1.2C: Other Gains

Resources received free of charge	81	81
Total other gains	81	81

Accounting Policy

Resources Received Free of Charge

Resources received free of charge are recognised as revenue when, and only when, a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources are recognised as an expense. Resources received free of charge are recorded as either revenue or gains depending on their nature. The value of income represents the services provided free of charge by the Australian National Audit Office.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

2. Income and Expenses Administered on Behalf of Government

This section analyses the activities that the ACMA does not control but administers on behalf of the Government.

Unless otherwise noted, the accounting policies adopted are consistent with those applied for departmental reporting.

2.1 Administered – Expenses

	2020	2019
	\$'000	\$'000
Note 2.1A: Suppliers		
Goods and services supplied or rendered		
Contractors	5,202	5,228
IT and communications services	166	1,014
Consultants	39	396
Travel	35	100
Other	79	95
Total goods and services supplied or rendered	5,521	6,833
Goods supplied	-	14
Services rendered	5,521	6,819
Total goods and services supplied or rendered	5,521	6,833
Note 2.1B: Grants		
Private sector		
Commercial entities	5,132	2,266
Total grants	5,132	2,266

Accounting Policy

Grants

The ACMA administers a number of grants on behalf of the Australian Government. Grant liabilities are recognised to the extent that (i) the services required to be performed by the grantee have been performed; or (ii) the grant eligibility criteria have been satisfied, but payments due have not been made. Where grant monies are paid in advance of performance or eligibility, a prepayment is recognised.

Note 2.1C: Impairment Loss on Financial Instruments

Asset write-downs and impairments	-	4,689
Total impairment loss on financial instruments	-	4,689

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

2.2 Administered – Income

	2020	2019
	\$'000	\$'000
Taxation Revenue		
<u>Note 2.2A: Other Taxes¹</u>		
Broadcasting licence charges	37,026	104,595
Radio communications taxes	149,562	231,146
Telecommunication numbering charges	60,000	60,000
Industry contributions	261,863	253,887
Total other taxes	508,451	649,628
 ¹ The reduction in other taxes is primarily driven by the timing of payments for multi-year licences, changes to demand, and COVID-19 industry relief measures.		
Non-Taxation Revenue		
<u>Note 2.2B: Revenue from Contracts with Customers</u>		
Sale of goods	8,397	5,876
Total revenue from contract with customers	8,397	5,876
 <u>Note 2.2C: Fees and Fines</u>		
Licence fees	31,142	31,259
Fines and penalties	1,999	560
Total fees and fines	33,141	31,819
 <u>Note 2.2D: Other Revenue</u>		
Other	5	4,118
Unwinding of discount	2,492	13,489
Total other revenue	2,497	17,607

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

	2020 \$'000	2019 \$'000
Gains		
<u>Note 2.2E: Gains from Sale of Assets</u>		
Proceeds from sale	-	115
Total gains from sale of assets	-	115
<u>Note 2.2F: Resources Received Free of Charge¹</u>		
Spectrum licences	852,853	-
Total resources received free of charge	852,853	-

¹ The sale of 3.6GHz spectrum access licences is initially recognised as a resource received free of charge, with subsequent treatment as a finance lease under AASB 16 *Leases*. The funds were received in full on the commencement of the licences in 2019-20.

Accounting Policy

Revenue

All Administered revenues relate to the ordinary activities performed by the ACMA on behalf of the Australian Government. Contributions from industries in the form of taxes, industry levies and fines are recognised as revenue when the economic activity giving rise to the Australian Government's right to the contribution has taken place and the liability to contribution can be reliably measured.

The following is a description of principal activities from which the ACMA generates its Administered revenue:

- Collection of taxes associated with broadcasting licences, radio communications, telecommunication charges and contributions from the industry;
- Revenue from contracts with customers; and
- Collection of fees and fines levied within the communications and media industry.

Revenue from broadcasting licence charges is recognised over time, however all other taxes, fees and fines are recognised as at a point in time. Other revenue from contracts with customers are recognised in accordance with the relevant accounting standard after assessing the characteristics of the contract.

Gains

At the commencement of a Spectrum Access Charge licence, a resource received free of charge is recognised under AASB 138 *Intangible Assets*, paragraph Aus24.1. This reflects the fair value of the spectrum to the ACMA where the consideration for the asset is significantly less than fair value. At the commencement of the licence, the ACMA recognises a finance lease under AASB 16 *Leases*, with derecognition of the related spectrum asset and a receivable raised for the 'net investment in the lease'. The 3.6Ghz licences that commenced in 2019-20 were paid in full prior to the commencement of the licence, which, as per AASB 16 *Leases*, results in a nil 'net investment in the lease'.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

3. Financial Position

This section analyses the ACMA's assets used to conduct its operations and the operating liabilities incurred as a result. Employee related information is disclosed in the People and Relationships section.

3.1 Financial Assets

	2020	2019
	\$'000	\$'000
Note 3.1A: Cash and Cash Equivalents		
Cash on hand or on deposit	1,811	3,575
Cash held for external parties	70	55
Total cash and cash equivalents	1,881	3,630
Note 3.1B: Trade and Other Receivables		
Appropriations receivables		
For existing outputs	34,325	22,483
Total appropriations receivable	34,325	22,483
Other receivables		
GST receivable from the Australian Taxation Office	477	708
Other	314	716
Total other receivables	791	1,424
Total trade and other receivables (gross)	35,116	23,907
Less impairment loss allowance	17	20
Total trade and other receivables (net)	35,099	23,887

Accounting Policy

Financial assets

Trade receivables, loans and other receivables that are held for the purpose of collecting the contractual cash flows where the cash flows are solely payments of principal and interest, that are not provided at below-market interest rates, are subsequently measured at amortised cost using the effective interest method adjusted for any loss allowance.

**Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

3.2 Non-Financial Assets

Note 3.2A: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment and Intangibles for 2020

	Land \$'000	Buildings \$'000	Leasehold improvements \$'000	Plant and equipment \$'000	Computer software internally developed \$'000	Computer software purchased \$'000	Total \$'000
As at 1 July 2019							
Gross book value	-	-	-	-	57,508	13,105	70,613
Fair value	5,480	194	15,528	10,500	-	-	31,702
Work in progress (WIP)	-	-	-	1,607	3,020	-	4,627
Accumulated depreciation and amortisation	-	(34)	(3,419)	(4,127)	(51,266)	(11,193)	(70,039)
Total as at 1 July 2019	5,480	160	12,109	7,980	9,262	1,912	36,903
Recognition of right of use asset on initial application of AASB 16	-	-	59,600	-	-	-	59,600
Adjusted total as at 1 July 2019	5,480	160	71,709	7,980	9,262	1,912	96,503
Additions							
By purchase	-	-	518	519	3,481	140	4,658
Movement in WIP	-	-	(415)	(21)	(1,613)	171	(1,878)
Right-of-use assets	-	-	-	-	-	-	-
Revaluations and impairments recognised in other comprehensive income	-	-	-	604	-	-	604
Revaluations and impairments recognised in other comprehensive income for right-of-use assets	-	-	-	-	-	-	-
Assets held for sale ¹	(4,100)	-	-	-	-	-	(4,100)
Depreciation and amortisation	-	(16)	(3,411)	(1,769)	(3,137)	(1,056)	(9,389)
Depreciation on right-of-use assets	-	-	(7,446)	-	-	-	(7,446)
Reclassification	-	-	518	(1,500)	982	-	-
Impairments recognised in net cost of services	-	-	-	(213)	-	-	(213)
Other movements	-	-	-	-	-	-	-
Total as at 30 June 2020	1,380	144	61,473	5,600	8,975	1,167	78,739

**Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**

	Land \$'000	Buildings \$'000	Leasehold improvements \$'000	Plant and equipment \$'000	Computer software internally developed \$'000	Computer software purchased \$'000	Total \$'000
Total as at 30 June 2020 represented by:							
Gross book value	-	-	-	-	37,800	7,103	44,903
Fair value	1,380	194	75,646	5,613	-	-	82,833
Work in progress	-	-	103	86	2,389	171	2,749
Accumulated depreciation and amortisation	-	(50)	(14,276)	(99)	(31,214)	(6,107)	(51,746)
Total as at 30 June 2020	1,380	144	61,473	5,600	8,975	1,167	78,739
Carrying amount of right-of-use assets	-	-	52,154	-	-	-	52,154

¹ Land at Capalaba was sold in 2019-20 for \$4,100m.

Revaluation of non-financial assets

All revaluations were conducted in accordance with the revaluation policy stated at Note 7.4.

Contractual commitments for the acquisition of property, plant and equipment and intangible assets

The ACMA has no commitments for the acquisition of non-financial assets.

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Accounting Policy

Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate. Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor's accounts immediately prior to the restructuring.

Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the Statement of Financial Position, except for purchases costing less than \$5,000, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total). The asset thresholds have not been changed during the current financial year. The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the ACMA where there exists an obligation to restore the property to its original condition. These costs are included in the value of the ACMA's leasehold improvements with a corresponding provision for the 'make good' recognised.

Asset Class	Threshold
Buildings	\$50,000
Leasehold improvements	\$10,000
Plant and equipment	\$5,000
Motor vehicles	\$10,000
Software – purchased	\$10,000
Software – internally developed	\$10,000

Leased Right of Use (ROU) Assets

Leased ROU assets are capitalised at the commencement date of the lease and comprise of the initial lease liability amount, initial direct costs incurred when entering into the lease less any lease incentives received. These assets are accounted for by Commonwealth lessees as separate asset classes to corresponding assets owned outright, but included in the same column as where the corresponding underlying assets would be presented if they were owned.

On initial adoption of AASB 16 the ACMA has adjusted the ROU assets at the date of initial application by the amount of any provision for onerous leases recognised immediately before the date of initial application. Following initial application, an impairment review is undertaken for any right of use lease asset that shows indicators of impairment and an impairment loss is recognised against any right of use lease asset that is impaired. Leased ROU assets continue to be measured

at cost after initial recognition in Commonwealth agency, GGS and Whole of Government financial statements.

Revaluations

Fair values for each class of asset are determined:

Asset class	Revaluation cycle	Fair Value Measured at
Land	Tri-annually	Market approach
Building	Tri-annually	Depreciated replacement cost
Leasehold improvements	Tri-annually	Depreciated replacement cost
Plant and equipment	Tri-annually	Market approach
Motor vehicles	Tri-annually	Market approach

Following initial recognition at cost, property plant and equipment is carried at fair value (or an amount not materially different from fair value) less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets do not differ materially from the assets' fair values as at the reporting date.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve, except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised in the surplus/(deficit). Revaluation decrements for a class of assets are recognised directly in the surplus/(deficit) except to the extent that they reverse a previous revaluation increment for that class. Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the ACMA using, in all cases, the straight-line method of depreciation. Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate. Asset under construction are not subject to depreciation.

Asset Class	Useful Life
Buildings	5 to 40 years
Leasehold improvements	Lease term
Plant and equipment	3 to 15 years

The depreciation rates for ROU assets are based on the commencement date to the earlier of the end of the useful life of the ROU asset or the end of the lease term.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Impairment

All assets were assessed for impairment at 30 June 2020. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount. The recoverable amount of an asset is the higher of its fair value less costs of disposal and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the ACMA were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Intangibles

The ACMA's intangibles comprise of internally developed and purchased software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses. Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the ACMA's software are 3 to 10 years and have not changed from the prior year.

Derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

3.3 Payables

	2020	2019
	\$'000	\$'000
Note 3.3A: Suppliers		
Trade creditors and accruals	2,174	2,774
Operating lease rentals	-	2,082
Total supplier payables	2,174	4,856

The majority of suppliers engaged had 20 day payment terms.

Note 3.3B: Other Payables

Unearned revenue	1,074	634
Salaries and wages	756	365
Superannuation	132	64
Other	11	11
Total other payables	1,973	1,074

3.4 Leases

	2020	2019
	\$'000	\$'000
Note 3.4A: Leases		
Lease Liabilities		
Leasehold improvements	53,415	-
Total leases	53,415	-

¹ The ACMA has applied AASB 16 using the modified retrospective approach and therefore the comparative information has not been restated and continues to be reported under AASB 117.

Total cash outflow for leases for the year ended 30 June 2020 was \$6.254m.

Accounting Policy

Refer Overview section for accounting policy on leases.

3.5 Other Provisions

	Provision for restoration	Total
	\$'000	\$'000
Reconciliation of the Other Provisions Account:		
As at 1 July 2019	2,617	2,617
Amounts reversed	-	-
Amounts used	-	-
Other movements	69	69
Total as at 30 June 2020	2,686	2,686

The ACMA currently has four major agreements for the leasing of premises which have provisions requiring the ACMA to restore the premises to their original condition at the conclusion of the lease (2019: four).

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

4. Assets and Liabilities Administered on Behalf of Government

This section analyses assets used to conduct operations and the operating liabilities incurred as a result the ACMA does not control but administers on behalf of the Government. Unless otherwise noted, the accounting policies adopted are consistent with those applied for departmental reporting.

4.1 Administered – Financial Assets

	2020	2019
	\$'000	\$'000
Note 4.1A: Cash and Cash Equivalents		
Cash in special accounts	75	86
Cash on hand or on deposit	361	365
Total cash and cash equivalents	436	451
Note 4.1B: Taxation Receivables		
Other taxes ¹	27,144	113,125
Total taxation receivables (gross)	27,144	113,125
Less: impairment loss allowance		
Other taxes	1,213	10,081
Total receivables (net)	25,931	103,044
Note 4.1C: Trade and Other Receivables		
Other receivables		
Annual Carrier Licence Charge	31,064	31,184
Statutory receivables	111	92
Total other receivables	31,175	31,276
Total trade and other receivables (gross)	31,175	31,276
Less: impairment loss allowance		
Other receivables	38	1,077
Total trade and other receivables (net)	31,137	30,199
Note 4.1D: Other Financial Assets		
Prepayments	-	8
Accrued revenue ²	-	429,837
Total other financial assets	-	429,845

¹ The reduction from the prior year is mainly attributable to the timing of the payment of Broadcasting Licence Fees and the Annual Numbering Charge.

² Accrued revenue in 2018-19 represents the remaining instalment relating to the sale of 700MHz spectrum in 2017-18. This instalment was paid in 2019-20.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

4.2 Administered – Payables

	2020	2019
	\$'000	\$'000
Note 4.2A: Other Payables		
Unearned revenue ¹	129,816	108,008
Other	1,344	896
Total other payables	131,160	108,904

¹ Unearned revenue represents radiocommunication licences paid in advance where the benefit has not yet been realised by the holder.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

5. Funding

This section identifies the ACMA's funding structure.

5.1 Appropriations

Note 5.1A: Departmental annual and unspent appropriations ('Recoverable GST exclusive')

	2020 \$'000	2019 \$'000
Ordinary annual services		
Annual Appropriation		
Operating	96,039	90,157
Capital budget	7,350	6,913
Section 74 receipts	4,434	1,535
Total available appropriation	107,823	98,605
Appropriation applied (current and prior years)	(97,729)	(98,601)
Variance	10,094	4
Opening unspent appropriation balance	26,112	26,392
Repeal of <i>Appropriation Act (No. 1) 2015-16</i>	-	(284)
Closing unspent appropriation balance	36,206	26,112
Balance comprises appropriations as follows¹:		
<i>Appropriation Act (No. 1) 2017-18 Capital Budget (DCB)</i>	-	933
<i>Appropriation Act (No. 1) 2018-19 Capital Budget (DCB)</i>	5,116	6,813
<i>Appropriation Act (No. 1) 2018-19</i>	-	13,981
<i>Appropriation Act (No. 3) 2018-19</i>	-	755
<i>Appropriation Act (No. 1) 2018-19 cash held by the department</i>	-	3,630
<i>Supply Act (No. 1) 2019-20 Capital Budget (DCB)</i>	2,673	-
<i>Appropriation Act (No. 1) 2019-20 Capital Budget (DCB)</i>	4,577	-
<i>Appropriation Act (No. 1) 2019-20</i>	21,959	-
<i>Appropriation Act (No. 1) 2019-20 cash held by the department</i>	1,881	-
Total unspent appropriation - ordinary annual services	36,206	26,112
Other services		
Annual Appropriation		
Equity injections	-	535
Total available appropriation	-	535
Appropriation applied (current and prior years)	-	(535)
Variance	-	-
Opening unspent appropriation balance	-	-
Closing unspent appropriation balance	-	-
Total unspent appropriation	36,206	26,112

¹ Departmental Capital Budgets are appropriated through Supply and Appropriation Acts (No.1, 3). They form part of ordinary annual services and are not separately identified in the Supply and Appropriation Acts.

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Accounting Policy

Revenue from Government - Departmental

Amounts appropriated for departmental appropriations for the year (adjusted for any formal additions and reductions) are recognised as Revenue from Government when the ACMA gains control of the appropriation, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned. Appropriations receivable are recognised at their nominal amounts.

Funding received or receivable from non-corporate Commonwealth entities (appropriated to the non-corporate Commonwealth entity as a corporate Commonwealth entity payment item for payment to this entity) is recognised as Revenue from Government by the non-corporate Commonwealth entity unless the funding is in the nature of an equity injection or a loan.

Note 5.1B: Administered annual and unspent appropriations ('Recoverable GST exclusive')

	2020 \$'000	2019 \$'000
Ordinary annual services		
Annual appropriation		
Operating	23,749	22,921
Total available appropriation	23,749	22,921
Appropriation applied (current and prior years)	(10,024)	(8,983)
Variance	13,725	13,938
Opening unspent appropriation balance	16,338	2,400
Repeal of Appropriation Act (No. 3) 2016-17	(1,011)	-
Closing unspent appropriation balance	29,052	16,338
Balance comprises appropriations as follows¹:		
Appropriation Act (No. 3) 2016-17	-	1,011
Appropriation Act (No. 3) 2017-18	921	921
Appropriation Act (No. 1) 2018-19	13,938	14,406
Supply Act (No. 1) 2019-20	2,009	-
Appropriation Act (No. 1) 2019-20	12,184	-
Total unspent appropriation - ordinary annual services	29,052	16,338
Total unspent appropriation	29,052	16,338

¹ The total unspent appropriation is shown inclusive of Section 51 permanent quarantines against Appropriation Act (No. 3) 2017-18 of \$0.921m and Appropriation Act (No. 1) 2018-19 of \$0.204m.

Note 5.1C: Special Appropriations ('Recoverable GST exclusive')

Authority	Type	Appropriation applied	
		2020 \$'000	2019 \$'000
Public Governance, Performance and Accountability Act 2013 s77 Repayments ²	Refund	7,623	6,977
Special Appropriation - Telecommunications Act 1997 - ss136C(4)		165	-
Total special appropriations applied		7,788	6,977

² Relates to the refund of radiocommunications licences surrendered before the expiration date.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

5.2 Special Accounts

Note 5.2A: Special Accounts ('Recoverable GST exclusive')

	The Online Safety Special Account ¹		Services for Other Entities and Trusts Moneys ²	
	2020 \$'000	2019 \$'000	2020 \$'000	2019 \$'000
Balance brought forward from previous period	2,126	2,009	86	40
Increases	18,348	15,841	255	77
Total increases	20,474	17,850	341	117
Available for payments	20,474	17,850	341	117
Decreases				
Departmental	(18,678)	(15,724)	-	-
Total Departmental	(18,678)	(15,724)	-	-
Administered	-	-	(266)	(31)
Total Administered	-	-	(266)	(31)
Total decreases	(18,678)	(15,724)	(266)	(31)
Total balance carried to the next period	1,796	2,126	75	86
Balance represented by:				
Cash held in entity bank accounts	346	51	-	-
Cash held in the Official Public Account	1,450	2,075	75	86
Total balance carried to the next period	1,796	2,126	75	86

¹ Appropriation: *Public Governance, Performance and Accountability Act 2013*; section 80.

Establishing Instrument: *Enhancing Online Safety Act 2015*; section 72.

Purpose: To enhance online safety for Australians.

² Appropriation: *Financial Management and Accountability Act 1997*; section 20.

Establishing Instrument: FMA Act (Establishment of SOETM Special Account – ACMA) Determination 2012/03.

Purpose: This account was created to disburse amounts held on trust or otherwise for the benefit of a person other than the Commonwealth.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

5.3 Regulatory Charging Summary

	2020 \$'000	2019 \$'000
Amounts applied		
Departmental		
Annual appropriations	21,011	19,467
Own source revenue	231	432
Administered		
Special appropriations (including special accounts)	165	-
Total amounts applied	21,407	19,899
Expenses		
Departmental	21,323	19,986
Administered	-	-
Total expenses	21,323	19,986
External revenue		
Departmental	231	432
Administered	38,309	38,351
Total external revenue	38,540	38,783

Cost Recovered Activities:

The Administered revenue includes the Annual Carrier Licence Charge (2020 - \$31.064m; 2019 - \$31.184m) which is based on the cost of services provided by the ACMA, ACCC and the Department of Infrastructure, Transport, Regional Development and Communications. The ACMA is responsible for invoicing and collecting the charges from the telecommunications carriers on behalf of other participating Government organisations.

The Administered revenue also included the money received on behalf of the Postal Industry Ombudsman (PIO) for investigation of complaints (2020 - \$0.083m; 2019 - \$1.080m). The ACMA is only responsible for invoicing and collecting the charges on behalf of the PIO.

5.4 Net Cash Appropriation Arrangement

	2020 \$'000	2019 \$'000
Total comprehensive income less depreciation/amortisation expenses previously funded through revenue appropriations	9	(792)
Plus: depreciation/amortisation expenses previously funded through revenue appropriation	(9,389)	(11,539)
Plus: depreciation on right-of-use assets	(7,446)	-
Less: principal repayments - leased assets	6,254	-
Total comprehensive income - as per the Statement of Comprehensive Income	(10,572)	(12,331)

From 2010-11, the Government introduced net cash appropriation arrangements where revenue appropriations for depreciation/amortisation expenses ceased. Entities now receive a separate capital budget provided through equity appropriations. Capital budgets are to be appropriated in the period when cash payment for capital expenditure is required.

The inclusion of depreciation/amortisation expenses related to ROU leased assets and the lease liability principle repayment amount reflects the cash impact on implementation of AASB 16 Leases, it does not directly reflect a change in appropriation arrangements.

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

6. People and Relationships

This section describes a range of employment and post-employment benefits provided to our people and our relationships with other key people.

6.1 Employee Provisions

	2020	2019
	\$'000	\$'000
Note 6.1A: Employee Provisions		
Leave	21,803	20,030
Total employee provisions	21,803	20,030

Accounting Policy

Liabilities for 'short-term employee benefits' and termination benefits due within twelve months of the end of reporting period are measured at their nominal amounts.

The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

Other long-term employee benefits are measured as the net total of the present value of the defined benefit obligation at the end of the reporting period minus the fair value at the end of the reporting period of plan assets (if any) out of which the obligations are to be settled directly.

Leave

The liability for employee benefits includes a provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees of the ACMA is estimated to be less than the annual entitlement for sick leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the ACMA's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the short hand method prescribed under section 24 of the Financial Reporting Rule. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and Redundancy

Provision is made for separation and redundancy benefit payments. The ACMA recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the termination.

Superannuation

ACMA staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS) or the PSS accumulation plan (PSSap) or other superannuation funds held outside the Australian Government.

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported in the Department of Finance's Administered schedules and notes.

The ACMA makes employer contributions to the employees' superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Australian Government. The ACMA accounts for the contributions as if they were contributions to defined contribution plans. The liability for superannuation recognised as at 30 June represents outstanding contributions.

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

6.2 Key Management Personnel Remuneration

Key Management Personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly. The ACMA has determined the Key Management Personnel to be the Chair, Deputy Chair, General Managers and the eSafety Commissioner.

Key Management Personnel remuneration is reported in the table below:

	2020	2019
	\$	\$
Short-term employee benefits	2,470,486	2,360,890
Post-employment benefits	340,202	331,312
Other long-term employee benefits	58,898	63,566
Termination benefits	-	-
Total key management personnel remuneration expenses¹	2,869,586	2,755,768

The total number of Key Management Personnel that are included in the above table is 9 (2019: 10).

Other than annual leave accrued and long-service leave, all expenses reflect cash payments made during the year.

¹ The above Key Management Personnel remuneration excludes the remuneration and other benefits of the Portfolio Minister. The Portfolio Minister's remuneration and other benefits are set by the Remuneration Tribunal and are not paid by the ACMA.

6.3 Related Party Disclosures

Related party relationships:

The ACMA is an Australian Government controlled entity. Related parties to the ACMA are Key Management Personnel including the Portfolio Minister, the Chair, the Deputy Chair, General Managers, the eSafety Commissioner and other Australian Government entities.

Transactions with related parties:

Given the breadth of Australian Government activities, related parties may transact with the Government sector in the same capacity as ordinary citizens. Such transactions include the payment or refund of taxes, receipt of a Medicare rebate or higher education loans. These transactions have not been separately disclosed in this note.

Significant transactions with related parties can include:

- the payments of grants or loans;
- purchases of goods and services;
- asset purchases, sales transfers or leases;
- debts forgiven; and
- guarantees.

Giving consideration to relationships with related entities, and transactions entered into during the reporting period by the ACMA, it has been determined that there are no related party transactions to be separately disclosed (2018: nil).

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

7. Managing Uncertainties

This section analyses how the ACMA manages financial risks within its operating environment.

7.1 Contingent Assets and Liabilities

Departmental

The ACMA is not aware of any material Departmental quantifiable, unquantifiable or significant remote contingent assets or liabilities (2019: nil).

Administered

The ACMA is not aware of any material Administered quantifiable, unquantifiable or significant remote contingent assets or liabilities (2019: nil).

Accounting Policy

Contingent Liabilities and Contingent Assets

Contingent liabilities and contingent assets are not recognised in the Statement of Financial Position but are reported in the relevant notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

7.2 Financial Instruments

	2020	2019
	\$'000	\$'000
Note 7.2A: Categories of Financial Instruments		
Financial assets at amortised cost		
Cash and cash equivalents	1,881	3,630
Trade and other receivables	314	716
Total financial assets at amortised cost	2,195	4,346
Total financial assets	2,195	4,346
Financial liabilities at amortised cost		
Trade creditors and accruals	2,174	2,774
Total financial liabilities at amortised cost	2,174	2,774
Carrying amount of financial liabilities	2,174	2,774

The carrying value of financial assets and liabilities is a reasonable approximation of fair value.

7.3 Administered Financial Instruments

	2020	2019
	\$'000	\$'000
Note 7.3A: Categories of Financial Instruments		
Financial assets at amortised cost		
Cash and cash equivalents	436	451
Fees, charges and other revenue receivables	31,026	30,107
Accrued revenue	-	429,845
Total financial assets at amortised cost	31,462	460,403
Carrying amount of financial assets	31,462	460,403

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

Accounting Policy

Financial Assets

With the implementation of AASB 9 Financial Instruments for the first time in 2019, the ACMA classifies its financial assets in the following categories:

- a) financial assets at fair value through profit or loss;
- b) financial assets at fair value through other comprehensive income; and
- c) financial assets measured at amortised cost.

The classification depends on both the ACMA's business model for managing the financial assets and contractual cash flow characteristics at the time of initial recognition. Financial assets are recognised when the ACMA becomes a party to the contract and, as a consequence, has a legal right to receive or a legal obligation to pay cash and derecognised when the contractual rights to the cash flows from the financial asset expire or are transferred upon trade date. Comparatives have not been restated on initial application.

Financial Assets at Amortised Cost

Financial assets included in this category need to meet two criteria:

1. the financial asset is held in order to collect the contractual cash flows; and
2. the cash flows are solely payments of principal and interest (SPPI) on the principal outstanding amount.

Amortised cost is determined using the effective interest method.

Effective Interest Method

Income is recognised on an effective interest rate basis for Financial Assets that are recognised at amortised cost.

Impairment of Financial Assets

Financial Assets are assessed for impairment at the end of each reporting period based on Expected Credit Losses, using the general approach which measures the loss allowance based on an amount equal to lifetime expected credit losses where risk has significantly increased, or an amount equal to 12-month expected credit losses if risk has not increased.

The simplified approach for trade, contract and lease receivables is used. This approach always measures the loss allowance as the amount equal to the lifetime expected credit losses.

A write-off constitutes a derecognition event where the write-off directly reduces the gross carrying amount of the financial asset.

Financial Liabilities

Financial liabilities are classified as either financial liabilities 'at fair value through profit or loss' or other financial liabilities. Financial liabilities are recognised and derecognised upon 'trade date'.

Financial Liabilities at Fair Value Through Profit or Loss

Financial liabilities at fair value through profit or loss are initially measured at fair value. Subsequent fair value adjustments are recognised in profit or loss. The net gain or loss recognised in profit or loss incorporates any interest paid on the financial liability.

Financial Liabilities at Amortised Cost

Financial liabilities, including borrowings, are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the Effective Interest Method, with interest expense recognised on an effective interest basis.

Supplier and Other Payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

Australian Communications and Media Authority

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

7.4 Fair Value Measurement

All Non-Financial Assets with the exception of Intangibles are measured at fair value. Other than Assets Held for Sale, these are all recurring fair value measurements.

Key judgements and estimates

Valuation of Land and Buildings

Independent valuations are obtained tri-annually as at 30 June for Land and Buildings. These valuations include calculations of estimated market cash flows which are adjusted to take into account physical, economic and external factors relevant to the asset under consideration. All valuations conducted are in compliance with AASB 13.

Valuation of Leasehold Improvements, Plant and Equipment

The estimated cost to replace the asset has been calculated and then adjusted to take into account obsolescence and physical deterioration (accumulated depreciation). The obsolescence has been determined based on professional judgement regarding physical, economic and external factors relevant to the asset under consideration.

Australian Communications and Media Authority
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS

8. Other Items

8.1 Aggregate Assets and Liabilities

	2020	2019
	\$'000	\$'000
Note 8.1A: Aggregate Assets and Liabilities		
Assets expected to be recovered in:		
No more than 12 months	39,534	33,484
More than 12 months	348	-
Total assets	39,882	33,484
Liabilities expected to be settled in:		
No more than 12 months	13,731	9,595
More than 12 months	68,320	18,982
Total liabilities	82,051	28,577

Note 8.1B: Administered - Aggregate Assets and Liabilities

Assets expected to be recovered in:		
No more than 12 months	57,504	563,539
More than 12 months	-	-
Total assets	57,504	563,539
Liabilities expected to be settled in:		
No more than 12 months	124,006	100,381
More than 12 months	7,154	8,523
Total liabilities	131,160	108,904

eSafety

Part 2

Office of the eSafety Commissioner
annual report 2019–20

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**This report is available on the Office of the eSafety Commissioner website at
www.esafety.gov.au/about-the-office/corporate-reporting**

Enquiries about this report can be emailed to the Business Manager, enquiries@esafety.gov.au.

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eSafety Commissioner

3 September 2020

The Hon Paul Fletcher MP
Minister for Communications, Cyber Safety and the Arts
Parliament House
CANBERRA ACT 2600

Dear Minister

In accordance with section 66 of the *Enhancing Online Safety Act 2015*, I am pleased to present the annual report of the activities of the Office of the eSafety Commissioner for the 2019–20 reporting year.

Yours sincerely

Julie Inman Grant
Commissioner

esafety.gov.au

Commissioner's foreword



The 2019–20 financial year brought unanticipated challenges for eSafety, just as it did for so many other organisations. The rise in internet usage, as offices and schools emptied in response to COVID-19, along with the emotional, social and economic challenges that accompanied the lockdown, led to an immediate spike across all of eSafety's reporting areas.

In response, the team at eSafety quickly pivoted to the specific challenges presented by COVID-19, producing customised resources for young people, parents and carers, educators, seniors and women. As the first dedicated online safety regulator in the world, we also recognised our obligation to those experiencing heightened levels of online harm in other nations, and produced our first suite of materials intended for an international audience—specifically, for parents, and for frontline workers supporting women. I anticipate this work will be the precursor to a heightened level of international collaboration and engagement over the coming 12 months.

I will forever be proud of the way my team rose to the challenges the COVID-19 pandemic posed to our mission of keeping Australians safer online. And through all of those challenges, we continued to provide support as usual to thousands of victims of online abuse, while pushing ahead with the research and outreach programs that are so important to preventing online harm.

Our world-first cyberbullying complaints scheme continued to provide an invaluable safety net to Australian children affected by serious cyberbullying. And we continued to enjoy an outstanding success rate in having this damaging material removed from social media sites and ending the anguish of these young Australians.

Our reporting service for Australian adults experiencing cyber abuse continued into its third year. While we do not have formal powers to investigate cyber abuse targeting adults, we were able to provide advice, assistance and referrals to support services to over 1,000 Australians. In addition, through partnerships with the AFL and the Australian Human Rights Commission, we were able to spread the message that cyber abuse is not acceptable, either in the sporting sector or directed towards multicultural communities.

This was also the third successive year in which we provided a world-first government-led reporting service for victims of image-based abuse—Australians who have had their intimate images shared, or threatened to be shared, without their consent. There was a significant increase in these reports, and sextortion scams continued to be a prominent concern for our team, with a large spike recorded during the COVID-19 lockdown period.

Our investigative division also continued to combat online child sexual abuse material through the work of the Cyber Report team. In November 2019, we marked the milestone of 20 years of fighting online child sexual abuse material through INHOPE—a network of 46 hotlines around the world dedicated to rapidly removing child sexual abuse material from the internet. Cyber Report responds to reports from the public and law enforcement about prohibited online content and works with international partners to get online child sexual abuse material taken down. Here, too, there was a significant increase in workload during the COVID-19 pandemic, as those who produce and circulate this horrendous material online sought to take advantage of unique opportunities. Last year, I was also honoured to join the Board of the WePROTECT Global Alliance to join forces with world leaders committed to fighting this scourge.

In the wake of the terrorist attacks in Christchurch, New Zealand in March 2019, eSafety was given new powers to notify content and hosting services about abhorrent violent material provided on their services. In September 2019, I directed internet service providers (ISPs) to block access to eight websites that continued to provide access to material, despite takedown notices. Six months later, I was able to announce the finalisation of a protocol with the ISPs that, in any future similar online crisis event, will facilitate the rapid blocking of websites that host such harmful material, if required.

Our research has continued to furnish a solid evidence base for eSafety initiatives, while providing stakeholders and the general public with the tools for a deeper analysis of online safety issues. Among the highlights was a report on *Online hate speech* that revealed about one in seven adult Australians were the targets of hate speech in the 12 months to August 2019. The research team, too, was able to pivot to the pandemic, releasing data from a survey of the impact of COVID-19 on Australian's online activities and attitudes. The survey revealed a significant shift in internet usage patterns that is likely to become the 'new normal'; it generated significant media interest.

Our outreach program was another important way we delivered online safety messages and training to a broad range of Australians across various ages and walks of life. In 2019, we started delivering training to chaplains as part of the National Schools Chaplaincy Program. In March 2020, we transitioned all our presentations online. Over the COVID-19 period, eSafety webinars were highly popular, particularly with parents and educators. A 'Child Safety and Online Learning' webinar was delivered in response to enquiries coming from schools and organisations. During the course of the year, eSafety provided online safety education to students, parents, educators and community workers through virtual classrooms, webinars and face-to-face presentations. Webinars also became a key tool to support older Australians who wanted to improve their computer skills and address online safety concerns.

Through our eSafetyWomen program, we continued to deliver essential training to frontline workers, to help them combat the use of technology to stalk, control and harass women experiencing family and domestic violence. We also focused on the need to build the capacity of vulnerable groups to combat technology-facilitated abuse, namely women with intellectual and cognitive disabilities, Aboriginal and Torres Strait Islander women, those from culturally and linguistically diverse communities, and children in domestic and family violence situations.

The resources we offer on our website—for parents, educators, seniors, kids, young people, women, and those in at-risk communities—are critical to our outreach and prevention work. Following the re-launch of the website in October, I am more confident than ever that we offer one of the most comprehensive online safety websites. This was recognised in May with a prestigious Webby Honouree award, which places eSafety in the top 20 per cent of all websites submitted globally, of which there were 13,000, across 70 different countries.

Our Be Connected program continues to address the needs of older Australians seeking support in engaging safely online. During COVID-19, we saw a significant increase in users of our interactive learning site, which now has had more than 6.1 million page-views.

Finally, a highlight of eSafety's year was *eSafety19*, a major international conference co-hosted with Netsafe New Zealand. The conference attracted 60 expert speakers and more than 400 guests from around the world. Sessions covered the progress being made across the whole gamut of online safety issues currently on the radar of regulators, legislators, researchers and everyday citizens.

At *eSafety19*, I launched *eSafety Strategy 2019–2022*, setting out a range of achievable goals across our areas of operation. The strategy foreshadowed that we would aim better to anticipate the impacts of technological developments on user safety, and this has already been reflected in the *Tech trends and challenges* feature on our website. The document also outlines the next stage in our Safety by Design initiative, where eSafety will be engaging with industry and other stakeholders to reduce and counter the risks that Australians and citizens everywhere confront online.

I am confident that these strategic settings will position eSafety to continue to support Australians in having safer and more empowering experiences online long after the current unique circumstances in which we live have become a memory.



Julie Inman Grant
eSafety Commissioner

Our year at a glance



Promoting online safety

We had over **1.54 million website visitors** and more than **5.48 million page views**



Providing online safety education

We had over **96,530 participants** through our eSafety outreach program

We reached over **29,270 subscribers** a month to our *eSafety news* e-newsletter



Empowering Australian women

We had **35,321 visitors** to the eSafetyWomen website with **77,361 page views**

We held **149 workshops and webinars** with **2,907 participants** and **974 registered users** of the eSafetyWomen online learning management resource



Supporting older Australians

We had **239,070 visitors** to the Digital Literacy for Older Australians learning portal

We had **2,672 attendees** at eSafety presentations and webinars and over **3.13 million page views**



Tackling image-based abuse

We were successful in having **82% of material** removed on request



Fighting illegal content and abhorrent violent material

We received **14,573 reports** about potentially prohibited online content

We identified **13,392 URLs** hosting material that was sufficiently serious to warrant referral to law enforcement. More than **99%** of these provided access to child sexual abuse material

We issued **16 notices** to Australian and overseas services in relation to abhorrent violent material



Combating cyberbullying

We received **690 complaints** about serious cyberbullying targeting Australian children

We referred over **2,900 people** to the Kids Helpline website

Overview

Functions and responsibilities

The functions of the eSafety Commissioner are set out in section 15 of the *Enhancing Online Safety Act 2015* (EOS Act) and accompanying legislative rules.

In accordance with the legislation, eSafety's specific responsibilities include:

- > administering a cyberbullying complaints scheme for serious cyberbullying material that targets an Australian child
- > administering the Online Content Scheme for the removal of prohibited or potentially prohibited internet content, in accordance with schedules 5 and 7 to the *Broadcasting Services Act 1992* (BSA)
- > administering a complaints and objections system for non-consensual sharing of intimate images (otherwise known as image-based abuse)
- > issuing notices to content services and hosting services about abhorrent violent material available on their services via amendments to the *Criminal Code Act 1995*
- > coordinating activities of Commonwealth departments, authorities and agencies relating to online safety for children
- > supporting, encouraging, conducting, accrediting and evaluating educational, promotional and community awareness programs that are relevant to online safety
- > supporting, encouraging, conducting and evaluating research about online safety
- > advising the Minister for Communications, Cyber Safety and the Arts about online safety
- > promoting online safety for people at risk of family or domestic violence including the risks of using technology
- > supporting, encouraging and conducting educational, promotional, training and community awareness programs that are relevant to online safety for people at risk of family or domestic violence.

In 2019, the Commissioner was given a new function through the Enhancing Online Safety (Protecting Australians from Terrorist or Violent Criminal Material) Legislative Rule 2019:

- > promoting online safety for Australians by protecting Australians from access or exposure to material that promotes, incites, or instructs in, terrorist acts or violent crimes.

Corporate structure

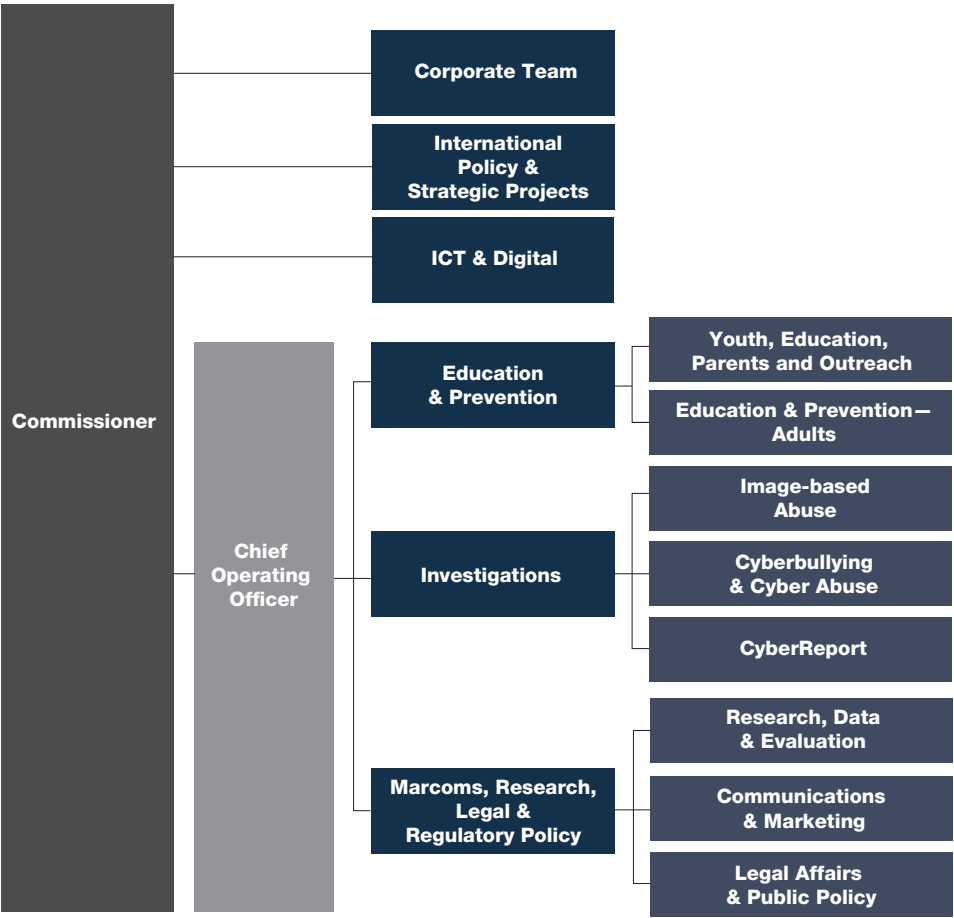
The EOS Act establishes the eSafety Commissioner as an independent statutory office holder, supported by the Australian Communications and Media Authority (ACMA).

The ACMA provides corporate support services and staff to fulfil the functions of eSafety under section 67 of the EOS Act. These staff are not under the direction of the ACMA; however, they are employed under the terms of the *ACMA Enterprise Agreement 2017–2020*.

In April 2020, eSafety strengthened its leadership team with the appointment of Ms Rebecca Razavi as the Chief Operating Officer.

In 2019–20, eSafety was staffed by the Commissioner, had an average staffing level of 57.35 staff and a number of contractors. Staff were located in the ACMA's Sydney, Melbourne and Canberra offices.

Figure 2.1: Office of the eSafety Commissioner corporate structure, as at 30 June 2020



The Commissioner



Julie Inman Grant was appointed as eSafety Commissioner on 23 November 2016 and she began in the role in January 2017.

Ms Inman Grant has extensive experience in the non-profit and government sectors and spent two decades working in senior public policy and safety roles in the tech industry at Microsoft, Twitter and Adobe.

The Commissioner's career began in Washington DC, working in the US Congress and the non-profit sector before taking on a role at Microsoft. Ms Inman Grant's experience at Microsoft spanned 17 years, serving as one of the company's first and longest-standing government relations professionals, ultimately in the role of Global Safety Director for safety policy and outreach. At Twitter, she set up and drove the company's policy, safety and philanthropy programs across Australia, New Zealand and Southeast Asia.

As Commissioner, Ms Inman Grant plays an important global role as Chair of the Child Dignity Alliance's Technical Working Group and as a Board Member of the WePROTECT Global Alliance. She was designated one of Australia's most influential women by the Australian Financial Review in 2019.

Report on performance

This section reports on eSafety's performance as set out in the Portfolio Budget Statements (PBS):

Outcome 1: A communications and media environment that balances the needs of industry and the Australian community through regulation, education and advice.

Program 1.3: Support positive online experiences through national leadership and administration of statutory schemes and educational and awareness activities that promote online safety for all Australians.

I, Julie Inman Grant, eSafety Commissioner, present the following information in relation to the Office of the eSafety Commissioner. In my opinion, this information accurately reflects the performance of the Office of the eSafety Commissioner in the 2019–20 financial year.

A handwritten signature in black ink, reading 'Julie Inman Grant'. The signature is fluid and cursive, with the first name 'Julie' being the most prominent.

Julie Inman Grant
eSafety Commissioner

Assistance and investigations

Cyberbullying

Performance criteria:	Operation of a complaints scheme to deal with serious cyberbullying affecting Australian children.
Target:	Effectively and efficiently administer a complaints-based scheme to deal with serious cyberbullying by providing a safety net, high quality advice, support pathways and targeted evidence-based educational resources.
Results:	Met

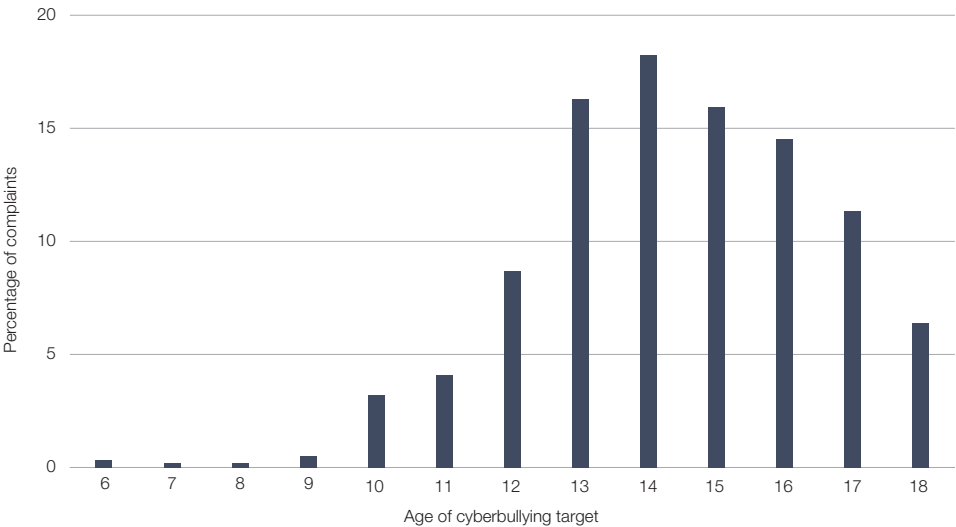
The cyberbullying complaints scheme allows the reporting of material targeting an Australian child that is likely to seriously threaten, humiliate, harass or intimidate. It also encompasses:

- > formal cooperation with key social media services as part of eSafety's social media service tier scheme
- > referrals to key support services, including Kids Helpline
- > memorandums of understanding with state education departments, and the independent and Catholic school sectors
- > a range of educational and informative resources to support young people and their carers in dealing with the effects of cyberbullying.

Complaints scheme data

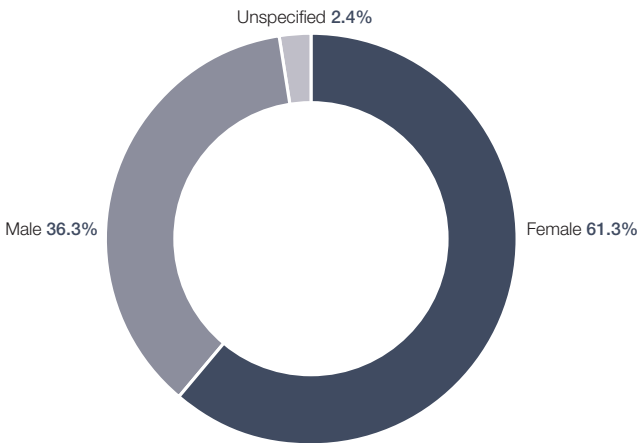
eSafety received 690 complaints about cyberbullying during the reporting period, an increase of 30 per cent from 2018–19. Young Australians aged between 13 and 17 were the primary targets of reported cyberbullying material, accounting for approximately 76 per cent of the complaints received (see Figure 2.2).

Figure 2.2: Complaints of cyberbullying material by age, 2019–20



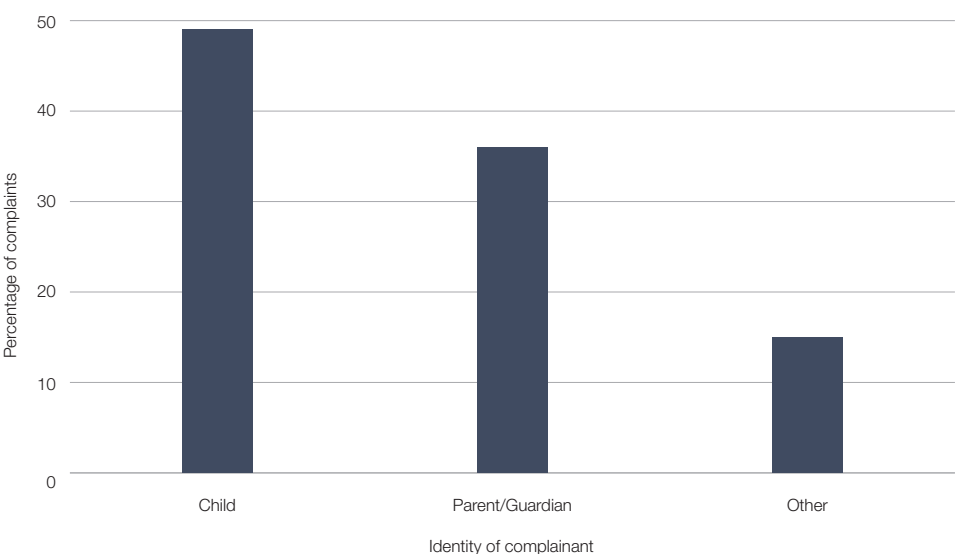
Of the complaints received, 61.3 per cent related to cyberbullying material targeting females (see Figure 2.3).

Figure 2.3: Complaints of cyberbullying material by gender, 2019–20



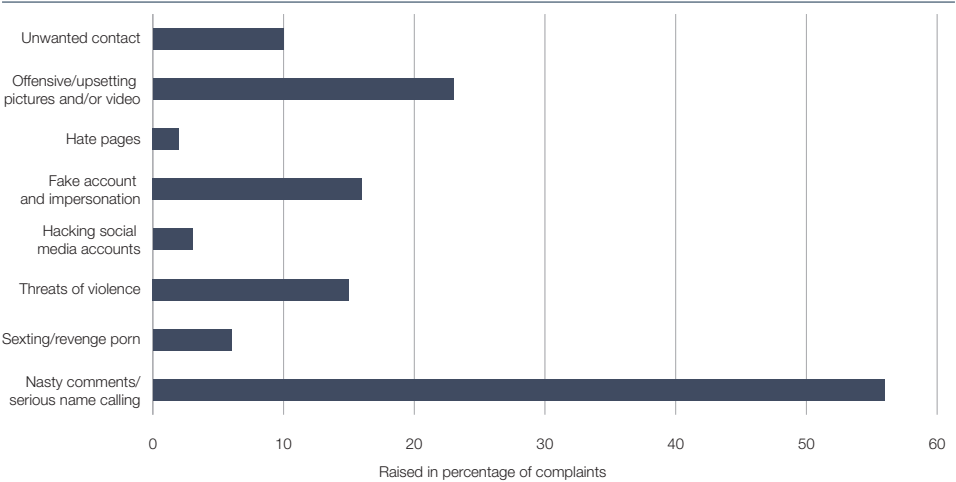
The majority of cyberbullying complaints made to eSafety in 2019–20 were made by children (see Figure 2.4).

Figure 2.4: Complaint by group



The cyberbullying material referred to in these complaints can be broken into eight general categories. A complaint may relate to one or more of these categories. Figure 2.5 details the percentage of complaints that relate to each of the categories.

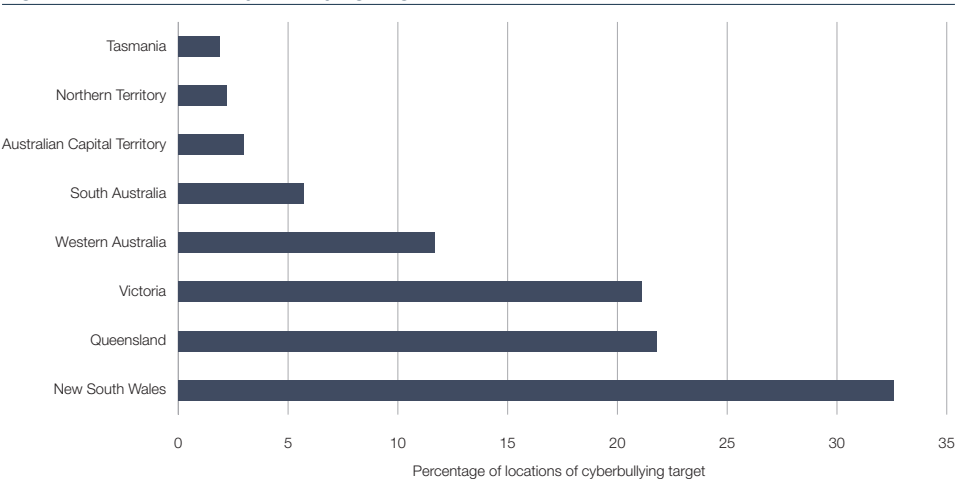
Figure 2.5: Percentage of complaints identifying general categories of cyberbullying, 2019–20



Note: A complaint may have multiple categories, so cumulative figures will exceed 100 per cent.

eSafety received complaints from across Australia (see Figure 2.6). Just over half (54 per cent) of complaints originated from New South Wales and Queensland.

Figure 2.6: Location of cyberbullying target, 2019–20



Tier scheme social media partners

The EOS Act provides a two-tiered scheme for the fast removal from social media services of cyberbullying material targeted at an Australian child. Tier 1 social media services participate in the scheme on a voluntary basis, whereas the Minister for Communications, Cyber Safety and the Arts declares a social media service to be a Tier 2 service following a recommendation from the Commissioner. During 2019–20, WeChat was added to Tier 1 of the scheme.

Referrals to key support services

eSafety aims to resolve cyberbullying complaints in a holistic and empowering manner. Most complainants are directed to support services, such as Kids Helpline, Parentline and eHeadspace. eSafety’s website provides a variety of practical resources, including clear instructions on how to block, delete and report unwanted material on popular social media services.

During the reporting period, there were over 2,900 website click-throughs from eSafety’s website to the Kids Helpline website.

Where appropriate, eSafety works with schools to resolve complaints, ensure cyberbullying policies are followed, and provide advice. During the report period, 16 complaints were brought to the attention of schools.

Cyber abuse

As part of its role to promote online safety for all Australians, eSafety provides general guidance and support for adults who are dealing with cyber abuse. In 2019–20, eSafety received requests for assistance from 1,064 adults, an increase of 12 per cent from 2018–19. The majority of cyber abuse complainants were women. Many of the complaints reflected both the same behaviours and platforms observed in child cyberbullying matters. eSafety does not have formal powers to investigate adult cyber abuse.

Image-based abuse

Performance criteria:	Operation of a complaints scheme to address image-based abuse affecting Australians.
Target:	Effectively and efficiently administer a scheme to address image-based abuse complaints including the provision of high-quality advice, support pathways and targeted evidence-based educational resources.
Results:	Met

In recognition of the serious and harmful nature of image-based abuse, the civil penalties scheme for the non-consensual sharing of intimate images offers victims relief by facilitating the rapid removal of intimate images that have been posted online. The civil penalties scheme also enables eSafety to hold perpetrators of image-based abuse accountable through a range of remedies. These include formal warnings, infringement notices, and seeking an injunction or civil penalty order from a court.

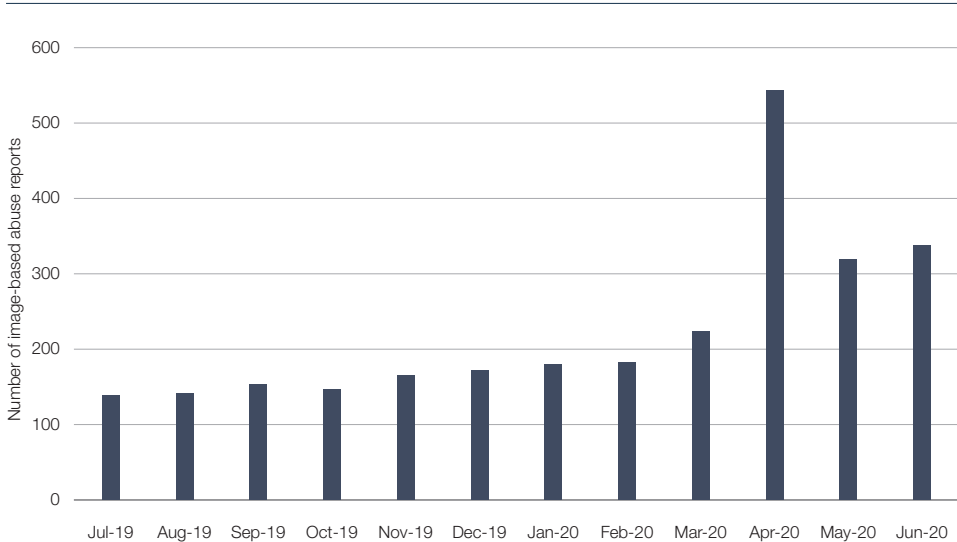
During the reporting period, eSafety continued to raise public awareness of image-based abuse and its role in addressing it. This included producing a series of animations explaining image-based abuse and providing advice about reporting to eSafety. The animations are available from the eSafety website.

Reports data

During the reporting period, eSafety:

- > handled 2,702 reports of image-based abuse (see Figure 2.7). This represented a significant increase (184 per cent) over the 950 reports of image-based abuse received in the previous reporting period
- > responded to 326 enquiries about image-based abuse
- > gave seven removal notices to websites and hosting services providers, all based overseas. Five of the notices were complied with. Where eSafety is unable to effect removal of intimate content, it takes steps to limit the discoverability of the content, typically by removing the content from search engine results
- > issued four formal warnings to persons responsible for image-based abuse
- > sent one informal warning to a person responsible for image-based abuse, in a case where it was appropriate to adopt an educative approach to enforcement.

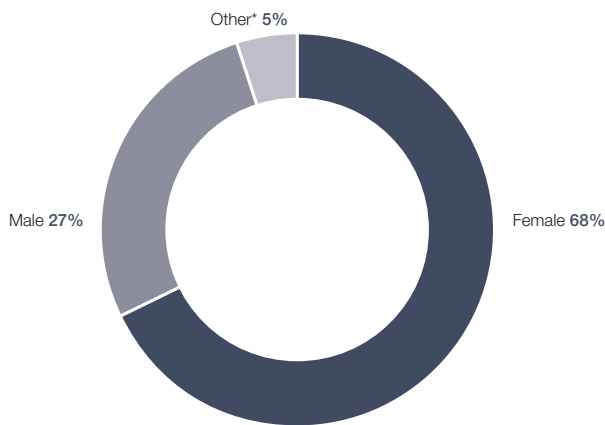
Figure 2.7: Number of image-based abuse reports by month 2019–20



Excluding reports received that involved ‘sextortion’, victims of image-based abuse were predominately female (see Figure 2.8). Sextortion is a form of blackmail where a person threatens to reveal intimate images of the victim unless their demands, typically for money, are met. Victims of sextortion are overwhelmingly male.

eSafety experienced a significant spike in reports following the introduction of COVID-19 restrictions. In particular, eSafety received over 1,000 reports of image-based abuse between March and May 2020, many of which concerned a sextortion email scam. In this scam, victims were threatened with the release of ‘hacked’ compromising footage unless an amount was paid in bitcoin. In an attempt to add legitimacy, the scam emails include an old password of the victim, seemingly sourced from previous data leaks.

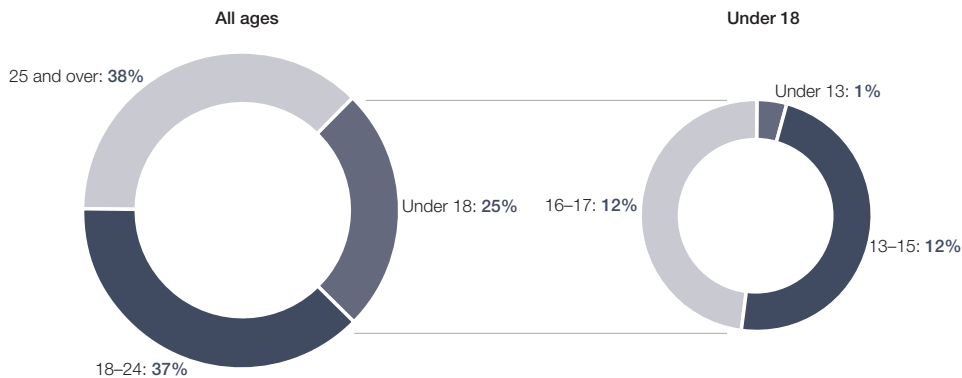
Figure 2.8: Victims by gender, 2019–20 (excluding sextortion)



*Other includes not provided or reporter preferred not to disclose.

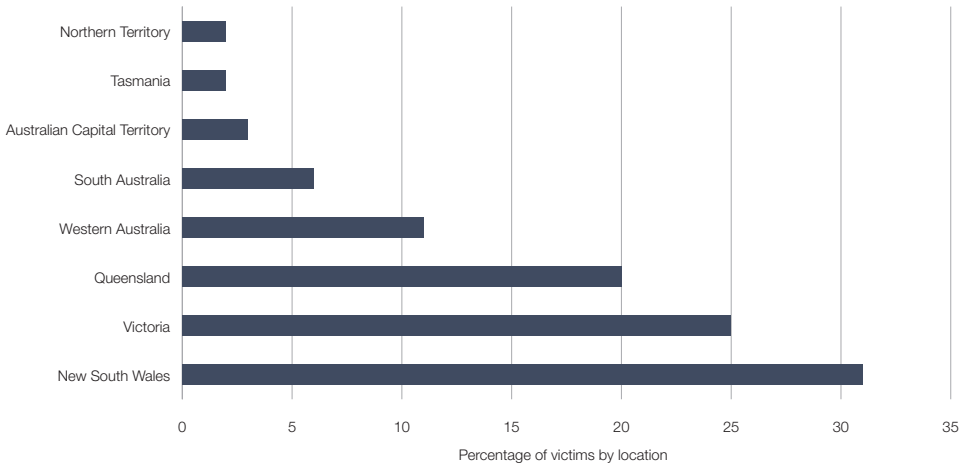
eSafety helps victims of image-based abuse, whatever their age. The majority of reports of image-based abuse concerned adult victims—accounting for 75 per cent of reports received, with 37 per cent from victims aged 18–24 years. (see Figure 2.9).

Figure 2.9: Victims by age, 2019–20



While not mandatory for people who make a report to tell us their state or territory, 51 per cent of reports included this information (see Figure 2.10). eSafety received reports from every state and territory in Australia, with the greatest number from New South Wales, followed by Victoria.

Figure 2.10: Victims by state or territory, 2019–20



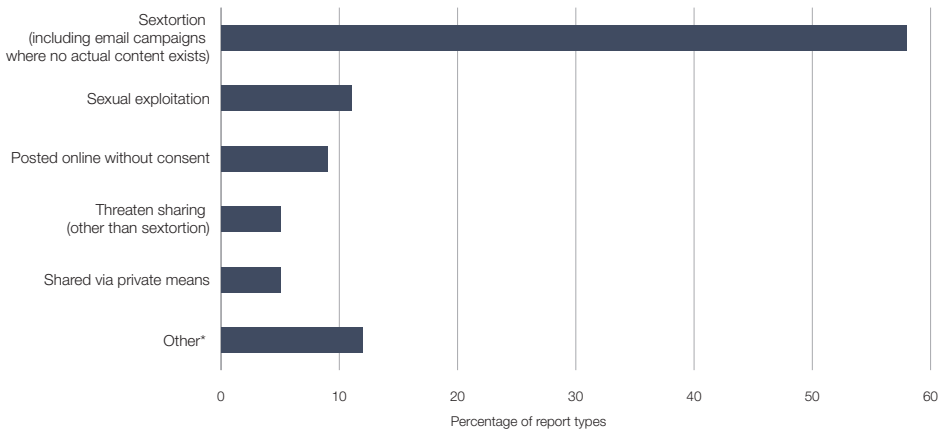
Removal actions

During the reporting period, eSafety sought removal of image-based abuse material from over 4,000 locations (generally URLs) where the material was available across 248 different platforms. eSafety was successful in having image-based abuse material removed in 82 per cent of cases where removal was requested, despite the material invariably being hosted overseas. The majority of the material was posted on exposé or pornography sites—only a small portion of reports concerned material posted on social media sites.

eSafety also alerted social media services to almost 970 accounts that were being misused to share or threaten to share intimate content, or to elicit intimate content from minors (sexual exploitation). Typically, this resulted in deletion of the accounts that had been misused in this way.

The types of image-based abuse behaviours most often observed from reports during the reporting period are summarised in Figure 2.11.

Figure 2.11: Percentage of reports by type 2019–20



*Other can include impersonation accounts and digitally altered images.

Cyber Report

Performance criteria:	Operation of a complaints scheme for the removal of online content that breaches legislative standards.
Target:	Effectively and efficiently deliver a complaints scheme to take down illegal online content including referral to Australian and international enforcement mechanisms.
Results:	Met

Cyber Report is the eSafety section responsible for overseeing the operation of the Online Content Scheme established under schedules 5 and 7 of the BSA. The section prioritises reports about online child sexual abuse material (CSAM) and works closely with law enforcement and other bodies in Australia and overseas to achieve the rapid takedown of such material.

Online Content Scheme

The scheme is a reporting mechanism for Australians to complain about prohibited online content. Cyber Report investigates these reports and acts on material found to be 'prohibited or potentially prohibited'. These categories are defined in terms of classification guidelines issued by the Classification Board that also apply to offline content such as film and video.

They include:

- > offensive depictions of children, such as CSAM
- > content advocating terrorism
- > instruction, incitement or promotion of crime or violence
- > sexually explicit content.

Responsibilities under the scheme include:

- > investigating complaints made under schedules 5 and 7 to the BSA into prohibited online content
- > directing take-down of prohibited content if it is hosted in Australia
- > notifying all sufficiently serious Australian-hosted content to law enforcement
- > notifying all overseas-hosted CSAM to the International Association of Internet Hotlines (INHOPE) or the Australian Federal Police (AFP) for rapid police action and take-down in the host country
- > notifying overseas hosted potentially prohibited URLs to optional end-user filters.

Online content complaints data

eSafety focuses on reports about online CSAM and is a longstanding member of the INHOPE network. INHOPE is a global organisation whose member hotlines work together with the goal of fighting to free the world of CSAM. For more information, refer to 'The INHOPE network' section of this report.

A single complaint to eSafety may lead to multiple regulatory investigations. During 2019–20, eSafety finalised investigations into 13,484 items of prohibited and potentially prohibited content, of which 99 per cent met the definition of CSAM.

None of these items were found to be hosted in Australia, and so no take-down notices were issued to Australian content hosts during the reporting period.

Over 99 per cent of investigations into CSAM items were completed within two business days and notified to the INHOPE network or the AFP. Of all online content complaints received, 98 per cent were actioned within two business days. Over 99 per cent of all investigations about online content were completed within 20 business days.

All overseas-hosted potentially prohibited items of internet content were referred to vendors of optional end-user internet software filters under relevant internet industry codes of practice.

Under the BSA, prohibited content is defined with reference to the classification categories set out in the National Classification Scheme. Table 2.1 shows the breakdown by content type of items actioned as a result of completed investigations into sufficiently serious potentially prohibited content.

Table 2.1: Sufficiently serious internet content 2019–20, items actioned

Actual or likely classification and description of online content	Online content hosted in or provided from Australia	Internet content items hosted overseas
RC 1(b) (Refused Classification content for offensive depictions/descriptions of children)	0	13,359
RC 1(c) (Refused Classification content for instruction, incitement or promotion of crime or violence)	0	16
RC9A (Refused Classification for films that advocate terrorist acts)	0	18
Total	0	13,393

Abhorrent violent material

Under the recently introduced *Criminal Code Amendment (Sharing of Abhorrent Violent Material) Act 2019* (the AVM Act), the eSafety Commissioner may issue a notice to content services or hosting services in relation to abhorrent violent material (AVM) provided via their service.

AVM includes content recorded by a perpetrator or their accomplice of conduct including terrorism leading to serious injury or death, murder and attempted murder, rape, torture and kidnapping.

A notice issued by eSafety (AVM notice) serves to bring the AVM to the attention of the service. A failure by the service to expeditiously remove the material may be a Commonwealth criminal offence.

During the reporting period, eSafety has issued 16 AVM notices.

The INHOPE network

Comprising 46 hotlines from countries around the world, INHOPE plays a unique role in global efforts to eradicate online CSAM. Content referred to an INHOPE hotline is passed on to local police or service providers for follow-up action. In around 75 per cent of cases, content is removed in four to six days.

The actions of INHOPE members are key to ensuring illegal child sexual abuse content is actioned quickly and effectively for removal. eSafety is an active member, contributing 12,868 reports through the network in 2019–20.

Education and awareness

Performance criteria:	Promote online safety for all Australians.
Target:	Provide audience-specific and research-based advice, content and programs to raise awareness about key online safety issues and empower all Australians to have safer online experiences.
Results:	Met

Online safety programs and resources

eSafety focuses on meeting broad community needs by providing online safety education through various delivery platforms and resources—promoting, coordinating and leading online safety education for Australians nationally.

eSafety Early Years

Launched in 2019–20, the eSafety Early Years program provides a suite of online safety resources to meet the needs of young children (birth to five years), their families and their early childhood educators. The resources have been developed in consultation with early childhood educators and parents and carers from diverse backgrounds, as well as early childhood experts and peak bodies. The resources support young children's safe use of technologies and help build their understanding of online safety through four key messages—Be safe, Be kind, Ask for help and Make good choices.

A staged rollout of the resources commenced in January 2020 and included:

- > the *Family tech agreement*—a suggested set of rules for technology use at home featuring well-known *Play School* characters
- > *Kiya's Excellent eBirthday* episode—a special eSafety-themed *Play School* episode developed in collaboration with ABC KIDS
- > the *Online safety for under 5s* booklet—a comprehensive compilation of key advice for parents and carers
- > a series of four interactive online learning modules for early childhood educators and service managers developed in collaboration with Early Childhood Australia
- > a set of four posters with pictures that explore key online safety advice and provide discussion opportunities with children
- > Playing IT Safe— a set of play-based learning experiences developed in partnership with the AFP and the Alannah and Madeline Foundation that educators can use to help children learn and practice online safety skills.

There has been strong engagement with the resources. For example, since January 2020 there have been about 7,500 visits to the *Family tech agreement* page on the eSafety website and since its launch in February 2020, approximately 44,000 copies of the *Online safety for under 5s* booklet have been ordered and distributed across Australia. Early figures also indicate good engagement with the professional learning modules in light of workforce changes due to the COVID-19 pandemic. Since 28 April 2020, each module has been completed by several hundred users (between 300 and 700 users).

Further Early Years resources are in development, including an online safety themed picture book for children aged three to five years.

Online advice for young people during COVID-19

Young people (aged 13–18) have spent more time online due to the lockdown periods enforced across Australia during the COVID-19 pandemic. To support young people through this period, eSafety released advice that reflected on the digital and educational landscape during the pandemic and provided helpful information to navigate the 'new normal'.

The themes covered included staying connected with friends, managing mental health, cyberbullying, fake news, balancing time spent online and online relationships. Over 4,480 people viewed this advice between 4 June 2020 (release date) to 30 June 2020.

Educational leadership

Education and school community resources

Toolkit for Schools

eSafety launched the eSafety *Toolkit for Schools* at The Sydney Morning Herald Schools Summit on 20 February 2020. The toolkit is designed to support schools to create safe online environments for the whole community and was developed in consultation with government and non-government education sector representatives across each state and territory.

The toolkit was developed in response to the Royal Commission into Institutional Responses to Child Sexual Abuse and the Education Council's work program to address bullying and cyberbullying. It consists of 26 resources categorised into four elements: prepare, engage, educate and respond. The resources facilitate a nationally consistent approach to preventing and responding to online safety issues and demonstrate eSafety's role in providing educational leadership on online safety in Australia. The toolkit received 28,763 page views and was downloaded 11,938 times between 20 February 2020 (release date) and 30 June 2020.

Best Practice Framework for Online Safety Education

Research was undertaken in 2019 to review and understand what constitutes best practice in online safety education. This research reviewed online safety frameworks and initiatives within Australia and internationally.

As well as being used to inform the *Toolkit for Schools* and the Trusted eSafety Provider program, the findings were used to develop a draft Best Practice Framework for Online Safety Education, which proposes best practice principles and actions that assist educators and school leaders in undertaking comprehensive online safety education with their students.

The framework will be finalised in 2020–21.

Toolkit for Universities

eSafety partnered with Universities Australia to develop an online safety *Toolkit for Universities*, modelled on the *Toolkit for Schools*. Resources have been developed to support university students, teaching staff and non-academic staff to build their online safety knowledge and skills. They intend to support university communities to become well-informed about online safety risks, proactive about online safety measures and prepared to implement best practice responses to online safety incidents.

The toolkit and individual resources were downloaded 1,761 times between 20 May 2020 (release date) and 30 June 2020 and have been accessed by users in 15 countries.

eSafety and Universities Australia are exploring further opportunities to collaborate on institutional capacity-building in online safety and supporting young adults to prevent and respond to online harms.

Outreach program and enquiries management

eSafety Outreach supports an extensive education program for school students, educators, pre-service teachers, university staff, chaplains, parents/carers, seniors, community organisations, mental health and social workers, sporting groups, law enforcement, welfare agencies and corporate groups (see Table 2.2).

Pre-service teacher program

eSafety's education and training team provides free presentations to pre-service teachers (PST) in their final year of tertiary study, giving them the skills, knowledge, and confidence to educate their future students about online safety.

During 2019–20, the eSafety Commissioner wrote to 39 vice chancellors and staff engaged with Universities Australia to promote the program to all universities in Australia offering an education degree. This engagement has seen 20 universities receive a presentation, with 49 sessions delivered to 2,971 students, representing a 156 per cent growth in the number of students reached through this program compared to last financial year.

Corporate and community education

eSafety provides tailored presentations and workshops for corporate organisations and community groups wishing to build online safety knowledge and skills. Presentations are delivered face-to-face all over Australia and are also offered via live webinar. eSafety delivered 181 corporate and community presentations in 2019–20.

Chaplains

National School Chaplaincy Program (NSCP)

eSafety's professional learning program for NSCP chaplains commenced in July 2019. This program provides evidence-based, targeted advice on preventing and responding to cyberbullying. A total of 2,621 NSCP chaplains have completed eSafety's professional learning.

Western Australian School Chaplaincy Program

In May 2020, eSafety commenced a professional learning program for state-funded chaplains working in WA schools. This program provides these chaplains with evidence-based, targeted advice on preventing and responding to cyberbullying.

Virtual Classrooms

The eSafety Outreach program reaches large school-based audiences via live webinars on key awareness days throughout the year—these are referred to as 'Virtual Classrooms'. Virtual Classrooms are live and delivered by expert trainers with interactive elements including live chats and polling. In 2019–20, eSafety delivered three Virtual Classrooms for schools:

- > 'Keeping safe in the game' during Safer Internet Day 2020
- > 'Respectful chat, I can do that!' during National Day of Action against Bullying and Violence 2020
- > 'Online friends and strangers' during National Child Protection Week 2019

A total of 68,706 students participated in Virtual Classrooms in the reporting period.

Professional learning program

eSafety's successful professional learning program (PLP) for teachers continued in 2019–20. Comprising three webinars for educators—'Digital CPR', 'Empowering families and community' and 'Inclusion and digital wellbeing'—the program was updated in March 2020 to include a 90-minute live webinar followed by 30 minutes of readings and assessment. The program is accredited by the NSW Education Standards Authority and the ACT Teacher Quality Institute, allowing teachers to gain accredited professional development hours on completion of the course.

Outreach programs during COVID-19

As much of the eSafety Outreach program was offered via live webinar prior to COVID-19, eSafety was able to quickly pivot when the COVID-19 restrictions forced schools and organisations to move activities and learning online. During March to May 2020, eSafety developed and delivered six new publicly available webinars—'Child protection and online learning', 'Helping kids thrive online', 'Tech, teens and time online', 'Keeping safe and healthy online', 'Keeping your sanity and supporting your kids online' and 'My house, my rules'. The content delivered in this suite of webinars was designed to give parents/carers, children, educators, trainers/coaches, and those working with young people the tools to safely move their activities and interactions online. Each topic was made available over several weeks at various times to ensure it was accessible to as many Australians as possible.

Table 2.2: Total outreach activity, 2019–20

Type of outreach program	Attendees	Events
Virtual Classrooms	68,706	47
Pre-service teachers	2,971	49
Professional learning program (for teachers)	6,656	82
Community and other presentations	15,576	181
Chaplaincy programs	2,621	58
Total	96,530	417

Enquiries management

eSafety enquiries team receive large volumes of general enquires via the enquiries@esafety.gov.au mailbox and website 'contact us' form. eSafety has coordinated over 3,681 responses to general enquiries during 2019–20.

Trusted eSafety Providers Program

During 2019–20, eSafety implemented the Trusted eSafety Providers Program, replacing the previous Certified Training Providers scheme. The updated program builds on the previous model and focuses on ensuring providers meet high thresholds for content quality and are up-to-date with the latest online safety trends and research. All providers are part of a collaborative community of practice where they work closely with eSafety on best practice approaches to online safety education. The initial application round opened in December 2019 and 31 providers submitted applications, 28 of whom were endorsed in March 2020.

Online Safety Grants Program

The three-year Online Safety Grants Program enables non-government organisations (NGOs) to deliver practical online safety education and training projects. The program will distribute \$9 million in grants as part of the Australian Government's 'Keeping our Children Safe Online' package.

The first round of the Online Safety Grants Program opened on 16 April 2020 and closed on 21 May 2020. Successful applicants will be announced in the next reporting period.

Digital literacy for older Australians—Be Connected

Be Connected is an Australian Government initiative that aims to support and enable older Australians to develop their digital skills and confidence. Be Connected targets those with no, or very little digital confidence and employs interactive learning experiences to help users to engage safely and confidently online.

The broader Be Connected initiative has now engaged with over 582,597 individual learners in every state and territory. There are now over 316 interactive activities and over 6.5 million page views on the Be Connected learning site. The online resources average learner satisfaction ratings are 92 per cent. New content developed this year included targeted resources on myGov, online banking, and buying and selling online. Tip and fact sheets continue to be delivered in eight languages to support those from linguistically diverse communities.

eSafety has also seen more than 1,325 older Australians attend eSafety webinars with an additional 3,347 face-to-face attendees.

During the COVID-19 pandemic, eSafety developed targeted resources to support older Australians. Traffic to the learning site grew by 160 per cent, with the most popular learning topics relating to video calling and staying connected online.

eSafetyWomen

Since 2016, eSafetyWomen has successfully supported frontline workers and empowered Australian women to manage technology risks and abuse.

eSafetyWomen website

The esafety.gov.au/women website provides practical tools and information to help women protect themselves and their families against online abuse. The site features how-to videos on the privacy and security features of social media platforms and devices. Case studies illustrate technology challenges women can face and strategies for resolution. Popular topics relate to domestic and family violence guidance and include 'COVID-19: advice for women experiencing domestic violence' and 'International advice for frontline workers supporting women'.

During 2019–20, the eSafetyWomen website received 35,321 unique visits, with 77,361 pages of content viewed.

Specialist training workshops

eSafety's face-to-face workshops continued to deliver essential training to raise awareness of technology-facilitated abuse and what can be done in response. These workshops provide professionals working in the domestic and family violence field with the knowledge to support women and families experiencing or recovering from this type of abuse. A wide variety of sectors have benefited from the workshops, such as family services, crisis housing and welfare, law enforcement and the legal profession. In the reporting period, 149 workshops and webinars were held with over 2,907 participants.

E-learning modules offer an alternative access path for frontline workers who cannot attend in-person training, such as those in rural and remote areas. During the reporting period, more than 974 frontline workers registered to undertake this training.

eSafetyWomen COVID-19 response

Recognising the heightened risk of family and domestic violence posed by the COVID-19 pandemic, eSafetyWomen adapted its delivery of face-to-face training to a webinar format from April 2020. Since then, 41 sessions were delivered, attended by 471 participants.

eSafety also developed targeted safety help for domestic and family violence frontline workers and for women, to help address the increased prevalence of gendered online and technology-facilitated abuse in the context of COVID-19.

eSafety works collaboratively with governments and agencies around the world to help people navigate the online environment safely. As part of these efforts, eSafety developed an international resource, *COVID-19 Global online safety advice for frontline workers supporting women*. This booklet's editable format allows localisation with relevant in-country contacts and supports.

Supporting diverse communities

With funding from the Women's Safety Package—Technology Trials and from the Fourth Action Plan of the National Plan to Reduce Violence Against Women and Their Children (2010–2022)—we have focussed on developing programs to assist the online safety needs of women with intellectual and cognitive disabilities, Aboriginal and Torres Strait Islander women and communities and children impacted by technology-facilitated abuse in domestic and family violence situations.

This has included:

- > releasing two 'Easy English' guides to help women with intellectual and cognitive disabilities identify, manage and report technology-facilitated abuse and image-based abuse
- > commencing qualitative research projects on the experiences of technology-facilitated abuse among two groups—women with intellectual and cognitive disabilities, and Aboriginal and Torres Strait Islander women living in regional and remote areas. This research is expected to be concluded in late 2020 – early 2021
- > commencing the development of online resources to support Aboriginal and Torres Strait Islander Elders manage online conflict, including where technology is used as an extension of domestic and family violence
- > conducting a scoping study exploring the impact of technology-facilitated abuse on children in domestic and family violence situations
- > commencing a scoping study to identify accessible technology support services for women impacted by technology-facilitated abuse in domestic and family violence situations.

Women Influencing Tech Spaces (WITS)

Women who have a high public presence on social media often encounter gender-based online abuse. eSafety's web-based resource, WITS offers support to protect and promote women's voices online. The WITS website received over 1,200 visitors, with 2,400 page views during the reporting period.

Safety by Design

eSafety's Safety by Design (SbD) initiative seeks to modify the way that technology is designed, developed and deployed by shifting the responsibility for safety back onto tech platforms and providers. It provides realistic, actionable and achievable measures to better protect and safeguard citizens online, highlighting good practice and tangible steps needed to make user safety considerations a routine element of product development cycles.

Following the development of the Safety by Design Principles in 2019, eSafety has been developing a suite of resources and guidance—including a set of SbD self-assessment tools—to help companies, from start-ups to more mature tech giants, understand potential harms, assess the risks to users on their platforms, and provide them with ideas and best practice innovations to build safety protections in at the front end. We also commenced work with the university sector to seed SbD into multi-disciplinary curricular, as well as consulting with the investment and venture capital sector on bespoke sector toolkits.

eSafety has continued to work with industry and global partners, collaboratively and constructively, throughout the year on phase 2 of the SbD initiative.

International

Long-term systemic change requires the coordinated efforts of the global community to achieve the best outcomes for all citizens online. eSafety has worked hard to strengthen its impact across borders through targeted information sharing, collaboration and capacity building, and to drive up standards of online safety. Strong international partnerships are essential to our ability to discharge our regulatory duties and perform our work.

Throughout this reporting period, eSafety has responded to requests for information and advice about its legislative functions and resources from across the globe. It has drawn on its extensive research and existing resources to develop online safety advice for global citizens, working with international partners to disseminate and translate these resources into different languages. These include:

- > *COVID-19 Global online safety advice for frontline workers supporting women*
- > *COVID-19 Global online safety advice for parents and carers*
- > *Online safety advice for young children, parents and carers: International Edition* and accompanying *Early Years Story Puzzles: International Edition*.

eSafety secured funding under DFAT's Cyber Cooperation Program to build the online safety capacity of stakeholders in participating Indo-Pacific countries. It has also been involved in a number of global alliances and initiatives, and has regularly contributed to global debates, discussions and projects in order to create safer and more responsible digital environments.

To ensure its content and programs reflect the most current information, tech developments and global trends, eSafety scans for new research, policy, legislative and technical updates. eSafety has published a number of position statements to selected tech trends and challenges on its website on end-to-end encryption, deep fakes, doxing and sextortion. In addition, it has worked collaboratively across government on matters relating to both cyberspace and critical technologies.

Research

Under the EOS Act, eSafety has key roles in research about online safety, including to:

- > collect, analyse, interpret and disseminate information
- > support, encourage, conduct and evaluate research
- > publish reports and papers relating to online safety.

eSafety's research program takes a leadership role in promoting, coordinating and undertaking research into digital participation and online safety issues. In developing the research program, eSafety continues to engage with leading research agencies and other stakeholders, in addition to undertaking an internal audit of research needs.

During 2019–20, eSafety released research including:

- > *COVID-19 impact on Australian adults' online activities and attitudes*
- > *Best Practice Framework for Online Safety Education (Stage 1)*
- > *Online hate speech—Findings from Australia, New Zealand and Europe*
- > *Online Safety for Aboriginal and Torres Strait Islander women living in urban areas*
- > *Understanding the attitudes and motivations of adults who engage in image-based abuse.*

During the reporting period, eSafety also commissioned a range of new research to understand the technology-facilitated abuse experiences and support needs of:

- > children and young people in domestic violence situations
- > Aboriginal and Torres Strait Islander women living in regional, rural and remote communities
- > women living with an intellectual or cognitive disability.

eSafety also commissioned research to support the evaluation of its Early Years program resources.

eSafety also became a research partner in a number of ARC linkage grants including the:

- > Centre of Excellence for the Digital Child
- > Young Children in Digital Society.

Communications and stakeholder engagement

eSafety's communications and media efforts have continued to help raise the profile of its resources and reporting services for Australians. Joint stakeholder initiatives and partnerships have also assisted extending eSafety's reach into more households, classrooms, and workplaces across the country.

National online safety hub

In October 2019, eSafety refreshed its website—esafety.gov.au—to provide Australians with a comprehensive suite of information, resources, and reporting tools to help them have safer experiences online.

The award-winning site is the agency's primary digital platform for online safety information and resources for a range of audiences, including young people, parents and carers, educators, older Australians, and women experiencing technology-facilitated abuse. The website also provides access to eSafety's complaints-based services, where the public can report serious cyberbullying, image-based abuse and illegal online content.

During 2019–20, the website received 1,546,938 visitors, with 5,484,506 pages of content viewed.

Media

eSafety uses a range of media channels to effectively communicate with stakeholders and the broader Australian community, including:

- > traditional media—eSafety regularly featured in media coverage across TV, radio, print and online, providing authoritative commentary on online safety issues and promoting the agency's programs, services and expertise
- > social media—eSafety maintained active engagement across a range of social media platforms, including Facebook, Twitter, Instagram and LinkedIn. eSafety's followers increased by 19 per cent during 2019–20
- > blogs—eSafety continued to utilise its public-facing blog to raise awareness, provide information and thought-leadership, and promote eSafety's services in relation to a wide range of online safety issues. Thirty-five blogs were published during 2019–20
- > electronic direct mail—eSafety's e-newsletters provided targeted information to subscribers including parents and educators. Over 29,000 subscribers received tailored news and advice, based on their specific online safety interests.

Partnerships

eSafety works cooperatively and productively with domestic and international organisations to increase education and awareness about online safety. Partners include government agencies, not-for-profit organisations, corporations and community-based groups, with work ranging from distributing educational material, supporting events and community awareness-raising weeks, to co-developing content.

During 2019–20, eSafety joined with and supported organisations to raise awareness of online safety issues:

- > SBS, *The Hunting*—joint SBS and eSafety education resources about image-based abuse
- > National Child Protection Week, 1–7 September 2019
- > National eSmart Week, 1–7 September 2019
- > eSafety19 conference with Netsafe NZ, 11–12 September 2019
- > Stay Smart Online Week, 7–13 October 2019
- > Day for Daniel, 26 October 2019

- > ACCC, OAIC and ACSC—joint initiative to help Australian shoppers to stay safe online over the holiday season
- > Safer Internet Day, 11 February 2020—eSafety’s biggest online safety awareness raising initiative
- > Crime Stoppers—joint national child protection campaign with resources for parents and young people
- > Privacy Awareness Week, 4–10 May 2020
- > SBS community service announcements to help the community stay safe online during the COVID-19 pandemic
- > AFL—joint wellbeing tips to encourage positive online behaviour in the AFL community
- > Australian Human Rights Commissioner—collaboration to address online abuse
- > Australia’s Biggest Child Safety Lesson, 25 June 2020—Commissioner interviewed as part of the lesson.

eSafety Advisory Committee

The eSafety Advisory Committee (eAC) is eSafety’s advisory forum attended by key representatives from industry, government, civil society organisations and academia. eSafety formed the eAC in early 2020 to replace the Online Safety Consultative Working Group, which did not meet during 2019 while the Statutory Review of the *Enhancing Online Safety Act 2015* was conducted. The eAC is tasked with providing technical and policy expertise, research data, coordination and other assistance to eSafety, to ensure Australia’s online safety response and support system is consultative, evidence-based, cross-sectoral and effective. In addition to the eAC, a technical working group was also formed in 2020 to focus on illegal and seriously harmful content.

During the reporting period, eAC meetings were held in February and June 2020.

eAC membership

- > eSafety Commissioner (Chair)
- > Alannah and Madeline Foundation
- > Communications Alliance
- > Department of Education, Skills and Employment
- > Department of Home Affairs
- > Department of Infrastructure, Transport, Regional Development and Communications
- > Department of Prime Minister and Cabinet
- > Department of Social Services
- > Facebook
- > Google
- > Macquarie University
- > RMIT University
- > Telstra
- > headspace
- > Twitter
- > University of New South Wales
- > Western Sydney University
- > yourtown.

Accountability arrangements

Under section 67 of the EOS Act, the ACMA is required to assist the Commissioner to perform functions and exercise powers to such extent as the Commissioner reasonably requires, making available resources, facilities and members of staff of the ACMA. eSafety uses ACMA resources for a range of functions, such as governance and financial operations, information technology and human resources, purchased under an agreed cost structure. As a result of this legislative arrangement, administrative and financial controls are consistently applied across the ACMA and eSafety. For the purposes of the preparation of financial statements, the ACMA and eSafety report as a single financial entity.

As a statutory office holder, the eSafety Commissioner is not subject to the *Public Governance, Performance and Accountability Act 2013*. However, administrative arrangements in place provide assurance to the ACMA that the activities of eSafety are conducted in an efficient, effective and ethical manner, and all transactions are captured and reported within the appropriate ACMA financial and human resource information systems.

Financial arrangements

Funds for eSafety form part of the ACMA appropriation. Specified departmental and administered funds are credited to the Online Safety Special Account.

The Special Account is administered by the ACMA; however, any amount debited from the account requires the written approval of the Commissioner.

See Appendix 12 in *Part 1 – Australian Communications and Media Authority annual report 2019–20* for eSafety's financial reporting information

Staffing eSafety

All employees of the Office of the eSafety Commissioner (with the exception of the Commissioner and directly recruited contract staff) are staff of the ACMA.

Audit and risk management

eSafety is not required to have a separate Audit Committee. The Commissioner can undertake independent audits and eSafety falls under the mantle of the ACMA's internal controls, processes and systems. As ACMA employees, the staff of eSafety are subject to the ACMA's risk and fraud management frameworks.

Freedom of information

Agencies subject to the *Freedom of Information Act 1982* (FOI Act) are required to publish information as part of the Information Publication Scheme (IPS), under Part II of the FOI Act. The Commissioner is an agency for the purpose of the FOI Act.

Information on eSafety's IPS, including the agency plan, can be found at esafety.gov.au/about-us/corporate-documents/freedom-of-information.

Glossary

4G	fourth-generation mobile network technology Enhancements to mobile telecommunications systems that increase the usable data rate to allow the delivery of data-intensive applications such as high-resolution video.
5G	fifth-generation mobile telecommunications The proposed next iteration of broadband mobile telecommunications services that is expected to provide increased data rates and reduced latency to support greater connectivity and enable machine-to-machine services and the Internet of Things.
ACCC	Australian Competition and Consumer Commission Commonwealth regulatory body with responsibilities derived from the <i>Trade Practices Act 1974</i> .
ACLC	Annual Carrier Licence Charge An annual charge imposed on each eligible carrier licence in force at the beginning of a financial year. Set out by the <i>Telecommunications (Carrier Licence Charges) Act 1997</i> .
ACMA	Australian Communications and Media Authority Commonwealth regulatory authority for broadcasting, some online content, radiocommunications and telecommunications, with responsibilities under the <i>Broadcasting Services Act 1992</i> , the <i>Radiocommunications Act 1992</i> , the <i>Telecommunications Act 1997</i> and related Acts. Established on 1 July 2005 following a merger of the Australian Communications Authority and the Australian Broadcasting Authority.
AFP	Australian Federal Police The national and principal federal law enforcement agency of the Australian Government.
AMC	Australian Maritime College Provides marine radio operator certification and examination services on behalf of the ACMA.
ANC	Annual Numbering Charge A charge that applies to all eligible numbers held by a service provider determined by the ACMA.
APS	Annual Performance Statement Statements prepared by the accountable authority of a Commonwealth entity in accordance with section 39 of the <i>Public Governance, Performance and Accountability Act 2013</i> and section 16F of the PGPA Rule that acquits actual performance against planned performance described in the entity's corporate plan. The statements may be audited by the Auditor-General and must be provided to the entity's minister and the Finance Minister.
ASL	average staffing level The average number of employees receiving salary or wages over the financial year, with adjustments for casual and part-time employees to show the full-time equivalent.

bandwidth	In the internet industry, bandwidth refers to the capacity of a connection to carry information; in radiocommunications, it is the amount of radiofrequency spectrum used for a particular function.
broadband	Describes a class of internet access technologies, such as ADSL, HFC cable and wi-fi, offering a data rate significantly higher than narrowband services. These services are usually 'always on' and do not tie up a telephone line exclusively for data.
BSB	broadcasting services bands Parts of the radiofrequency spectrum dedicated to broadcasting services.
CA	Communications Alliance Australia's peak communications industry organisation that promotes the growth of the Australian communications industry and the protection of consumer interests.
carrier	The holder of a telecommunications carrier licence in force under the <i>Telecommunications Act 1997</i> .
CCF	Consumer Consultative Forum Provides advice to the ACMA on telecommunications issues that affect consumers.
CSC	Customer Service Centre The ACMA's single point of contact for customer enquiries.
CSP	carriage service provider Person supplying or proposing to supply services to the public using carrier networks.
CTS	Children's Television Standards Standards designed to provide access for children (aged under 14 years) to quality television programs made specifically for them. The standards regulate timing and scheduling of children's programs and content of adjacent programming.
datacasting	A service that delivers content in the form of text, data, speech, music or other sounds, visual images or any other form or combinations of forms, where delivery uses the BSB.
Department of Infrastructure, Transport, Regional Development and Communications	Federal Government portfolio formed in February 2020 by a merger between the Department of Communications, Cyber Safety and the Arts and the Department of Infrastructure, Transport, Cities and Regional Development.
DNCR	Do Not Call Register An Australian Government program administered by the ACMA to allow Australian numbers to be registered to opt out of receiving most unsolicited marketing calls or faxes (with limited exemptions for public interest organisations).
ECP	Emergency Call Person The Telecommunications (Emergency Call Persons) Determination 1999 specifies the operators of the emergency call services. Telstra is the ECP for 000 and 112.

GHz	gigahertz One billion hertz (where one hertz is the measurement of frequency equal to one cycle of electromagnetic radiation per second).
INHOPE	International Association of Internet Hotlines A network whose member hotlines work together with the goal of identifying and removing online child sexual abuse content worldwide.
IoT	Internet of Things The interconnection of many devices and objects utilising internet protocols.
IPND	Integrated Public Number Database Database of information about customers of telecommunications services in Australia, arranged by number, for all carriers and carriage service providers.
ISP	internet service provider Service provider offering internet access.
ITU	International Telecommunication Union United Nations agency that coordinates international telecommunications matters.
ITU-R	ITU—Radiocommunication Sector ITU body dealing with international radiocommunications matters.
kHz	kilohertz One thousand Hertz (<i>see also</i> GHz).
LAP	licence area plan A legislative instrument setting out the licence area and technical specifications for existing and proposed services.
MHz	megahertz One million hertz (<i>see also</i> GHz).
The Department	<i>see</i> Department of Infrastructure, Transport, Regional Development and Communications
the Minister	Currently the Minister for Communications, Cyber Security and the Arts. Minister responsible for the ACMA and its governing legislation.
MoU	memorandum of understanding A formal agreement between two or more parties.
National Australian Built Environment Rating System	A rating system to measure a building's energy efficiency, carbon emissions, as well as the water consumed, the waste produced and compare it to similar buildings.
NAC	Numbering Advisory Committee ACMA committee established to advise on numbering matters.
NBN	National Broadband Network Australia's national wholesale-only, open-access data network.

NCF	National Consultative Forum
National Relay Service	Translation service between voice and non-voice telephone users providing access to the standard telephone service for people with communication impairment. Relays voice, modem or telephone typewriter communications.
Office of the eSafety Commissioner (eSafety)	Established as an independent statutory office within the ACMA, eSafety leads online safety advice and education for the Australian Government and operates a complaints system so Australian children and young people can report serious cyberbullying. Formerly the Office of the Children's eSafety Commissioner.
PBS	Portfolio Budget Statements Informs senators and members of parliament of the proposed allocation of resources to government outcomes by agencies within the relevant portfolio.
priority assistance	Service for people with a diagnosed life-threatening medical condition entitling them to faster connection and fault repair of their fixed-line telephone service.
RPF	Regulator Performance Framework Developed to measure the efficiency and effectiveness with which regulators undertake their roles; in particular, their impact on regulated entities.
SES	Senior Executive Service
SMEs	small and medium enterprises
SMS	short message service Mobile telecommunications data transmission service that allows users to send short text messages to each other using the mobile handset keypad.
spam	Unsolicited commercial electronic messages sent to email, mobile phone and instant messaging accounts.
spectrum	The span of electromagnetic frequencies used in communications systems.
subscription television	Service providing access, for a fee, to television channels transmitted using cable, satellite or terrestrial microwave.
TCP Code	C628:2015: Telecommunications Consumer Protections Code Code of conduct for the telecommunications industry in Australia providing consumer safeguards for mobile, landline and internet customers.
TIO	Telecommunications Industry Ombudsman Industry-funded independent dispute resolution service for consumers who are unable to resolve individual complaints with their carriers and carriage service providers.

trigger event	Relates to commercial regional radio licences and includes a transfer of a licence; or formation of a new registrable media group that includes a regional commercial radio broadcasting licence; or change of controller of a registrable media group that includes a regional commercial radio broadcasting licence.
Triple Zero (000)	Phone number that provides access to emergency services organisations.
USO	<p>universal service obligation</p> <p>Obligation under the <i>Telecommunications Act 1997</i> to ensure that standard telephone, payphone and prescribed carriage services are reasonably accessible to all people in Australia on an equitable basis, wherever they reside or carry on business.</p>
VAST	<p>Viewer Access Satellite Television</p> <p>Australian Government-funded free-to-air satellite that provides digital television to viewers in remote areas of Australia who are unable to receive digital TV through their normal TV antenna.</p>
WRC	<p>World Radiocommunication Conference</p> <p>ITU conference held every three or four years to review and amend international radio regulations.</p>

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