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Submitted online via <https://www.acma.gov.au/consultations/2026-07/proposed-updates-emergency-call-service-determination>

Dear Mr Nicholas,

TIO submission on the proposed amendments to the Emergency Call Service Determination

Thank you for the opportunity to comment on the ACMA's proposed amendments to the *Telecommunications (Emergency Call Service) Determination 2019 (the Determination)*. Reliable access to emergency services is critical for all Australians, and we support measures that further enhance Australians' ability to reach Triple Zero.

We support amendments that preserve access to Triple Zero while reducing unnecessary blocking of devices that ordinarily work or can be remediated. Expressly addressing planned maintenance, strengthening consumer information and support, and ensuring compliance with notification requirements would provide greater clarity and help minimise unintended consumer harm.

We offer the following feedback for the ACMA to consider when finalising the amendments, based on our experience handling telecommunications complaints.

Providers should take all reasonable steps to remediate devices where possible

We consider it important that the Determination expressly requires providers to use their best endeavours both to identify whether a device is remediable and, where a remediation pathway exists, to facilitate or carry out the remediation within the relevant timeframe. As currently drafted, there is a risk that the framework focuses on notifying consumers and assessing remediation outcomes without imposing a clear obligation on providers to actively investigate available remediation options.

Given that providers are often best placed to engage with device manufacturers, equipment suppliers and other industry participants, the requirements should make clear that providers are expected to take reasonable and proactive steps to determine whether a device can be remediated and to implement available solutions wherever practicable. This would help

ensure that the remediation process achieves its intended purpose of preserving access to services and avoiding unnecessary device blocking or replacement.

The temporary incident exception should expressly include planned maintenance

We support the exception in proposed section 71A to prevent devices from being blocked when their inability to call Triple Zero is not related to the device, and we consider it appropriate for planned maintenance to be included as an exception to the blocking requirements. When a mobile service becomes unavailable, accessible information about the cause and likely duration of the disruption can help consumers understand whether the problem relates to the network or their device. It may also reduce uncertainty about whether a device has been blocked.

While the current wording of proposed section 71A may already capture planned maintenance as an ‘incident’, it would be beneficial to expand the definition to explicitly include planned maintenance for the avoidance of doubt. It may also be beneficial for this section to note typical examples of incidents, such as those in the consultation paper.

Consumers should receive clear instructions and practical support to remediate affected devices

We support creating a separate process for devices that can be restored through a software, firmware, operating-system or network-configuration update. Allowing time for remediation and giving providers clear instructions on how to manage the process will avoid unnecessary device replacement and disruption to consumers.

The effectiveness of this process will depend on how effectively providers comply with the proposed ss.68(2)(c)(ii) and 69A(3). Consumers with remediable phones will need clear, concise information they can understand and act on. Our office has received complaints from consumers who had difficulty completing remediation steps or received conflicting advice about whether their device was successfully remediated.

Where remediation requires action by the consumer, providers should not rely solely on written instructions or repeated automated messages. Consumers may have trouble identifying their device model, locating the relevant settings, installing an update or determining whether the remediation has been successful. Providers should therefore offer an accessible support channel through which consumers can obtain practical assistance and confirm that their device has been successfully remediated.

The requirements should also account for consumers who may need additional assistance because of disability, language or digital-literacy barriers, financial hardship or other circumstances affecting their ability to respond to a notification. Information should be provided in plain language and accessible formats, with reasonable assistance available before a device is blocked.

Additionally, the ACMA should consider whether to include the ability to extend the timeframes when remediation steps must be taken by someone other than the end user (as in the proposed subparagraph 69A(3)(c)). For example, a device manufacturer may need more time to determine whether remediation is possible by rolling out a software update, or a provider may need more time to implement changes to its network, and it is possible a

device may be blocked while the end user is waiting for these steps to occur. Any extension here would need to be balanced against the broader goal of avoiding phones being unable to contact emergency services for longer than necessary, and so it might only apply in very narrow circumstances where an update or network change is imminent.

Compliance with the notification requirements should remain central to the blocking process

We understand the ACMA is also proposing to make certain obligations independent of earlier procedural steps, so that a device may still be blocked even where an earlier notification obligation has not been met.

This could result in consumers losing access to their mobile services without having the opportunity to complete remediation steps or obtain a new device. Providers should be required to take reasonable steps to confirm that the prescribed notifications were sent through the appropriate channel and contained the necessary information.

If a consumer with a remediable device did not receive the prescribed notifications and their device was blocked, providers should be required to reverse the block if the consumer later completes the remediation steps. If the device needs to be unblocked before the remediation steps can be completed, providers should be required to unblock them upon confirming that the device was remediable. Confirmation could involve a provider checking its records or obtaining the IMEI from the consumer.

The new information sharing requirements are a welcome reform

We strongly support the proposed amendments to section 63 requiring carriers to share relevant information with one another. In our experience, a lack of timely and consistent information sharing between carriers can lead to inconsistent outcomes for consumers. We often hear from consumers who received conflicting information from different carriers about whether their device was blocked from the carriers' network or whether they would be able to access Triple Zero.

Requiring carriers to share relevant information should lead to more accurate identification of devices, facilitate remediation where available and reduce the risk of consumers being adversely affected by gaps in information held by different providers. Given the critical importance of maintaining access to Triple Zero, we consider these requirements to be a significant and positive improvement to the Determination.

Yours sincerely

Cynthia Gebert

Telecommunications Industry Ombudsman