

**ASIA PACIFIC CARRIERS COALITION**  
(Incorporated in the Republic of Singapore)

**INDUSTRY CONSULTATION ON THE REGISTRATION OR LICENSING SCHEME  
FOR CARRIAGE SERVICE PROVIDERS**

**SUBMISSION TO**

**DEPARTMENT OF INFRASTRUCTURE, TRANSPORT, REGIONAL  
DEVELOPMENT, COMMUNICATIONS AND THE ARTS,  
AUSTRALIAN GOVERNMENT**

**BY THE**

**ASIA PACIFIC CARRIERS' COALITION**

**13 DECEMBER 2023**

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We would like to express our gratitude to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts, Australian Government ('Department') for issuing the discussion paper on the Registration or Licensing Regime for Carriage Service Providers (CSPs) and the opportunity to provide industry feedback.

The Asia Pacific Carriers' Coalition ('APCC') is an association of Telecommunications Carriers, both global and regional, operating in the Asia Pacific region. Our mission is to collaborate with governments, National Regulatory Authorities, and users to advocate for open market policies and regulatory frameworks that encourage competition and efficient investment in telecommunications markets. Our membership includes Global & regional Telecom Operators such as AT&T, BT, Verizon, Deutsche Telekom, Lumen, Orange, Telstra, and Vodafone.

Based on our reading, the discussion paper primarily proposes a registration/licensing scheme for CSPs to establish an effective mechanism that the ACMA can use to prevent CSPs, who pose a significant risk to consumers or cause substantial consumer harm, from operating in the market.

The term 'consumers' in the discussion paper appears to refer specifically to retail consumers/customers. There are other customer segments – such as wholesale customers and/or enterprise customers – that do not face such risks as the services provided to them by CSPs are governed by tailor made, heavily negotiated comprehensive agreements between the parties. We believe that CSPs providing services to wholesale customers and/or enterprise customers should be excluded from the definition of eligible CSPs required to register.

The discussion paper, through question 5, is seeking responses on:

**“Which CSPs should be required to register, and what are the advantages or disadvantages of different approaches?”**

In this context, the paper refers to the legislative definition of an 'eligible CSP' as outlined in the Telecommunications (Consumer Protection and Service Standards) Act 1999 (TCPSS Act).

*The TCPSS Act defines an eligible CSP as:*

*(a) a carriage service provider who supplies:*

*(i) a standard telephone service, where any of the customers are residential customers or small business customers; or*

*(ii) a public mobile telecommunications service; or*

*(iii) a carriage service that enables end-users to access the internet; or*

*(b) a carriage service intermediary who arranges for the supply of a service referred to in subparagraph (a)(i), (ii) or (iii).*

The definition implies that 'eligible CSPs' are those CSPs which provide services to retail customers or end-users.

We propose that it should be clarified that the term 'customers' or 'end-users' does not include wholesale customers or enterprise customers. As mentioned earlier, wholesale customers and/or enterprise customers do not face the same risks as retail customers, as the services provided to them by CSPs are covered by tailor made, negotiated comprehensive agreements between the parties.

For clarity, a CSP who supplies services directly to retail customers or end-users would fall within the scope of a CSP register insofar as the supply of services directly to end-users is concerned. **However, a CSP who supplies services only to wholesale customers and/or enterprise customers should not be included in the scope of the CSP Register.**

We trust that our submission will be given due consideration.