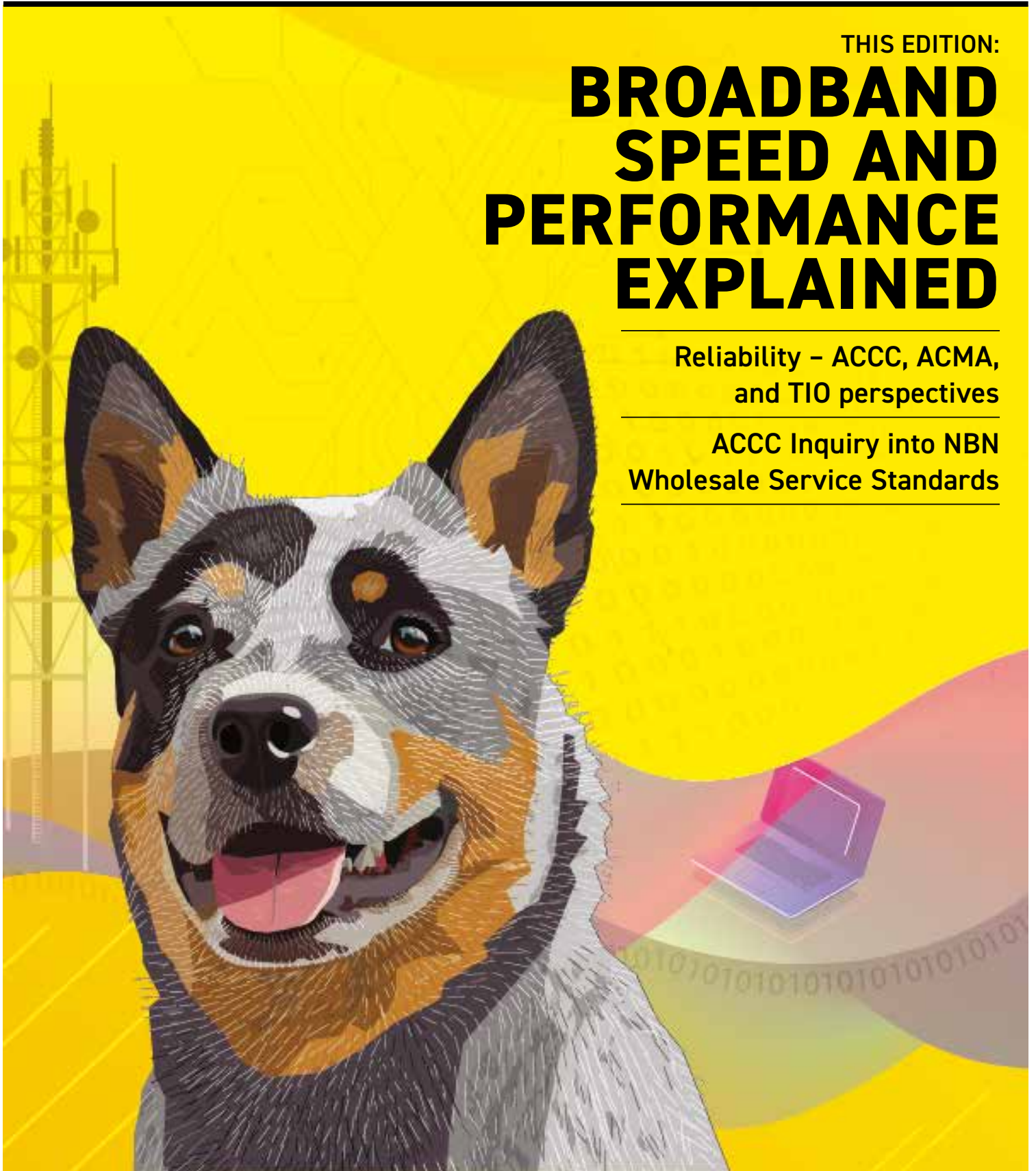


THIS EDITION:
**BROADBAND
SPEED AND
PERFORMANCE
EXPLAINED**

Reliability – ACCC, ACMA,
and TIO perspectives

ACCC Inquiry into NBN
Wholesale Service Standards



ACCAN is the peak organisation representing all consumers on communications issues including telecommunications, broadband and emerging new services. Our mission is to ensure that communications are trusted, inclusive and available for all Australians.

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Our CEO: Teresa Corbin

This quarter our magazine tackles the issue of reliability in communications. From phones to broadband, we know that Australians are increasingly dependent on access to reliable communications.

As our reliance on these services grows, so too must relevant regulation. This edition, our policy team examines the ACCC's inquiry into NBN wholesale service standards and what it means for consumers.

Our feature article this quarter looks at the reliability and performance results from the ACCC's Measuring Broadband Australia: Report 5. We also share some troubleshooting tips to improve your internet performance.

In member news, we speak to COSBOA CEO, Peter Strong, to find out what reliable telecommunications services mean to small businesses, and the impact they face from telco outages.

We also talk to the ACCC, ACMA, and TIO to compare how they view reliable communications and what trends they are seeing emerge when it comes to consumers' telco reliability and performance issues.

Finally, as many recipients of the 2017-2018 ACCAN grants program are beginning to finalise their projects, we wanted to share an overview of some of the research conducted. Read this quarter's Grants news to find out how QUT's School of Justice, Faculty of Law explored the issue of domestic violence and communication technology.

Don't forget to buy your tickets for the upcoming ACCANect 2019 conference. This year we celebrate a decade of bringing the consumer voice to the telco table and would love to have you join us. Early bird tickets are available now at **accan.org.au/accanevents**.

For all the latest ACCAN updates, follow us on Facebook (**facebook.com/accanau**), Twitter (**twitter.com/ACCAN_AU**) or LinkedIn (**linkedin.com/company/australian-communications-consumer-action-network-accan**).

The ACCAN website has lots of useful information, tip sheets and guides for communications consumers. As always, if you have any comments, suggestions or feedback, please email : **ceo@accan.org.au** or call me on **02 9288 4000**

Warm regards

Teresa Corbin

ACCAN CEO



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Wap-bap, ba-da-di-da-da

Gleich rechts neben der Titelseite des *Frankfurter Allgemeine* (FAZ) steht eine große, farbige Aufnahme von Bibi H. Sie ist eine junge Frau mit dunklen, lockigen Haaren, die ein weißes Oberteil und eine dunkle Hose trägt. Sie blickt direkt in die Kamera. Die Aufnahme ist Teil einer Werbekampagne für den Film *Wap-bap, ba-da-di-da-da*.

Abwärts der Aufmerksamkeit der Erwachsenen prägt Bibi H. seit Jahren die Jugendkultur. Jetzt sorgt sie mit einem Song für Aufsehen am Boulevard

...die der Welt bekannt ist. Aber die meisten wissen nicht, wer sie ist. Sie ist eine junge Frau, die in den letzten Jahren in der Jugendkultur einen Namen gemacht hat. Sie ist die Sängerin der Gruppe *Wap-bap*, die seit Jahren die Charts anführt. Ihre Songs sind einfach, leicht verständlich und haben einen starken Rhythmus. Sie sind die Stimme einer Generation, die sich von den Erwachsenen abhebt.

...auf Platz 1. Ihre Songs sind einfach, leicht verständlich und haben einen starken Rhythmus. Sie sind die Stimme einer Generation, die sich von den Erwachsenen abhebt. Ihre Fans sind vor allem Jugendliche, die sich in ihrer Musik wiederfinden können.



KARTEK
Achtzehn Ballerina in taormina entfällt

...sind die Karten, die Bibi H. für ihre Konzerte verkauft hat. Die Karten sind in wenigen Minuten ausverkauft. Das zeigt die Popularität der Sängerin bei ihren Fans. Ihre Konzerte sind immer gut besucht, und die Fans sind immer begeistert.

BUCKT
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Appointment of NRS Service Provider

ACCAN has welcomed the Federal Government's appointment of a service provider for the National Relay Service (NRS).

The NRS allows Australians who are Deaf or have hearing or speech impairment to access telecommunications services through the phone, web or teletypewriter (TTY). It is a vital service that allows its users to communicate for work, socially, and in emergencies.

"All Australians deserve the right to reliable communications whether they access it through traditional telco technology or through the NRS," said ACCAN CEO, Teresa Corbin.

ACCAN is pleased that the NRS will maintain existing call relay options when the new provider, Concentrix, begins delivering the service in October. This means that many users who rely upon the essential communications service will be unaffected by the new arrangement. However, ACCAN notes that users of the handset-based Captioned Relay service will need support to transition to a new technology.

"While we know that many NRS users are now using messaging and video calls, some people do still prefer the familiarity of a phone handset when accessing the NRS," said Ms Corbin. "It's important that these users have the help they need to transition to an appropriate

alternative before the NRS stops supporting these devices in February 2020."

We are still trying to fully understand the implications of the NRS contract going to a provider who have been unable to get an agreement with the Australian provider of Captel handsets. We have already been in touch with the government to seek additional information about this, as well as what the transitional arrangements will look like for Captel handset users.

We are also arranging meetings with the new provider and government representatives to discuss the issues affecting Captel handset users in more detail. We are aware that other consumer groups are doing the same.

We have been told to refer Captel Handset users to the NRS Helpdesk to pass on any concerns and ensure you are informed about the changes to the services as they are implemented and what options are being made available to you.

If you have any further requests regarding Captel handsets or what ACCAN is doing on this topic, please contact us and be assured we will be working on this very closely.

ACMA Scam Technology Consultation

The Australian Communications and Media Authority is reviewing ways to combat scams carried out over telco networks (via phone, email and SMS) as a part of their Scam Technology Project. They invited public feedback on ways technology can block and minimise this type of scam activity, how consumers experience and avoid scams, and current challenges to stopping scam activity. ACCAN's submission focuses on the consumer experience of scams, and how to improve consumer education about scam activity.

ACCAN proposes that a range of industry, regulatory and consumer responses are necessary to reduce harm caused by scams. We argue that networks are much better placed to identify and minimise the risk of scam activity than individual consumers, but that consumer education has an important part to play in helping consumers to safeguard themselves against harm. We propose practical suggestions of ways that industry, government and community organisations could empower consumers to identify and report scam activity.

Mobile Premium Services Code review

In 2019, the telco industry is reviewing the Mobile Premium Services (MPS) Code. Mobile Premium Services (MPS) allow consumers to pay for digital content (like apps or games) and services (like competition entries, voting and charity donations) on their mobile phone account or using pre-paid credit.

The MPS Code aims to safeguard consumers from an industry which has a history of poor practice.

Many of the additional protections proposed in the public consultation will have little or no substantive effect on consumer outcomes due to their limited scope and applicability.

Accordingly, ACCAN believes that the following measures should be included in the Code to ensure that there are appropriate safeguards for consumers and small businesses. In our submission, we recommend that:

- Consumers should be told about Mobile Premium Services and how to bar these services when they acquire a new phone service;
- Consumers should receive timely spend notifications, including reminders about ongoing subscriptions;
- The default spend limit on Mobile Premium Services should be set to \$0, with consumers asked to set their default spend limit;
- The default spend limit and spending notification protections should apply to all existing and new mobile customers including small businesses.

The ACCC, ACMA and TIO Share What Reliability Means to Them

Telco consumer safeguards in Australia are protected and enforced by three main bodies: the ACCC, ACMA, and the TIO. While these bodies each handle different aspects of telco consumer protection, together they work towards safeguarding Australian telco consumers.

Reliability responsibilities

- The ACMA and the TIO deal with the more technical or tangible aspects, such as enforcement of service provider obligations or dealing with faults reported by telecommunications consumers;
- The TIO is also responsible for dealing with specific issues or complaints of individual consumers;
- The ACCC has responsibility for the telecommunications-specific access and anti-competitive conduct provisions in the Competition and Consumer Act 2010. The ACCC is also responsible for general consumer protection under the Australian Consumer Law.

As Australia's consumer voice for telecommunications matters, ACCAN works closely with the ACCC, the ACMA and the TIO on a wide range of issues. To find out more on their views about reliability and performance in telecommunications, we spoke to Delia Rickard - Deputy Chair of the ACCC, Nerida O'Loughlin - Chair of the ACMA, and Judi Jones - Telecommunications Industry Ombudsman.



Delia Rickard

Deputy Chair of the ACCC

How does the ACCC define reliable communications?

A reliable service is a service that works, performs to the quality promised to the customer at the time of signing up, and where any faults or issues are resolved in a timely fashion.

The ACCC's focus is on improving service quality and reducing prices through greater competition, and ensuring that consumers are getting the service levels that they are paying for.

It also closely monitors the reliability and performance of telecommunications services.

Why does the ACCC think reliability and performance are important to telco consumers?

Telecommunications services are an essential rather than a discretionary service, and consumers rely on them to stay connected to others, perform everyday activities and access basic services. They expect to pay reasonable prices for services that meet their needs and that work consistently.

Access to reliable mobile services is particularly important to regional consumers to support their business, farming, health, safety and education needs.

Are there any trends that the ACCC has recently identified when it comes to reliability and performance issues? If so, what do these trends mean for consumers?

The NBN rollout is the biggest factor influencing reliability and performance issues for consumers' home broadband connections. These performance issues prompted the ACCC's inquiry into NBN wholesale service standards, which is looking at whether changes can be made at the wholesale level to improve customer experiences.

Retailers are doing a better job of advertising the actual speeds consumers get, rather than selling them 'up to' a certain speed.

Our recent Monitoring Broadband Australia report, found that most RSPs were achieving average speeds that met or exceeded the typical plan speeds they advertised.

But some consumers continue to experience underperforming services that never achieve close to their maximum advertised plan speed. The ACCC expects that RSPs and NBN Co will work closely together to help consumers achieve the speeds they are paying for.



Nerida O'Loughlin

Chair of the ACMA

How does the ACMA define reliable communications?

Public confidence in communications and media services is one of the ACMA's top priorities. Consumers should have confidence that their telco can deliver the services that they have promised.

Reliability is about having access to the services you need, that they perform as they should, and that faults and complaints are resolved quickly and effectively.

We see reliability being built around a strong framework so that Australians can maximise the economic and social benefits of communications. It is also essential that Australians have access to communications in emergencies and life-threatening circumstances. The ACMA plays a key role building, monitoring and enforcing this framework.

Why does the ACMA think reliability and performance are important to telco consumers?

Telco services are integral to the work, home and social lives of all Australians. If those services are unreliable or not performing, they can significantly impact consumers and businesses and disconnect them from economic and social activity.

Australians expect that telco services will perform as advertised and if there is an issue, they expect that it will be fixed quickly with minimum fuss. We are paying close attention to the number of unscheduled outages and looking to industry to minimise disruptions to services. We also undertake research to examine consumer's expectations of and experiences with telecommunications services.

Are there any trends that the ACMA has recently identified when it comes to reliability and performance issues? If so, what do these trends mean for consumers?

The ACMA has a key role in reporting on the performance of industry. Our most recent Communications Report found that today's anywhere, anytime, data-driven communications environment means that consumers have very high expectations of telco services.

Australian industry and government have invested significantly in communications networks to keep up with current and expected future demand. But, revenues to support such investment have increasingly shifted to online and 'over-the-top' providers that do not invest in infrastructure.

This dynamic will continue to challenge telcos in making network investments that are critical to reliability and performance.



Judi Jones

Telecommunications Industry Ombudsman

How does the TIO define reliable communication?

A timely question! Part B of the Consumer Safeguards Review will address reliability of services and public consultation and consultation on this closed in January 2019.

From a TIO lens, a reliable service is one that keeps consumers connected. This includes supply of broadband and voice services that support consumers in going about their day to day activities, dependably. And, if for some reason there is a disruption that disconnects consumers for an unreasonable amount of time, an alternative should be provided.

Why does the TIO think reliability and performance are important to telco consumers?

You only need to observe the behaviours of the people around you to understand the ever-increasing reliance on our mobile devices. Most of us are outsourcing our memories, our education and our daily transactions to our smartphones or internet devices.

Small businesses are building their products offerings to consumers around this.

Consumers' access and reliance on access to voice and data is becoming as critical as our reliance on energy and water. Reliability and performance are critically important to consumers.

Are there any trends that the TIO has recently identified when it comes to reliability and performance issues? If so, what do these trends mean for consumers?

In our most recent six-month update published in April 2019, complaints to the TIO about not having a working phone or internet service; delays with connections or changing service providers; and intermittent service or drop outs formed the top complaint issues for the reporting period of July to December 2018.

For consumers, this means that reliability and performance is an issue. If you've already contacted your telecommunications provider to address reliability or performance issues and it continues to be an issue, we're here to help you find a way forward.

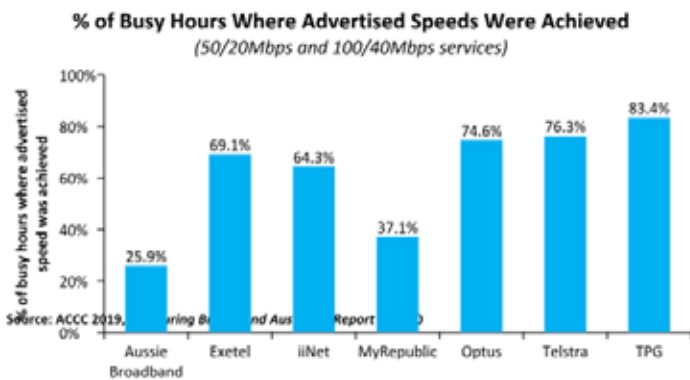
Broadband Speed and Performance

WRITTEN BY REBEKAH SARKOEZY

Broadband performance is all about the speed and quality of the broadband connection. The ACCC's Measuring Broadband Australia: Report 5 showed that there have been improvements to the performance of fixed-line NBN service speeds over the past three months. However, there's some inconsistency across the providers when it comes to:

- **Latency** - the period of time it takes to transfer data over a network. The higher the latency of an internet connection, the longer it will take your device or computer to upload or download information
- Maximum service speeds advertised by retail service providers (RSPs) compared to actual speeds measured by the ACCC
- Internet speeds during busy hours (7pm – 11pm) compared to non-busy hours.

The chart below outlines the difference between advertised speed and actual speeds measured by the ACCC during busy hours in February 2019. It shows that your internet provider has a big impact on whether you are getting the promised internet speeds. Aussie Broadband customers were the least likely to achieve the advertised speed during busy hours, while TPG customers could regularly expect to have their internet speed perform as promised.



It's important to note the report doesn't take into consideration NBN fixed wireless services, where data is sent and received via radio signals from physical towers, or NBN Sky Muster Satellite services, where data is sent and received via two NBN-owned satellites. These services are generally used by people in regional and remote areas and can be less reliable in bad weather and other circumstances.



Australians should have reliable broadband regardless of where they live or who their RSP is, so we've compiled some troubleshooting tips to improve your internet performance.

Testing your broadband

Test your broadband to make sure you're getting the speeds that you pay for and to get to the bottom of any issues you're facing. For the most accurate results, try a few reputable speed tests at different times during the day.

Search 'internet speed test' in your preferred online search engine to locate a speed test. Use those that measure download, upload and 'ping' or latency. Here's how to interpret your results.

- **Download speed:** The rate at which your device receives data via the internet, measured in megabits per second (Mbps). The lower the Mbps, the slower your service.
- **Upload speed:** The rate at which your device can send data to others via the internet, measured in megabits per second (Mbps). Like with download speed, a lower Mbps result means a slower connection.



- **Ping:** A measure of how long it takes to get a response once you've sent out a request via the internet, measured in milliseconds (ms). The quicker the 'ping', the faster the connection.

Improving your broadband performance

Remember: you're not powerless if you've tested your broadband and you aren't happy with the results. Here are a handful of things you can do that might improve the quality of your connection.

- **Talk to your provider.** Your telco has to try and resolve a non-urgent complaint within 15 working days. If it can't be resolved by then, your telco has to explain the delay and when the issue will be resolved.
- **Check your internet usage.** Lots of devices or heavy internet usage might be impacting your service reliability. Check the advertised speed of your plan and compare it to what you'd typically use. If you want to upgrade to a faster plan, make sure you shop around!
- **Experiment with placement and usage.** The placing of your internet equipment or the way your devices are connected could affect your internet reliability. Keep your router/modem away from big household objects. See if connecting your computer via a blue Ethernet cable, rather than WiFi, improves your service.
- Check the age of your equipment. Older equipment might not transfer data as quickly as your device can upload or download it. Your issue might be resolved by upgrading your equipment or software.

You should contact the Telecommunications Industry Ombudsman (TIO) if you're not happy with your telco's response to your complaints about service reliability. For more information, visit the TIO's website: <https://www.tio.com.au/>

Head to ACCAN's website at accan.org.au to learn more about broadband performance. Search 'What affects the quality of my broadband' to find out more.

NBN Wholesale Service Standards

What the ACCC Inquiry Means for You

WRITTEN BY TARA D'SOUZA

The NBN provides the wires that deliver broadband and fixed home services. Your telco pays the NBN owner, nbn co, to use the NBN and sell you broadband. This means that the service that you get from your telco is directly related to the service that nbn co gives telcos. This includes how long it takes to connect broadband customers, whether appointments with technicians are kept, the number and length of outages you may experience, or the speed of your broadband at different times of day.

The service nbn co provides is negotiated with telcos and contained in commercial contracts. This means that the telco regulator, the Australian Competition and Consumer Commission (ACCC), has not been involved. Many telcos have stated that the variable service that they receive from nbn co makes it difficult to make commitments to customers regarding the expectations for service. This is understandably frustrating both for telcos and for consumers who are left wondering who is to blame when their NBN service is sub-par. ACCAN has argued again and again that the regulator (ACCC) needs to be involved to make sure that nbn co and telcos provide a high-quality, reliable service for consumers.

In late 2017 the ACCC started looking into whether nbn co's service is adequate. The ACCC wanted to find out if regulation would improve outcomes for consumers. Since the ACCC began the inquiry, nbn co has committed to a number of changes. These include providing refunds to telcos when a technician does not turn up to an appointment and compensation for delayed connections. However, many telcos, as well as ACCAN, have asked for more commitments from nbn co. In particular, we would like to see compensation for delayed connections calculated for each day it is late (as opposed to a flat rate). ACCAN's position is that there needs to be benchmarks for service with penalties for failures in order to motivate nbn co to provide reliable services. The ACCC is expected to make a decision on whether regulation is necessary before the end of the year.







Reliable Telecommunications: A Small Business Perspective

WRITTEN BY MELYSSA TROY

From cafés and florists to plumbers and mechanics, small businesses are increasingly reliant on phone and internet services to run their companies.

“The modern world is built around communications. While there’s still a place for face-to-face interactions, a growing percentage of business is now done over the phone or internet,” explained Council of Small Business of Australia CEO, Peter Strong. “Without having reliable access to these services, the reality is that you simply don’t have a business.”

Without a reliable phone or internet service, small businesses can find it difficult to operate day-to-day. Everyday tasks like booking customer appointments or managing employee payroll systems come to a stop if there’s an outage. As a widespread Eftpos outage in November 2018 demonstrated - when telco services go down, small businesses suffer.

“Unfortunately, if a telecommunications service is down for long enough it can mean the end of a small business. If you lose access to your phone or internet for a week or so, it can have devastating impacts,” said Mr Strong. “Small businesses are generally one or two person operations so when things go wrong with the business, owners and their families bear the burden. It could mean losing their house or impacting their health or relationships.”

Many small business owners aren’t aware of their consumer rights when issues do occur with their telco. With so many other responsibilities, finding the time to learn about what they can do in the case of a faulty telco service is rarely considered.

“The time we’re most likely to be aware of our rights is when we’ve gone through the whole process before,” explained Mr Strong. “Small business owners are generally trusting and optimistic people. If someone from their telco company says that a fault will be fixed by the afternoon, they’ll take them at their word.”

Mr Strong said that this had caused issues for small businesses in the past as they would not keep track of their complaint. However, the introduction of the Complaint Handling Standard by the Australian Communications Media Authority (ACMA) in July 2018 has likely helped to ease this problem.

To help small businesses better understand their rights when it comes to reliable phone and internet services, Mr Strong recommends engaging with industry associations like COSBOA.

“They understand their members, what they need, and how best to communicate the information.”

Domestic Violence and Communication Technology:

Research from QUT's School of Justice, Faculty of Law

WRITTEN BY MELYSSA TROY

While mobile phones and telco technology have the potential to improve our lives, some people misuse these devices and services to facilitate domestic violence. Researchers at the School of Justice, Faculty of Law at the Queensland University of Technology (QUT) have been researching the relationship between domestic violence and communication technology. The 2017/18 ACCAN grant recipients examined domestic violence survivors' experiences of intrusion, surveillance, and identity theft.

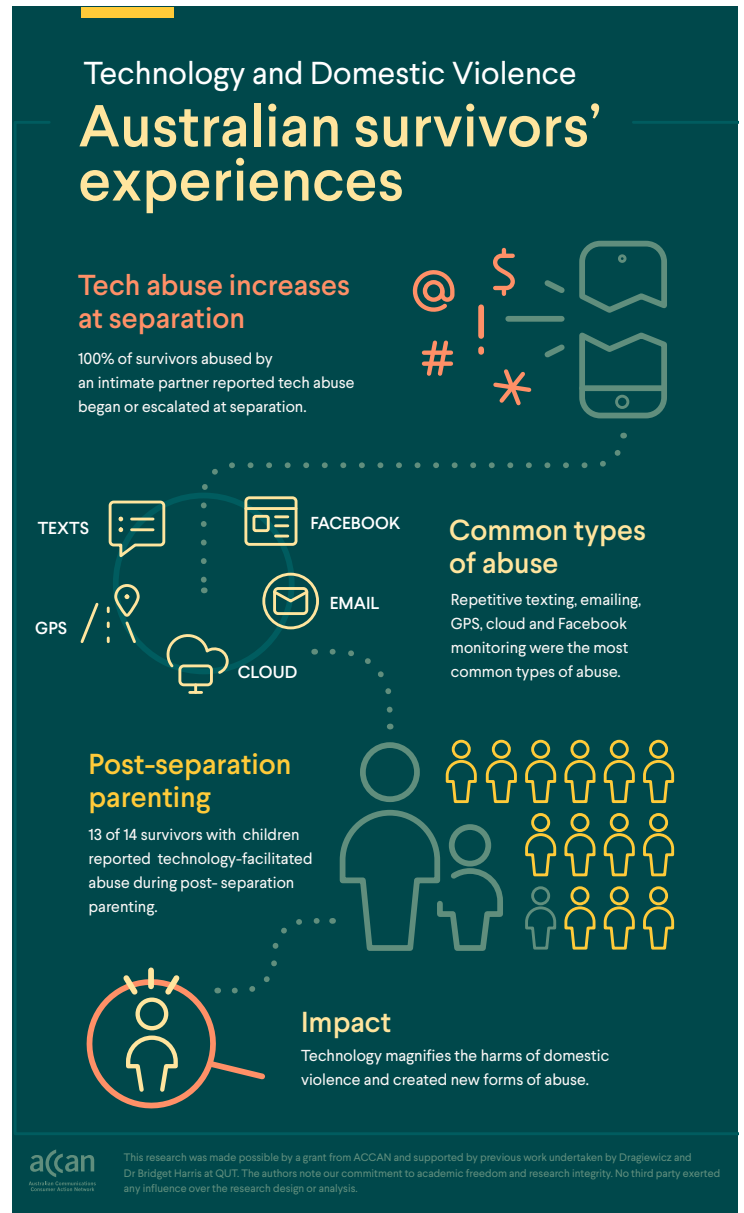
Known as technology-facilitated coercive control (TFCC), this form of domestic abuse is characterised as violence and abuse by current or former intimate partners, facilitated by information and communication technologies. It can emerge through a range of behaviours such as monitoring via social media, stalking using GPS, video and audio recording, making threats via email, phone or other tech-related medium, surveillance of partners' email, accessing accounts without permission, impersonation, and publishing private information or images without consent.

QUT's Molly Dragiewicz aimed to discover how Australian domestic violence survivors experienced technology-facilitated abuse, and what resources were available to these survivors and the practitioners who aim to help them.

In completing their grant project, Molly's team conducted the first qualitative study specifically designed to investigate women's experiences of TFCC in Australia. They conducted interviews with domestic violence survivors in Queensland and New South Wales who had experienced technology-facilitated abuse and spoke to focus groups of practitioners who work with domestic violence survivors in rural, regional, and remote areas.

Interviewees noted that many types of TFCC they had experienced related to mobile phone use, including abuse and harassment via SMS, repeated calling, and monitoring using GPS on mobile phones. When they approached their telco to help in these situations, they generally noted the long wait-times required to speak to a customer service assistant.

“Such delays may be irritating to all consumers, but they have additional safety implications for domestic violence survivors who may have a limited window to safely use the phone.” - A/Prof Molly Dragiewicz



To read the recently released research report in full, visit ACCAN's website



COMMUNICATIONS+CONSUMERS: the next 10 years

ACCAN is constantly striving for improved, consumer-friendly, telecommunications services for all Australians.

This year we celebrate a decade of bringing the consumer voice to the telco table.

At ACCANect 2019 you'll see:

The consumer keynote – hear from Helen Wellings 'crusader for consumer rights' about the importance of consumer advocacy and the difference that it makes for consumers

Lightning talks – hear from those working on the front line of telecommunications consumer issues in these short, sharp sessions.

The telco industry keynotes – we welcome senior executives from several of Australia's telecommunications providers to tell us about the current and future plans for consumers

Power panels – listen to Australia's experts on telecommunications

Consumer champions – Hear examples of real consumer experiences

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