

Question 1: Do the proposed amendments to the ECS Determination fulfil the objectives and content requirements of the direction? If not, please explain why, and describe any alternative or additional approaches that could be used to meet the objectives and requirements of the direction.

They do not, because customers with functional phones are currently incorrectly classified as non-functioning and thus would be wrongfully stripped of all service.

Question 3: Can a carriage service provider currently identify whether the mobile phone that a customer proposes to use to access its network is configured to be able to access the emergency call service before service is supplied to that mobile phone?

No they cannot. Currently the only method used to identify the compatibility of a device simply checks it against a list of known devices, making the broad assumption that all devices in existence are known. There have already been compatible devices misidentified as incompatible, and even differing advice/warnings between different providers based on the same device.

Further, currently the "check your device" tool simply reports that your device will not work after the 3G shutdown if given the IMEI of a laptop with a 4G LTE SIM slot. If this direction is to only affect phones and not other devices then someone checking the above (or even giving just the number to a provider's support line with no context of what type of device it belongs to) may be falsely led to believe that it will affect their non-phone device, and have gone out to needlessly replace it.

Question 4: Can providers currently identify whether a mobile phone that a customer proposes to use is configured to be able to access the emergency call service on the mobile networks of other providers before service is supplied to that mobile phone?

Based on the above, no they cannot.

Question 5: If the answer to either of Questions 3 and 4 is no, what additional information would be needed to give effect to such a requirement? Is that information currently available? As far as I am aware the only way to directly test it is to force the device into an LTE-only configuration and attempt to make a phone call and emergency call while using software to monitor what bands are in use during a call. The latter of which users are being told specifically NOT to do.

Question 10: What are the minimum reasonable steps that a carriage service provider should take to identify whether a customer's mobile phone can access the emergency call service on their network and the networks of other carriage service providers?

If the device does not exist on this questionable list of "known" devices, have a qualified professional directly test out the user's specific device.

Question 11: Should any groups of carriage service providers be exempt from the obligations? Or should there be different obligations on certain sub-sets of carriage service providers? If so, please explain.

All carriage service providers should be exempt from the obligations, because blocking a

person from making ANY communication from their device is far more unsafe than being unable to contact only emergency services.

Question 12: Can a carriage service provider identify whether a mobile phone that it is supplying carriage services to can no longer access the emergency call service? If not, what, if any, additional information would providers need to identify such phones?

Based on the previous answers, they appear to be unable to reliably identify this.

Question 13: Does this raise any issues for end-users that should be considered?

So so many. Primarily it is a horrifically anti-consumer directive that further limits consumer choice in an already highly constrained market. The whole directive is built around the premise that a mobile phone is simply just a phone, there to do one thing only - make phone calls. But this isn't the 90s anymore. Mobile phones are a swiss army knife pocket computer that is so deeply ingrained into any given person's life each for a unique set of reasons and purposed FAR BEYOND simply making phonecalls that no generic low-cost replacement device that any telco suggests or offers will suitably fulfil.

Personally, my "phone" spends 90% of its life as a pocketable digital camera and the rest of the time as an SMS machine, the most important aspect is the image quality it is capable of and no locally available phone have cameras that are suitable for what need - I need to look abroad to what is being sold elsewhere. For a family member of mine, their primary need is something that is tiny enough to fit in their hands, they're completely disinterested in media consumption so have no need for the gigantic oversized screens that local offerings are fixated with that will neither fit in hand nor pocket, so they must look to overseas markets for a more suitable niche device that local shops won't supply. Our local market is far too tiny and dispersed for retailers to bother supplying such a wide variety of models, and all this directive serves to do is further what choices users have available to them. Further, from what I understand people with hearing or speech impairments have an alternative service to 000 calls that cannot be accessed by a normal device. In which case they would have their entire service disconnected and lose access to all connected aspects of their life simply because of being (possibly) unable to access a service they cannot use anyway?

And this ignores the massive amount of e-waste this would generate, in perfectly functional devices being artificially blocked from use.

Question 14: Is the rolling set of notifications to ensure that end-users have sufficient time to change mobile phones before their services are disabled appropriate? If not, why not?

No, because currently there is no way to tell whether a device you are looking at the product page of will be determined as incompatible by your provider. It can take a long time to research suitable devices to find one suitable to your needs, plus they can cost so much that saving up may be necessary.

Question 16: Noting that the disabling of service to an end-user's mobile phone will require the end-user to obtain another mobile phone, do providers have any data available or information relevant to the assessment of the likely cost of this requirement to end-users of mobile services?

Whatever the cost, it should be borne by the government for enacting such a myopic determination. Particularly where users have been directed to purchase a replacement device with little information beyond "it must use 4G" that then turns out to be incompatible.

Question 22: Is the 60-day period for foreign travellers to use carriage services on mobile phones that are not able to access the emergency call service appropriate? If not, why not, and what alternative timeframe would be appropriate?

How can it be appropriate to prevent Australian citizens from having any day-to-day network access whatsoever just because they can't contact emergency services on that 1 in 1000 time it's needed, while foreign visitors are ok to just get a message telling them they'll be unable to do so and be on their merry way? If this is truly about safety then there appears to be a huge level of cognitive dissonance at play here.

Question 23: For carriers and carriage service providers, what are the likely costs and benefits of implementation for your organisation? (Please provide specific cost estimates in your response.) Are there alternative ways to achieve the objective of the direction that would be consistent with its terms and provide for lesser costs and/or greater benefits?

Surely a far less costly solution would be akin to what India did - develop an app that can allow devices not configured to make emergency calls over LTE to do so. Software is so much easier to develop, maintain and deploy than churning through a gargantuan amount of physical devices, and nobody will be left in the lurch unable to live their life because their device has had all access to anything cut off. That sort of isolation is far more dangerous.

Question 24: The ACMA is seeking feedback on whether there are:

Additional matters aligned to the objectives that should be included in the proposed amendments to the ECS Determination?

Matters included in the proposed amendments to the ECS Determination for which alternative arrangements that should be considered?

Please provide evidence to support your position.

I think all the issues I wanted to talk about were covered by previous questions/answers. In summary this determination appears terribly short-sighted, has completely naive ideas on what a phone is or does, zero regard for consumer choice or handing even more power and control over to telcos, and comes across as last-minute bandaid to patch over issues that have not been suitably prepared for ahead of time as they should have been. This should have all been raised back when the shutdown was proposed - instead it has only come up AFTER the originally intended shutdown date!