



Australian Government

**Department of Broadband,
Communications and the Digital Economy**

**AUSTRALIAN BROADBAND GUARANTEE
HALF YEARLY COMPLIANCE REPORT
JULY–DECEMBER 2009**

As a registered provider in the Australian Broadband Guarantee (ABG) Program you are required to meet reporting obligations as outlined in the ABG Guidelines (Section 4.7) and in your Funding Deed (Clause 9). One of these obligations is the lodgment of a half yearly compliance report for the period 1 July to 31 December 2009.

Given the recent lodgment of many providers' annual reports, the Department seeks only two requirements: a signed statutory declaration and a completed compliance report form.

It is essential that you report to us any material changes, performance issues, potential compliance breaches, and any other matters which may impact upon your participation in the Program. You should note that giving false or misleading information is an offence and legal action can be taken under the *Statutory Declarations Act 1959* and the *Criminal Code Act 1995*.

1. Statutory Declaration

A completed statutory declaration is required, signed by a company director, senior manager or some other person with the authority to make legal decisions on behalf of your business.

The statutory declaration should attest to the truthfulness of the information provided in the half yearly compliance report, and to:

- (a) the company's solvency
- (b) any material changes that may affect your ability to deliver ABG commitments
- (c) board and senior management remain unchanged and free of criminal convictions
- (d) lodgments with the relevant authorities are up-to-date
- (e) the company is a current member of the Telecommunications Industry Ombudsman (TIO) scheme
- (f) customers are provided with details of the Department's data speed testing facility
- (g) status of service solutions and technology used, and
- (h) compliance with other Government funding programs as applicable.

Please read the above statements carefully and consider whether you are able to attest to them. If you are unable to truthfully attest to any of the statements, omit the statement from the statutory declaration and provide full details in Question 1.b of the half yearly compliance report form.

A proforma of the statutory declaration is available on the Department's website for your reference.

2. Compliance Report Form

A compliance report form is also available on the Department's website for your completion. Please respond thoroughly to each question. In particular, you will need to provide full details of any changes that have occurred since your annual compliance report or your ABG registration, and any instances where the requirements in your ABG funding deed may not have been met.

Submission of ABG Half Yearly Compliance Report

Please submit both hard and soft copies of your ABG half yearly compliance report documents to:

Manager, Australian Broadband Guarantee Compliance
Department of Broadband, Communications and the Digital Economy

Post: GPO Box 2154, Canberra, ACT 2601
Courier: 38 Sydney Avenue, Forrest, ACT 2603
Email: abgproviders@dbcde.gov.au

by 5.00 pm AEST, Friday 19 March 2010.

Any requests for extension of time to lodge compliance reports should be made in writing to abgproviders@dbcde.gov.au, giving the reason for the delay, and a proposed revised reporting date.

If you have any questions regarding these reporting requirements, please email abgproviders@dbcde.gov.au.