



Our ref: 51717  
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27 August 2020

Mr Iain Little  
Director of Equivalence, Regulatory  
Sustainability, External Affairs & Legal  
Telstra Corporation Limited

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Dear Mr Little

**Notification of a Force Majeure Event under Telstra's Migration Plan**

I refer to your letter dated 24 August 2020 notifying the ACCC of a Force Majeure Event under clause 4.5 of the Migration Plan due to the COVID-19 pandemic.

You have advised that the Force Majeure Event is due to the current impact of the pandemic and its implications for lock-down and site restrictions in Victoria and other states and territories, including restrictions at registered Nursing Homes and Aged Care facilities.

A Force Majeure Event under the Migration Plan is defined to include a natural disaster which would be expected to place at risk the health or safety of the employees of Telstra or NBN Co or any other person. The ACCC agrees that the COVID-19 pandemic constitutes a Force Majeure Event under the Migration Plan.

The ACCC is satisfied that Telstra has met its requirement under clause 4.5(c)(i) to advise the ACCC that a Force Majeure Event will affect Telstra's performance under the Migration Plan, as set out in your letter. Due to the Force Majeure Event status, Telstra will not contravene the Migration Plan to the extent that the COVID-19 pandemic causes delays or failure to perform Telstra's obligations under the Migration Plan.

The ACCC notes that Telstra is required to notify the ACCC as soon as reasonably practicable after the Force Majeure Event has ceased to affect its Migration Plan obligations.

Darren Kearney can be contacted on (03) 9290 1966 if you would like to discuss this matter.

Yours sincerely

Sean Riordan  
General Manager  
Communications Markets and Advocacy Branch