

Fair Use Policy

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1. Purpose

This Fair Use Policy explains what "unlimited" means on OM TELECOM's nbn® broadband and VoIP phone plans, and how we manage use that is excessive, unreasonable or that could affect the network experience of other customers. It forms part of our Standard Form of Agreement.

2. What "unlimited" means on our broadband plans

Our nbn® Fast Fibre plans (12, 25, 50, 100 and Business 100) include unlimited data with no download or upload caps and no excess-usage charges. Speeds are shared across the nbn® access network, so actual speeds can vary with your equipment, your premises wiring, time of day and overall network demand — this is normal for all nbn® providers and is not a breach of this policy.

3. What "unlimited" means on our VoIP phone plans

Our VoIP Home Unlimited and VoIP Business Unlimited plans include unlimited standard local, national and Australian mobile calls for genuine personal or business voice use. VoIP PAYG is charged per call/minute and is not subject to this policy's excessive-use provisions, as usage is already charged as incurred.

4. Excessive or network-impacting use

"Unlimited" is intended for genuine personal or normal business voice and data use. It is not intended for, and we may act under this policy where a service is used for:

- Reselling, sharing or on-supplying the service to third parties without our written agreement;
- Continuous, automated or bulk call generation (e.g. auto-dialers, robocalling, call-centre style outbound volumes) on a residential VoIP plan;
- Sustained data transfer patterns consistent with running a commercial hosting, server-farm or peer-to-peer distribution service from a residential connection;
- Activity that degrades network performance for other customers, or that we reasonably suspect is fraudulent, is testing for vulnerabilities, or breaches our Acceptable Usage Policy.

5. How we manage it

Genuine unlimited use is never charged extra and is never a reason on its own for us to contact you. We only step in where use falls into one of the categories in Section 4.

Where we identify use that appears to fall within Section 4, we will generally:

1. Attempt to contact you to understand the usage and explain any concern;
2. Ask you to modify the way the service is used, or offer a more suitable plan (e.g. a business-grade or wholesale plan) where one exists;
3. If usage continues unreasonably after we've been in touch, we may apply reasonable traffic management, restrict specific call types, or, as a last resort, suspend or terminate the service with notice, in line with our Standard Form of Agreement.

We will not suspend or terminate a service for excessive use without first trying to contact you, except where required for network integrity, security or legal reasons.

6. Your rights

If you disagree with a decision we've made under this policy, you can raise it with us under our Complaint Handling Policy, and escalate to the Telecommunications Industry Ombudsman (TIO) if it isn't resolved to your satisfaction — free call 1800 062 058 or tio.com.au.

7. Changes to this policy

We may update this policy from time to time to reflect changes in our network, our services or the law. The current version is always available at omtelecom.com.au/policies.