

Appendix 2

Recommendations from the Australian Communications and Media Authority's *Report on the operation of the submarine cable protection regime*

1. The Minister consult with the Attorney-General about the conduct and funding for a study to determine whether active compliance monitoring in protection zones is necessary and if needed, how this monitoring could be provided.
2. Clauses 17 and 32 of Schedule 3A be amended so that the ACMA is only required to publish a summary of a proposal to declare, vary or revoke a protection zone.
3. Clause 56 of Schedule 3A be amended so the ACMA has the power to set standard conditions that would apply to protection zone permits.
4. Clause 69 of Schedule 3A be amended so the ACMA has the power to set standard conditions that would apply to non-protection zone permits.
5. The Minister take note of the concerns raised about potential inconsistency between Schedule 3A and UNCLOS and recognise the need to remove the potential for any inconsistency.
6. The Minister take steps to amend Schedule 3A to provide for protection zones around other submarine cables with national significance that are wholly in Australian waters.¹

¹ ACMA, *Report on the operation of the submarine cable protection regime*, AMCA, Canberra, September 2010, p. 26.