

Senate Standing Committee on Environment and Communications
Answers to Senate Estimates Questions on Notice
Budget Estimates Hearings May 2015
Communications Portfolio
Department of Communications

Question No: 4

Program No. 1.1

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Topic: Deregulation

Senator Urquhart asked:

You have mentioned a number of things that are being considered: the spectrum management and some areas around the NBN. Are you able to provide that detail – on notice is fine- as well as, if you are able to, a list of the other things being considered?

Answer:

Reform of Spectrum Management

This reform follows on from the Spectrum Review undertaken by the Department in conjunction with the Australian Communications and Media Authority (ACMA) in 2014-15. The Spectrum Review report was released by the Minister for Communications in May 2015. The three main recommendations of the Spectrum Review are to:

1. Replace the current legislative arrangements with outcomes focussed legislation, that facilitates timely allocations, greater flexibility of use, including through sharing and trading of spectrum and delivers improved certainty for market participants.
2. Improve the integrity and consistency of the framework by incorporating the management of broadcasting spectrum and better integrating public sector agencies through the reporting of their spectrum holdings and allowing those agencies to lease, sell or share that spectrum for their own benefit.
3. Review spectrum pricing arrangements to make these consistent and transparent in order to support efficient use and to facilitate secondary markets.

The Australian Government is considering the Spectrum Review report and will respond in due course.

NBN Framework

The report of the Independent Cost-benefit Analysis of Broadband and Review of Regulation (Vertigan Review) was released in August 2014. The Government's response to the Vertigan Review was released in December 2014. A number of initiatives implemented, or to be implemented, as a result of the Review and the Government response, are deregulatory in nature.

Separately, the Government is also reforming of telecommunications carrier powers and immunities regime, which reforms will be deregulatory in nature. These changes to the regime

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are being considered in the context of both the nbn rollout and as a result of submissions from industry.

Other Initiatives

Other areas the Department and the ACMA are considering as potential deregulatory opportunities include:

1. Repeal of redundant or spent legislation across the Communications portfolio, to contribute to clearer regulation.
2. Amendments to the *Telecommunications (Consumer Protection and Service Standards) Act 1999* to repeal redundant provisions.
3. In co-ordination with the Australian Competition and Consumer Commission (ACCC), reform of the information collection powers of the ACMA, the ACCC and possibly also the ABS so as to remove duplication in the information that Government collects from industry.
4. Reform of the digital television broadcasting regulatory framework, following the Digital Television Regulation consultation paper issued by the Department in January 2015.
5. Reform of the digital radio services regulatory framework, following the review undertaken in 2013-14 into the regulatory regime and technologies for digital radio services in Australia.
6. Reform of broadcasting codes of practice (which will be an initiative of the broadcasting sector, working with the ACMA).
7. Some reform of the *Telecommunications (Customer Service Guarantee) Standard 2011*, which sets minimum performance requirements that carriage service providers must meet for certain services.
8. Reform by ACMA of the *Telecommunications (International Mobile Roaming) Industry Standard 2013*, which imposes certain obligations for carriage service providers that supply international mobile roaming services.
9. Reform of telecommunications codes of practice (which will be an initiative of the telecommunications sector, working with the ACMA).

Each of the nine reforms listed above are subject to further consideration by Government and consultation with stakeholders and therefore are not confirmed.