

2019

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

**Telecommunications Amendment
(Guaranteeing Mobile Phone Service in
Bushfire Zones) Bill 2019**

No. , 2019

(Youmaton MP
(Written by R. Sharkie))

**A Bill for an Act to amend the *Telecommunications
Act 1997*, and for related purposes**

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A Bill for an Act to amend the *Telecommunications Act 1997*, and for related purposes

The Parliament of Australia enacts:

1 Short title

This Act is the *Telecommunications Amendment (Guaranteeing Mobile Phone Service in Bushfire Zones) Act 2019*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3

Provisions	Commencement	Date/Details
1. The whole of this Act	The day this Act receives the Royal Assent.	

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Telecommunications Act 1997

1 Subsection 112(2)

Omit “125A and 125B”, substitute “125A, 125B and 125C”.

2 At the end of subsection 113(3)

Add:

- ; (zb) action to be taken to ensure that mobile base stations in high bushfire risk communities have at least 24 hours of standby power capability at all times.

3 After section 125B

Insert:

125C ACMA must determine certain industry standards relating mobile base stations in high bushfire risk communities

- (1) As soon as practicable after the commencement of this section the ACMA must, by legislative instrument, determine a standard that:
 - (a) applies to participants in the section of the telecommunications industry that consists of carriers; and
 - (b) deals with requiring those participants that own or operate a critical mobile base station to ensure that the critical mobile base station has at least 24 hours of standby power capability at all times.
- (2) A standard under subsection (1) is to be known as an *industry standard*.
- (3) If the ACMA is satisfied that a body or association represents that section of the telecommunications industry, the ACMA must consult the body or association before determining a standard under subsection (1).
- (4) For the purposes of this section, a *critical mobile base station* is a designated radiocommunications facility that is:
 - (a) of a kind referred to in paragraph 31(1)(a); and

- (b) located in a community determined to be a high bushfire risk community by the area of the Attorney-General's Department (within the meaning of Schedule 3A) known as Emergency Management Australia.
- (5) For the purposes of paragraph (4)(b), in determining whether a community is a high bushfire risk community, Emergency Management Australia must have regard to whether the community is located in an area that is a bushfire risk area (however described) under the planning law in force in the State or Territory in which the community is located.