

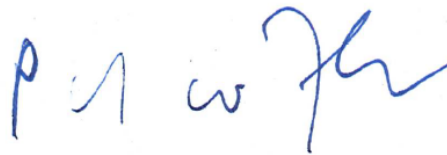
Commonwealth of Australia

Telecommunications Act 1997

**Telecommunications (Network Exemption—Telstra
South Brisbane Network) Instrument 2012
(Amendment No.1 of 2020)**

I, PAUL FLETCHER, Minister for Communications, Cyber Safety and the Arts make the following Instrument under subitem 27(1) of Schedule 1 to the *Telecommunications Legislation Amendment (Competition and Consumer) Act 2020* and subsection 144(1) of the *Telecommunications Act 1997*.

Dated 16 June 2020



PAUL FLETCHER

Minister for Communications, Cyber Safety and the Arts

1 Name of Exemption Instrument

This Instrument is the *Telecommunications (Network Exemption—Telstra South Brisbane Network) Instrument 2012 (Amendment No.1 of 2020)*.

2 Commencement

This Instrument commences on the day it is signed.

3 Amendment

The *Telecommunications (Network Exemption—Telstra South Brisbane Network) Instrument 2012* (incorporating amendments up to 31 May 2018) is amended as set out in the Schedule to this Instrument.

Schedule—Amendments

Telecommunications (Network Exemption—Telstra South Brisbane Network) Instrument 2012

1 Clause 2 (Cessation)

Omit

This Instrument ceases on the designated day.

Substitute:

This Instrument ceases to have effect on the earlier of:

- (a) the day which is 90 days after the customer transition completion date; and
- (b) 1 July 2022, if Telstra owns the Telstra South Brisbane Network on that day.

2 Clause 2 (Notes)

Omit Note 2

3 Clause 3 (subparagraph (a) of the definition, *Telstra South Brisbane Network*)

Omit:

- (a) that is owned by Telstra; and

Substitute:

- (a) that is owned by Telstra or over which Telstra is in a position to exercise control; and

4 Clause 3 (Definitions)

Insert:

customer transition completion date means the day on which Telstra has completed the disconnection of all Telstra-Equipped Services supplied to premises connected to the Telstra South Brisbane Network.

Telstra-Equipped Services means carriage services which Telstra, while it is in a position to exercise control of the Telstra South Brisbane Network, supplies to itself or to access seekers at premises connected to the Telstra South Brisbane Network, including the Fibre Access Broadband Service.

Telecommunications (Network Exemption—Telstra South Brisbane Network) Instrument 2012 (Amendment No.1 of 2020)

5 At the Note immediately after Clause 3

Omit “designated day”, substitute “a person being in a position to exercise control over a network”

6 At Subclause 4(1) (Exemptions)

Omit “subclause (2)”, substitute “subclauses (2) and (3)”

7 Immediately after Subclause 4(2) (Exemptions)

Insert:

- (3) Telstra must provide a written report to the ACCC and the Minister:
- (a) every six months commencing on 15 July 2020 until the cessation of this Instrument; and
 - (b) within 30 days of a written request by the ACCC pursuant to this paragraph;
detailing the progress of the sale of the Telstra South Brisbane Network, including:
 - (c) a summary of the legal arrangement(s) for the transfer of ownership of the Telstra South Brisbane Network (including the name of the purchaser and date of transfer);
 - (d) if, as at the date of the report, legally binding arrangement(s) are in place for the transfer of ownership of the Telstra South Brisbane Network, the following information about the customer transfer process:
 - (i) details of the work arrangements (including physical work) required to be undertaken (or being undertaken) by Telstra to effect the transfer of the local access line to the network purchaser;
 - (ii) the number of local access lines where physical work has been initiated (but not yet complete) in order to transfer the lines to the network purchaser;
 - (iii) the timeframes for the completion of the transfer of ownership of the local access lines and associated work, on a per area basis (if known); and
 - (iv) the number and location of the local access lines that, as at the date of the report, have been fully transferred to the network purchaser; and
 - (v) a summary of the information disseminated to retail customers and end-user customers regarding the transfer of the local access lines and any related service or network disruption.