

Commonwealth of Australia

Telecommunications Act 1997

**Telecommunications (Network Exemption—TransACT
Upgraded VDSL Networks) 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

Signature of Paul Fletcher

Minister for Communications, Cyber Safety and the Arts

Dated 22 June 2020.



PAUL FLETCHER

Minister for Communications, Cyber Safety and the Arts

1 Name of Exemption Instrument

This Instrument is the *Telecommunications (Network Exemption—TransACT Upgraded VDSL Networks) Instrument 2012 (Amendment No.1 of 2020)*.

2 Commencement

This Instrument commences on the day it is signed.

3 Amendment

The *Telecommunications (Network Exemption—TransACT Upgraded VDSL Networks) Instrument 2012* (incorporating amendments up to 30 May 2012) is amended as set out in the Schedule to this Instrument.

Schedule—Amendments

Telecommunications (Network Exemption—TransACT Upgraded VDSL Networks) Instrument 2012

1 Cause 2 (Cessation)

Omit the clause in its entirety, substitute:

This Instrument ceases on the earlier of:

- a. the day immediately after:
 - i. a functional separation undertaking; or
 - ii. a deemed standard functional separation undertaking relating to local access lines forming part of a TransACT Upgraded VDSL Network first comes into force for the purposes of Part 8 of the Act; and
- b. the day that is the second anniversary of the day on which the *Telecommunications Legislation Amendment (Competition and Consumer) Act 2020 (Cth)* received the Royal Assent.

2 Cause 3 (Definitions)

Insert:

deemed standard functional separation undertaking means a functional separation undertaking covered by a determination under subsection 151B(1) of the Act, as amended by Schedule 2 to the *Telecommunications Legislation Amendment (Competition and Consumer) Act 2020 (Cth)*.

functional separation undertaking has the same meaning as in section 142A of the Act, as inserted by Schedule 2 to the *Telecommunications Legislation Amendment (Competition and Consumer) Act 2020 (Cth)*.