



Telecommunications (Numbering Charges) Amendment Act 2000

No. 51, 2000



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**An Act to amend the *Telecommunications
(Numbering Charges) Act 1997*, and for related
purposes**

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An Act to amend the *Telecommunications (Numbering Charges) Act 1997*, and for related purposes

[Assented to 3 May 2000]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Telecommunications (Numbering Charges) Amendment Act 2000*.

2 Commencement

This Act commences on the day on which it receives the Royal Assent.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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—Amendment of the Telecommunications (Numbering Charges) Act 1997

1 Section 5 (definition of *transferred*)

Repeal the definition, substitute:

transferred has the meaning given by section 5A.

2 At the end of Part 1

Add:

5A Meaning of *transferred*

- (1) A number is *transferred* between 2 carriage service providers when the number is ported from one of the providers to the other provider.
- (2) Two carriage service providers may enter into a binding written agreement that provides that a number is *transferred* from one of them to the other. The carriage service providers must jointly give the ACA written notice of the transfer. The transfer takes effect on the later of the following:
 - (a) the day on which the notice is given to the ACA;
 - (b) another day specified in the notice.
- (3) A number is transferred at the time worked out under subsection (1), and not at the time worked out under subsection (2), if the number is ported from one carriage service provider to another when:
 - (a) an agreement described in subsection (2) and relating to the number is in force; or
 - (b) a notice relating to the number has been given as described in that subsection.

3 At the end of subparagraph 17(1)(b)(iii)

Add “from the provider to another carriage service provider”.

4 Section 18

Repeal the section, substitute:

18 Imposition of charge

- (1) If a carriage service provider holds an allocated number at the beginning of a day determined under subsection (2), charge is imposed on the number.
- (2) Before 16 February in each year, the ACA must determine in writing a day in April in that year.
- (3) The ACA must publish the determination in the *Gazette* before the day determined.

5 Application

- (1) The amendments of the *Telecommunications (Numbering Charges) Act 1997* made by this Schedule apply for the purposes of working out charge imposed on a number held on a particular day in 2000, or a later year.
- (2) However, if this Act receives the Royal Assent after 15 February 2000, those amendments apply for the purposes of working out charge imposed on a number held on a particular day in the first calendar year that starts after the day on which this Act receives the Royal Assent, or a later year.
- (3) To avoid doubt, subsection 5A(2) of the *Telecommunications (Numbering Charges) Act 1997* applies even if:
 - (a) the agreement mentioned in that subsection was made before the day on which this Act received the Royal Assent; or
 - (b) the notice mentioned in that subsection was given before that day.

[Minister's second reading speech made in—
House of Representatives on 9 December 1999
Senate on 3 April 2000]

(228/99)
