



Telecommunications Cabling Provider Amendment Rules 2012 (No. 1)

Telecommunications Act 1997

The AUSTRALIAN COMMUNICATIONS AND MEDIA AUTHORITY makes these Rules under subsection 421 (1) of the *Telecommunications Act 1997*.

Dated 16th April 2012

Chris Chapman
[signed]
Member

Giles Tanner
[signed]
Member/General Manager

Australian Communications and Media Authority

1 Name of Rules

These Rules are the *Telecommunications Cabling Provider Amendment Rules 2012 (No. 1)*.

2 Commencement

These Rules commence on 1 July 2012.

Note All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.

3 Amendment

Schedule 1 amends the *Telecommunications Cabling Provider Rules 2000*.

Schedule 1 Amendments

(section 3)

[1] Section 1.3

insert

customer cabling has the same meaning as in section 20 of the Act.

[2] Section 1.3, definition of 'Labelling Notice'

substitute

Labelling Notice means:

- (a) the *Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001* as amended from time to time; or
- (b) a Notice made in substitution for that Notice.

[3] Section 1.3, definition of 'Wiring Rules'

substitute

Wiring Rules means:

- (a) the "Australian Standard AS/ACIF S009:2006 - Installation Requirements for Customer Cabling (Wiring Rules)"; or
- (b) a standard published in substitution for the standard mentioned in paragraph (a);

as in force from time to time.

[4] Section 1.5

substitute

1.5 Application of the Rules

These Rules apply to any person who:

- (a) performs any of the types of cabling work specified in Part 2; or
- (b) supervises the performance of any of the types of cabling work specified in Part 2.

[5] Section 2.2

omit

“any type of cabling work (including aerial or underground”

insert

“cabling work (including aerial, underground, structured, coaxial and optical fibre”

[6] Paragraph 2.3 (1) (a)

omit

“aerial or underground”

insert

“aerial, underground, coaxial and broadband”

[7] Subsection 3.1 (2)

substitute

- (2) The registration system must include the following matters:
- (a) the publication of competency requirements with which a cabling provider must have evidence of compliance before being eligible for registration or renewal of registration;
 - (b) the registration, by a registrar, of cabling providers who comply with those requirements.

[8] Subsection 3.1 (6)

substitute

- (6) The ACMA:
- (a) may operate the registration system itself;
 - (b) may engage 1 or more persons to:
 - (i) operate the registration system;
 - (ii) operate the registration system and act as a registrar; or
 - (iii) act as registrars; and
 - (c) is not required to act as a registrar.

[9] **Section 4.2**

substitute

4.2 Compliance with Wiring Rules

- (1) Subject to subsection (2), cabling work of any of the types mentioned in Part 2 must be performed, and supervised, in accordance with the Wiring Rules.
- (2) Cabling work that complies with clause 1 or 2 of Schedule 1 is not required to comply with clauses 9.1.2.1, 9.1.2.2 and 9.1.2.3 of the Wiring Rules.

[10] **After section 4.2**

insert

4.2A Compliance with competency requirements

Cabling work of any of the types mentioned in Part 2 must be performed, and supervised, in accordance with the competency requirements mentioned in paragraph 3.1 (2) (a) that are specific to that type of cabling work.

[11] **After Part 5**

insert

Part 6 Transitional arrangements

6.1 Definitions for Part 6

In this Part:

former competency requirements means the competency requirements mentioned in paragraph 3.1 (2) (a) as in force immediately before 1 July 2012.

new competency requirements means the competency requirements mentioned in paragraph 3.1 (2) (a) that are in force on 1 July 2012.

transitional period means the period of time commencing on 1 July 2012 and ending on 30 June 2014.

6.2 Renewal of registration – reliance on paragraphs 3.1 (4) (a) and (b)

After the transitional period, paragraphs 3.1 (4) (a) and 3.1 (4) (b) will not apply if the cabling provider's current registration, or expired registration, as the case may be, was granted on the basis that the cabling provider had complied with the former competency requirements.

6.3 Compliance with competency requirements

- (1) For the purposes of section 4.2A, the cabling work may comply with either:
 - (a) the new competency requirements; or
 - (b) the former competency requirements;during the transitional period.

- (2) For the purposes of subparagraph 4.4 (c) (i), the registered cabling provider must ensure that all work performed under supervision during the transitional period complies with either:
 - (a) the new competency requirements; or
 - (b) the former competency requirements.