



National Transmission Network Sale (Exemption from Restriction on Transfer of Assets—Minor Portions of Land) Notice 2019

I, Paul Fletcher, Minister for Communications, Cyber Safety and the Arts, make the following notice.

Dated 9 September 2019

Paul Fletcher
Minister for Communications, Cyber Safety and the Arts

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1 Name

This instrument is the *National Transmission Network Sale (Exemption from Restrictions on Transfer of Assets—Minor Portions of Land) Notice 2019*.

2 Commencement

This instrument commences on the day after it is registered.

3 Authority

This instrument is made under subsection 18(6) of the *National Transmission Network Sale Act 1998*.

4 Definitions

Note: A number of expressions used in this instrument are defined in section 3 of the Act, including the following:

- (a) broadcasting service;
- (b) nominated customer;
- (c) original asset;
- (d) replacement asset
- (e) site.

In this instrument:

Act means the *National Transmission Network Sale Act 1998*.

broadcasting transmission tower has the same meaning as in Schedule 4 to the *Broadcasting Services Act 1992*.

relevant local government authority, for land in a State or Territory, means an authority of the State or Territory responsible for the local government of the area where the land is located.

5 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

6 Exemption of minor portions of land

- (1) For the purposes of subsection 18(5) of the Act, an asset is exempted from the operation of section 18 of the Act if it is minor portions of land forming part of an original asset or a replacement asset (where that asset is a site of a broadcasting transmission tower) that are transferred to a relevant local government authority for the land for the purposes of that authority where the transfer does not jeopardise:
 - (a) the provision of broadcasting services from the site; or
 - (b) continued access to the site by:

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- (i) the owner or occupier of the site; or
 - (ii) a nominated customer.
- (2) For this instrument, the purposes of a relevant local government authority include road widening and the creation of footpaths.

Schedule 1—Repeals

Class exemption (No. 1 of 2000) [F2004B00510]

1 The whole of the instrument

Repeal the instrument.