



Telecommunications (Listed Infringement Notice Provisions) Declaration 2022

The Australian Communications and Media Authority makes the following Declaration under subsection 572E(7) of the *Telecommunications Act 1997*.

Dated: 24 March 2022

Creina Chapman
[signed]
Member

Fiona Cameron
[signed]
Member/~~General Manager~~

Australian Communications and Media Authority

Part 1 - Preliminary

1 Name

This is the *Telecommunications (Listed Infringement Notice Provisions) Declaration 2022*.

2 Commencement

This instrument commences at the start of the day after the day it is registered on the Federal Register of Legislation.

Note: The Federal Register of Legislation may be accessed free of charge at www.legislation.gov.au.

3 Authority

This instrument is made under subsection 572E(7) of the *Telecommunications Act 1997*.

4 Repeal of the *Telecommunications (Listed Infringement Notice Provisions) Declaration 2011*

The *Telecommunications (Listed Infringement Notice Provisions) Declaration 2011* (Registration No. F2011L02374) is repealed.

5 References to other instruments

In this instrument, unless the contrary intention appears:

- (a) a reference to any other legislative instrument is a reference to that other legislative instrument as in force from time to time; and
- (b) a reference to any other kind of instrument is a reference to that other instrument as in force from time to time.

Note 1: For references to Commonwealth Acts, see section 10 of the *Acts Interpretation Act 1901*; and see also subsection 13(1) of the *Legislation Act 2003* for the application of the *Acts Interpretation Act 1901* to legislative instruments.

Note 2: For references to instruments that are not legislative instruments, see subsection 589(2) of the *Telecommunications Act 1997*.

Note 2: All Commonwealth Acts and legislative instruments are registered on the Federal Register of Legislation.

Part 2 - Declarations

6 Declaration – Act provisions

For paragraph 572E(7)(a) of the *Telecommunications Act 1997*, each provision specified in Schedule 1 is a listed infringement notice provision.

7 Declaration – Determination provisions

For paragraph 572E(7)(c) of the *Telecommunications Act 1997*, each provision specified in Schedule 2 is a listed infringement notice provision.

Schedule 1 Act provisions

(section 6)

- 1 Provisions of the *Telecommunications Act 1997*:
 - (a) subsection 69(4);
 - (b) subsection 102(4);
 - (c) section 308;
 - (d) paragraph 360H(2)(d);
 - (e) paragraph 360H(2)(e);
 - (f) paragraph 360H(4)(d);
 - (g) paragraph 360H(4)(e);
 - (h) subsection 360H(8);
 - (i) subsection 360H(9);
 - (j) paragraph 360HA(1)(c);
 - (k) paragraph 360HA(1)(d);
 - (l) paragraph 360HA(3)(c);
 - (m) paragraph 360HA(3)(d);
 - (n) subsection 360LA(1);
 - (o) subsection 360LA(2);
 - (p) subsection 360P(1);
 - (q) subsection 360P(8);
 - (r) subsection 360P(9);
 - (s) subsection 360P(11A);
 - (t) paragraph 360P(12)(c);
 - (u) paragraph 360P(12)(d);
 - (v) subsection 360Q(1);
 - (w) subsection 360Q(9);
 - (x) subsection 360Q(10);
 - (y) subsection 360R(2);
 - (z) subsection 360R(3);
 - (za) subsection 360W(1);
 - (zb) subsection 360W(2)
 - (zc) subsection 360X(1);
 - (zd) subsection 360X(2);
 - (ze) subsection 462(1);
 - (zf) subsection 521(3);
 - (zg) section 530;
 - (zh) subclause 10(2) of Schedule 2;
 - (zi) subclause 11(2) of Schedule 2.
- 2 Provisions of the *Telecommunications (Consumer Protection and Service Standards) Act 1999*:
 - (a) subsection 12EB(4);
 - (b) subsection 12EC(9);
 - (c) subsection 12ED(4);

- (d) subsection 12EE(9);
- (e) subsection 12EF(2);
- (f) subsection 12EG(3);
- (g) subsection 12EH(2);
- (h) subsection 12EI(6);
- (i) subsection 43(1);
- (j) subsection 117A(1);
- (k) subsection 117A(3);
- (l) subsection 117A(4);
- (m) subsection 117A(5);
- (n) subsection 117C(2);
- (o) subsection 117F(2);
- (p) subsection 130(2);
- (q) section 132.

3 Provisions of the *Telecommunications (Interception and Access) Act 1979*:

- (a) subsection 187A(1);
- (b) subsection 196(1);
- (c) subsection 196(3);
- (d) subsection 197(1);
- (e) subsection 197(3);
- (f) subsection 198(4);
- (g) subsection 198(7);
- (h) section 200;
- (i) subsection 201(1).

Schedule 2 Determination provisions

(section 7)

- 1 Provisions of the *Telecommunications (Service Provider – Identity Checks for Prepaid Mobile Carriage Services) Determination 2017*:
 - (a) subsection 2.3(1);
 - (b) subsection 6.1(1);
 - (c) subsection 6.1(2);
 - (d) section 6.3;
 - (e) subsection 6.4(1);
 - (f) subsection 6.4(4).

- 2 Provisions of the *Telecommunications Service Provider (NBN Service Migration) Determination 2018*:
 - (a) subsection 7(2);
 - (b) subsection 7(3);
 - (c) subsection 7(4);
 - (d) subsection 9(1);
 - (e) subsection 10(1);
 - (f) subsection 10(2);
 - (g) subsection 10(3);
 - (h) section 11;
 - (i) subsection 12(1);
 - (j) section 13;
 - (k) subsection 14(2);
 - (l) subsection 14(3);
 - (m) subsection 15(1);
 - (n) subsection 16(2);
 - (o) subsection 16(4);
 - (p) subsection 16(5);
 - (q) subsection 16(6);
 - (r) subsection 17(2);
 - (s) subsection 17(3);
 - (t) section 18;
 - (u) subsection 19(2);
 - (v) subsection 19(3);
 - (w) subsection 19(4);
 - (x) subsection 19(5);
 - (y) subsection 19(6);
 - (z) subsection 20(1).