

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 The *Telecommunications (Listed Infringement Notice Provisions) Declaration 2011* (Registration No. F2011L02374) is repealed.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

1. subsection 69(4);
2. subsection 102(4);
3. section 308;
4. paragraph 360H(2)(d);
5. paragraph 360H(2)(e);
6. paragraph 360H(4)(d);
7. paragraph 360H(4)(e);
8. subsection 360H(8);
9. subsection 360H(9);
10. paragraph 360HA(1)(c);
11. paragraph 360HA(1)(d);
12. paragraph 360HA(3)(c);
13. paragraph 360HA(3)(d);
14. subsection 360LA(1);
15. subsection 360LA(2);
16. subsection 360P(1);
17. subsection 360P(8);
18. subsection 360P(9);
19. subsection 360P(11A);
20. paragraph 360P(12)(c);
21. paragraph 360P(12)(d);
22. subsection 360Q(1);
23. 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*:

1. subsection 2.3(1);
2. subsection 6.1(1);
3. subsection 6.1(2);
4. section 6.3;
5. subsection 6.4(1);
6. 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).