



Radiocommunications (Ministerial Policy Statement – 3.4–4.0 GHz) Instrument 2022

I, Paul Fletcher, Minister for Communications, Urban Infrastructure, Cities and the Arts, make the following Ministerial policy statement under subsection 28B(1) of the *Radiocommunications Act 1992*.

Dated 1 February 2022

Paul Fletcher
Minister for Communications, Urban Infrastructure, Cities and the Arts

Ministerial Policy Statement for the 3.4–4.0 GHz band

1. Introduction

The object of the *Radiocommunications Act 1992* (the Act) is “to promote the long- term public interest derived from the use of the spectrum by providing for the management of the spectrum in a manner that:

- (a) facilitates the efficient planning, allocation and use of the spectrum; and
- (b) facilitates the use of the spectrum for:
 - (i) commercial purposes; and
 - (ii) defence purposes, national security purposes and other non- commercial purposes (including public safety and community purposes); and
- (c) supports the communications policy objectives of the Commonwealth Government.”

This Ministerial policy statement specifies Commonwealth Government communications policy objectives that apply, and to which the Australian Communications and Media Authority (ACMA) must have regard, in performing its spectrum management functions and exercising its spectrum management powers in relation to the 3.4–4.0 GHz band.

2. Supporting the deployment of new and innovative technology, including 5G

A Government communications policy objective in relation to the 3.4–4.0 GHz band is to support the deployment of new and innovative technology, including 5G.

This is reflected in a number of Government policies that support the delivery of digital infrastructure, including:

- (a) The Government’s *Digital Economy Strategy 2030*, released in 2021, which sets out how Australia will secure its future as a modern and leading digital economy and society by 2030, including through the timely availability of spectrum.
- (b) The Government’s *5G – Enabling the future economy* directions paper published in October 2017, which identified that the Government would support the early deployment of 5G in Australia by making spectrum available in a timely manner.

Mid-band spectrum in the 3.4–4.0 GHz range is important for a range of services, including wireless broadband, because its properties support the balance of coverage and capacity required for effective deployment of these services. Access to the 3.4–4.0 GHz band is critical for the deployment of new and innovative technologies, and ongoing deployment of 5G services. The largest number of 5G networks worldwide are being deployed in this range, supported by many devices being introduced into the global market.

With the 3.6 GHz spectrum auction in 2018, the Government has already made spectrum in this band available to support 5G services. This 3.4-4.0 GHz spectrum complements low-band spectrum in the 700, 850 and 900 MHz bands, which facilitate wide-area network coverage, and high-band spectrum in the 26 GHz and 28 GHz bands (known as mmWave bands), which enable extremely fast, high-capacity services.

Additional spectrum will support improved services with greater speed and ability to support more subscribers. Spectrum management settings established by ACMA should support the deployment of new and innovative technology, including the ongoing deployment of 5G.

3. Supporting a range of use cases and users

A Government communications policy objective in relation to the 3.4–4.0 GHz band is to support a range of use cases and users.

The Government recognises that there are a range of use cases and users, which may be supported by new and continued access to parts of the 3.4–4.0 GHz band. Wide-area subscriber networks, for example, provide mobile and fixed broadband services and are critical to Australians being connected, and are already supported through existing spectrum licences in parts of the 3.4–3.7 GHz range.

4G and 5G equipment availability in this band may provide opportunities for private enterprise applications, wireless internet service providers and other innovative operators. These services, alongside incumbent fixed satellite and point-to-point services, can be supported by ACMA administering efficient spectrum access arrangements that support a range of use cases and users, including an appropriate balance between wide-area and customised local services.

4. Supporting digital connectivity and investment in regional Australia

A Government communications policy objective in relation to the 3.4–4.0 GHz band is supporting digital connectivity and investment in regional Australia.

The Government recognises that digital connectivity enables economic and social outcomes in regional Australia. Access to spectrum in regional areas is essential to the delivery of digital connectivity, including for innovative services.

The Government aims to provide the policy and regulatory conditions to support continued investment by business in regional Australia. The Government also recognises that the different types of licensing arrangements and allocation processes can contribute to, or detract from, this outcome.

To that end, spectrum management settings established by ACMA should take into account the needs of use cases and users in order to support the provision of important services outside the large metropolitan and regional centres.

5. Promoting competitive markets

A Government communications policy objective in relation to the 3.4–4.0 GHz band is to promote competitive markets.

The Government recognises that spectrum allocation contributes to competitive markets. Promoting competition brings a range of long term benefits for Australians including increased consumer choices, downward pressure on prices and higher quality services. Spectrum allocation settings, such as price and allocation limits, can influence competition in spectrum markets and, subsequently, downstream markets.

Decisions by ACMA about the planning and allocation of the 3.4–4.0 GHz band should take account of the importance of supporting competition in the relevant markets.