

EXPLANATORY STATEMENT

Approved by the Australian Communications and Media Authority

Telecommunications Act 1997

Telecommunications (Cabling Provider) Rules 2025

Authority

The Australian Communications and Media Authority (the **ACMA**) has made the *Telecommunications (Cabling Provider) Rules 2025* (the **Rules**) under subsection 421(1) of the *Telecommunications Act 1997* (the **Act**) and subsection 33(3) of the *Acts Interpretation Act 1901* (the **AIA**).

Subsection 421(1) of the Act provides that the ACMA may, by legislative instrument, make rules that are expressed to apply to specified persons and relate to either or both the performance of cabling work, and the supervision of cabling work.

Subsection 33(3) of the AIA relevantly provides that where an Act confers a power to make a legislative instrument, the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.

Purpose and operation of the instrument

The ACMA is responsible for the technical regulation of telecommunications customer equipment, customer cabling and cabling work under Part 21 of the Act. Division 9 of Part 21 of the Act (**Division 9**) specifies the ACMA's regulatory powers in relation to cabling providers.

The objectives of the telecommunications customer cabling regulatory arrangements include managing risks to the health and safety of persons (including telecommunications workers) and protecting the integrity of telecommunications networks.

The Rules, made under subsection 421(1) of the Act, provide the regulatory requirements for individuals who perform or supervise the performance of cabling work (**cabling providers**). To comply with the Rules, cabling work must:

- be performed by or under the supervision of a registered cabling provider;
- be performed in accordance with *Australian Standard AS/CA S009:2020 – Installation Requirements for Customer Cabling (Wiring Rules)* (the **Wiring Rules**);
- use customer cabling or customer equipment that complies with the requirements imposed by the *Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2025* (the **Labelling Notice**); and
- be certified by the responsible cabling provider upon completion of that work.

It is an offence for a person to perform a particular type of cabling work unless the person is subject to the cabling provider rules or if they are performing that work under the supervision of another person who is subject to the cabling provider rules (subsection 420(1) of the Act). A person who contravenes subsection 420(1) of the Act is subject to a maximum penalty of 120 penalty units (\$39,600 based on the value of a penalty unit (\$330) at the time the Rules were made).

A reference to 'cabling work' in Division 9, is a reference to:

- the installation of customer cabling for connection to a telecommunications network or to a facility;

- the connection of customer cabling to a telecommunications network or to a facility; or
- the maintenance of customer cabling connected to a telecommunications network or to a facility.

Cabling work, for the purposes of the Division 9 regulatory requirements, is performed on the customer side of the boundary of a telecommunications network.

The *Telecommunications (Types of Cabling Work) Declaration 2024* (the **Declaration**) specifies the types of cabling work that must be performed in compliance with the regulatory arrangements under Division 9, including the Rules. The Declaration provides that any cabling work other than the kinds specified in Schedule 1 to the Declaration, is a type of cabling work for the purposes of Division 9. The kinds of cabling work specified in Schedule 1 are based on circumstances in which the expected risk is either low or otherwise managed by the involvement of other qualified persons acting in accordance with relevant industry standards or guidelines.

The Rules establish a competency-based registration scheme for cabling providers, with applications for registration made to a registrar. A registrar is a person accredited by the ACMA, under the Rules, to provide registration services to cabling providers. To act as a registrar, a person must, after being accredited by the ACMA, enter into a deed with the Commonwealth in relation to the provision of registration services.

To qualify for registration, a cabling provider must make an application that meets the requirements of Divisions 2 and 3 of Part 3 of the Rules. These include a range of competency requirements for registration, as specified in Schedule 1 to the Rules.

There are three kinds of cabling registration set out in the Rules: Lift, Open and Restricted. Each kind of cabling registration authorises a cabling provider to perform or supervise cabling work within a distinctly defined technical setting. Under the Rules a cabling provider must complete additional units of competency before they can perform or supervise cabling work using specified kinds of specialised cabling.

Subsection 421(5) of the Act provides that rules made under subsection 421(1) may make provision for or in relation to a particular matter by empowering the ACMA to make decisions of an administrative character. All administrative decisions that the ACMA may make under the Rules that adversely affect the rights of a person are subject to internal and external merits review under Part 6 of the Rules.

The Rules have been made to replace the *Telecommunications Cabling Provider Rules 2014* (the **previous Rules**), which were due to sunset on 1 April 2025 in accordance with Part 4 of Chapter 3 of the *Legislation Act 2003* (the **LA**), in order to ensure that there is ongoing regulation of the performance or supervision of the type of cabling work specified in the Declaration.

The Rules commence on 31 March 2025.

A provision-by-provision description of the instrument is set out in the notes at **Attachment A**.

The instrument is a disallowable legislative instrument under Part 2 of Chapter 3 of the LA and is subject to the sunset provisions in Part 4 of Chapter 3 of the LA.

Documents incorporated by reference

Subsection 589(1) of the Act provides that an instrument under the Act may make provision in relation to a matter by applying, adopting or incorporating (with or without modifications) provisions of any Act as in force at a particular time, or as in force from time to time.

Subsection 589(2) of the Act provides that an instrument under the Act may make provision in relation to a matter by applying, adopting or incorporating (with or without modifications) matter contained in any other instrument or writing as in force or existing at a particular time, or as in force or existing from time to time, even if the other instrument or writing does not yet exist when the instrument made under the Act is made.

The Rules incorporate, or otherwise refer to, the following Acts and legislative instruments:

- the Act;
- the AIA;
- the LA;
- the *National Vocational Education and Training Regulator Act 2011*;
- the *Privacy Act 1988*;
- the *Statutory Declarations Act 1959*
- the Declaration;
- the Labelling Notice;
- the previous Rules;
- the *Standards for VET accredited courses 2021*; and
- the *Telecommunications (Requirements for Customer Cabling Products – AS/CA S008) Technical Standard 2025* (the **Technical Standard**).

The Acts and legislative instruments referred to above are registered on the Federal Register of Legislation and may be accessed free of charge at www.legislation.gov.au.

The Rules also incorporate, or otherwise refer to, the following documents:

- the Australian Standard AS IEC 60038:2022 Standard voltages;
- the Electrotechnology Training Package;
- the Information and Communications Technology Training Package;
- the National Training Register;
- the Pathways to Cabling Registration;
- the Standard Form of the Deed in relation to Cabling Provider Registrar Obligations; and
- the Wiring Rules.

A copy of AS IEC 60038:2022 Standard is available for a fee from a Standards Australia distributor listed on the Standards Australia website at www.standards.org.au. A copy may also be inspected free of charge at an office of the ACMA, on prior request and subject to licensing conditions.

A copy of the Wiring Rules can be obtained free of charge from the Communications Alliance website at www.commsalliance.com.au.

A copy of the Pathways to Cabling Registration and the Standard Form of the Deed in relation to Cabling Provider Registrar Obligations can be accessed free of charge on the ACMA's website at www.acma.gov.au.

The Electrotechnology Training Package and the Information and Communications Technology Training Package are available on the National Training Register which can be accessed, free of charge at www.training.gov.au.

Consultation

Before the instrument was made, the ACMA was satisfied that consultation was undertaken to the extent appropriate and reasonably practicable, in accordance with section 17 of the LA.

As a precondition to making an instrument under subsection 421(1) of the Act, subsection 422(1) provides that the ACMA must, so far as is practicable, try to ensure that:

- (a) interested persons have had an adequate opportunity to make representations about the proposed rules (either directly, or indirectly by means of a report under paragraph 422(2)(g)); and
- (b) due consideration has been given to any representation so made.

Subsection 422(5) provides that interested persons are taken not to have had an adequate opportunity to make representations – for the purposes of subsection 422(1) of the Act – unless there was a period of at least 60 days during which representations could be made.

The ACMA conducted a public consultation process during the period 29 November 2024 to 4 February 2025 (68 days). A draft of the instrument and a consultation paper containing explanatory information were made available on the ACMA website during that period. Interested parties, including Communications Alliance, the five cabling registrars and their members, the Australian Skills Quality Authority and the Customer Equipment and Cable Reference Panel within Communications Alliance were directly notified of the release of the draft instrument and invited to comment.

The ACMA received 14 submissions in response to the consultation, which were all considered before making the Rules. The majority of submissions expressed support for the remaking of the Rules.

Six submissions suggested that the certification requirements upon completion of cabling work under the Rules are too broad and should be strengthened to mandate the use of a certification (compliance) statement form approved by the ACMA in all applicable circumstances. The ACMA considers it appropriate to maintain the arrangements which allow registered cablers flexibility to prepare a certification statement according to a format of their choosing. However, the Rules introduce some additional requirements so that a cabling provider must include identifying details (contact details and proof of registration) in a certification statement and provide a copy of the statement to a commissioning customer for the cabling work where applicable.

Three submissions raised the matter of the Lift category of cabling registration and whether this remains fit-for-purpose, noting that there could be a level of uncertainty about the application of the Rules to the lift industry. To address that issue, the Rules make it clear that a cabling provider must hold a Lift cabling registration to perform cabling work in relation to a lift, including in relation to a lift car only (for environments without a motor room) or in relation to a platform lift.

A couple of submissions suggested that the proposed definitions of ‘structured cabling’ and ‘broadband cabling’ required clarification to reflect their practical application across a range of connected services. Having considered the submissions, the ACMA has included notes to the definitions to provide examples and to reflect the typical applications of this kind of cabling.

Five submissions also called for the inclusion of a broader range of technical terms (with definitions) to reflect certain developments in technology or industry-specific kinds of cabling. Examples of these suggested terms included ‘Smart Homes Technologies’ and ‘Fire Detection Alarm System’. The submissions did not however suggest that there are gaps in the provisions of the Rules which are impeding their application by certain parts of industry. The ACMA has not amended the Rules to include additional terminology because of the purpose and scope of the Rules – which is to regulate the performance and supervision of cabling work. The ACMA considers that it is more appropriate for technical matters of this kind to be dealt with in the appropriate industry standards (such as the Wiring Rules) if industry considers it necessary or desirable to do so.

Statement of compatibility with human rights

Subsection 9(1) of the *Human Rights (Parliamentary Scrutiny) Act 2011* requires the rule-maker in relation to a legislative instrument to which section 42 (disallowance) of the LA applies to cause a statement of compatibility with human rights to be prepared in respect of that legislative instrument.

The statement of compatibility with human rights set out below has been prepared to meet that requirement.

Overview of the instrument

The Rules repeal and replace the previous Rules to maintain the regulatory requirements for persons who perform and/or supervise telecommunications customer cabling work.

The Rules manage risks to the health and safety of persons and protect network integrity by ensuring that persons who are authorised to perform or supervise cabling work are adequately skilled and are subject to specified safety and technical requirements. Those requirements are that cabling work:

- be performed by, or under the supervision of, a registered cabling provider with an appropriate kind of registration for the particular type of cabling work;
- comply with the Wiring Rules;
- use customer cabling and customer equipment that complies with the requirements under the Labelling Notice; and
- be certified by the responsible cabling provider upon completion.

The registration of cabling providers operates according to a mandatory, competency-based model with training requirements that correspond to arrangements under the Vocational Education and Training Framework established by the *National Vocational Education and Training Regulator Act 2011* (the **NVETR Act**). The registration of cabling providers is carried out by a registrar, in accordance with the Rules and the terms of a deed with the Commonwealth.

Decisions by the ACMA to refuse to issue cabling registrations, to suspend or revoke a cabling registration, to refuse to accredit a person and to revoke a person's accreditation are reviewable under Part 6 of the Rules. Persons affected by a reviewable decision may apply to the ACMA for reconsideration of the decision, and subsequently to the Administrative Review Tribunal.

Human rights implications

The ACMA has assessed whether the instrument is compatible with human rights, being the rights and freedoms recognised or declared by the international instruments listed in subsection 3(1) of the *Human Rights (Parliamentary Scrutiny) Act 2011* as they apply to Australia.

Having considered the likely impact of the instrument and the nature of the applicable rights and freedoms, the ACMA has formed the view that the instrument does not engage any of those rights or freedoms.

Conclusion

The instrument is compatible with human rights as it does not raise any human rights issues.

Notes to the *Telecommunications (Cabling Provider) Rules 2025*

Part 1–Preliminary

Section 1 Name

This section provides for the Rules to be cited as the *Telecommunications (Cabling Provider) Rules 2025*.

Section 2 Commencement

This section provides the commencement date for the Rules, being 31 March 2025. The Rules are registered on the Federal Register of Legislation, which may be accessed free of charge at www.legislation.gov.au.

Section 3 Authority

This section identifies the provision of the Act that authorises the making of the Rules, namely subsection 421(1) of the *Telecommunications Act 1997* (the Act).

Section 4 Repeal of the *Telecommunications Cabling Provider Rules 2014*

This section repeals the *Telecommunications Cabling Provider Rules 2014* (F2014L01684).

Section 5 Application

This section provides that the Rules apply to a person who is a cabling provider, a registered cabling provider, or a registrar. These terms are defined in section 6.

Part 2–Interpretation

Section 6 Definitions

This section defines a number of key terms used throughout the Rules.

Some of those terms were used in the previous Rules and have been defined in the same or a similar way as in that instrument.

Other terms are new and described below in the notes to the sections which use them.

A number of other expressions used in the Rules are defined in the Act and listed in a note to section 6.

‘Cabling provider’ is defined as an individual who performs or supervises the performance of cabling work.

‘Cabling work’ is an expression used throughout the Rules and is defined in this section as cabling work of a kind that is declared by the ACMA under subsection 419(1) of the Act to be a type of cabling work for the purposes of Division 9 of Part 21 of the Act. At the time the Rules were made, the Declaration sets out the relevant types of cabling work for these purposes.

‘Registered cabling provider’ is a key term used throughout the Rules, defined in this section as a cabling provider who holds an ‘active cabling registration’. An ‘active cabling registration’, in accordance with section 6, means a cabling registration that is not expired, suspended or revoked. These terms are explained further in relevant sections, below.

‘Registrar’ is another term used throughout the Rules and defined in this section as a person who has been accredited by the ACMA, in accordance with Part 5 of the Rules, to act as a registrar and provide registration services.

Section 7 Meaning of lift cabling registration

This section defines the term ‘lift cabling registration’. Lift cabling registration is a kind of cabling registration that authorises a person to perform or supervise the performance of cabling work in a lift environment.

A cabling provider with a lift cabling registration is authorised to perform or supervise the performance of cabling work in relation to a lift that has been installed or is to be installed and that requires the use of customer cabling to connect any one or combination of the following:

- a cross connection point adjacent to the lift motor room;
- the lift control cubicle within the lift motor room;
- the lift cars; or
- the lift platform

Examples of cross connection points in a lift setting include the floor distributor, the local distributor and any other suitable cable termination point adjacent to the lift motor room. ‘Distributor’ is defined in section 6 as having the same meaning as in the Wiring Rules.

Section 22 of the Rules specifies the requirements that apply to registered cabling providers who perform or supervise the performance of cabling work that uses specialised cabling (defined in section 6).

Section 11 provides that lift cabling registration is a kind of cabling registration.

Section 8 Meaning of open cabling registration

This section defines the term ‘open cabling registration’. Open cabling registration is a kind of cabling registration that authorises a person to perform or supervise the performance of cabling work using customer cabling that terminates at, or connects to, the boundary of a telecommunications network on a:

- socket;
- network termination device; or
- main distribution frame.

The terms ‘socket’, ‘network termination device’ and ‘main distribution frame’ are defined in section 6 as having the same meanings as in the Wiring Rules.

Open cabling registration authorises the performance or supervision of cabling work in both domestic environments and in commercial or industrial settings.

Section 22 of the Rules specifies the requirements that apply to registered cabling providers who perform or supervise the performance of cabling work that uses specialised cabling.

Section 11 provides that open cabling registration is a kind of cabling registration.

An open cabling registration authorises the broadest range of cabling work, also encompassing the entire range of work that is authorised under a restricted cabling registration (described in relation to section 9 of the Rules, below). A cabling provider with an open cabling registration will be authorised to perform or supervise the work authorised by a restricted cabling registration (see also paragraph 21(c) of the Rules).

Section 9 **Meaning of restricted cabling registration**

This section defines the term ‘restricted cabling registration’. Restricted cabling registration is a kind of cabling registration that authorises a person to perform or supervise the performance of cabling work in a more limited range of settings than is authorised by open cabling registration.

Subsection 9(1) provides that, subject to subsection 9(2), restricted cabling registration authorises a person to perform or supervise cabling work:

- using customer cabling that terminates at, or connects to, the boundary of the telecommunications network on a socket or network termination device; and
- in premises where the electrical supply voltage does not exceed typical domestic single-phase or three phase electrical supply voltages; or
- in premises where the electrical supply voltage does exceed typical single-phase or three-phase electrical supply voltages, but the supply voltages are identifiable by every person performing the cabling work and the electrical power cables are inaccessible to every person performing the cabling work.

The terms ‘main distribution frame’, ‘network termination device’, and ‘socket’ are defined in section 6 as having the same meanings as in the Wiring Rules. The term ‘boundary of a telecommunications network’ is defined in section 6 as having the same meaning as in section 22 of the Act.

The first note to subsection (1) provides that typical domestic single-phase and three-phase electrical supply voltages are specified by AS IEC 60038:2022. Section 6 defines AS IEC 60038:2022 as the Australian Standard AS IEC 60038:2022 *Standard voltages*, published by Standards Australia and existing from time to time; or a replacement of that standard.

The second note to subsection 9(1) refers to section 22 of the Rules for the requirements that apply to registered cabling providers who perform or supervise the performance of cabling work that uses specialised cabling.

Subsection 9(2) specifies the limitations on the kinds of cabling work that a person with restricted cabling registration may perform or supervise. Restricted cabling registration does not authorise a person to perform or supervise the performance of cabling work involving any of the following:

- customer cabling that terminates at, or connects to, the boundary of a telecommunications network on a main distribution frame;
- customer cabling between customer equipment and a jumperable distributor or jumperable frame, which terminates at the distributor or frame;
- cable pairs within cable sheaths shared with other services;
- customer cabling between customer equipment and a patch panel, which terminates at the patch panel; or
- the installation of customer cabling on poles and structures that are used or intended for use for the distribution of electricity.

The term ‘patch panel’ is defined in section 6 as having the same meaning as in the Wiring Rules.

Other technical terms used in subsection 9(2), namely ‘jumperable distributor’ and ‘jumperable frame’ are defined in section 6. ‘Jumperable distributor or ‘jumperable frame’ means a distributor or frame on which it is possible to connect or install a jumper. ‘Jumper’ has the same meaning as in the Wiring Rules. ‘Frame’ means a rigid structure to which customer cabling may be attached.

A person who holds a restricted cabling registration will typically be authorised to perform or supervise cabling work in domestic or small business premises. Examples of the work authorised

under a restricted cabling registration include cabling work – other than that which uses cabling connected via a jumperable distributor, jumperable frame or patch panel – that is:

- connected behind an alarm panel or modem;
- connected directly behind a customer switching system;
- for additional phone points (beyond the first point) for standard telephone services in a commercial, high rise or multi-storey building; and
- for a home automation system.

Due to the limitations in subsection 9(2), a person who holds a restricted cabling registration will generally be excluded from performing or supervising cabling work that involves multiple lines and complex termination arrangements. In this respect, restricted cabling registration is a subset of open cabling registration.

Section 11 provides that restricted cabling registration is a kind of cabling registration.

Section 10 References to other instruments

This section provides that in the instrument, unless the contrary intention appears:

- a reference to any other legislative instrument is a reference to that other legislative instrument as in force from time to time; and
- a reference to any other kind of instrument or writing is a reference to that other instrument or writing as existing from time to time.

Documents other than legislative instruments are incorporated as existing from time to time in accordance with subsection 589(2) of the Act.

Part 3–Registration

Division 1–Kinds of cabling registration

Section 11 Kinds of cabling registration

This section provides that lift cabling registration, open cabling registration and restricted cabling registration are each a kind of cabling registration for the purposes of the Rules.

The term ‘lift cabling registration’ is defined in section 7.

The term ‘open cabling registration’ is defined in section 8.

The term ‘restricted cabling registration’ is defined in section 9.

Division 2–Requirements for registration

Section 12 Requirements for registration

This section provides the requirements for a person to be issued a kind of cabling registration. The conditions set out in this section go to a person’s eligibility for cabling registration.

To be issued a kind of cabling registration, the person must be an individual (natural person) and at the time of application:

- not be a suspended cabling provider; and
- have met the competency requirements applicable to the kind of registration for which they have applied.

The term ‘suspended cabling provider’ is defined in section 6 as a cabling provider whose cabling registration has been suspended under the Rules. The ACMA has powers to suspend (or revoke) a

cabbling provider's registration under section 17 of the Rules. Further, under section 44 of the Rules, a cabling provider's registration that was suspended under the previous Rules remains suspended until:

- if the registration was suspended for a particular period, that period ends; or
- the ACMA lifts the suspension by notice in writing given to the cabling provider.

The competency requirements for lift cabling registration are specified in clause 2 of Schedule 1 to the Rules.

The competency requirements for open cabling registration are specified in clause 3 of Schedule 1 to the Rules.

The competency requirements for restricted cabling registration are specified in clause 4 of Schedule 1 to the Rules.

Paragraph 12(2)(a) provides that a person may use an expired cabling registration as evidence of having met the competency requirements (for the purposes of subparagraph 12(1)(b)(ii)), on the condition that they apply for registration or renewal of registration within 10 years of the expiry date of that registration.

The term 'expired registration' is defined in section 6 as a cabling registration for which the period of registration has ended, where that registration has neither been renewed nor revoked.

Paragraph 12(2)(b) prevents a person from using a registration that has been revoked under the Rules or rules previously in place under subsection 421(1) of the Act as evidence of having met the competency requirements for the purposes of subparagraph 12(1)(b)(ii).

Division 3—Application for registration

Section 13 Application for registration

This section describes the application requirements, for persons who apply to a registrar for a kind of cabling registration. If an application meets the requirements of this section, it is a 'valid application' for the purposes of the Rules (subsection 13(6)).

An application may be made to a registrar for a kind of cabling registration. Persons may apply for a period of cabling registration lasting one year or three years.

An application to a registrar for a kind of cabling registration must include the following information:

- the applicant's name and contact details, including a contact email address and phone number;
- the kind of cabling registration and period of registration being applied for;
- details of the competency requirements completed by the applicant, relevant to the kind of cabling registration being applied for;
- a statement specifying whether the applicant has been registered previously under the Rules or rules previously in place under subsection 421(1) of the Act; and
- if the applicant has been registered previously, the kind of registration that was held and whether it is still in place, expired, is suspended or was revoked.

An application to a registrar must also include the following documents:

- certified copies of qualifications obtained by the applicant that meet the competency requirement for the kind of cabling registration being applied for;
- a document evidencing that the applicant has completed the work experience that meets the competency requirements for the kind of cabling registration being applied for;

- a copy of the results of the cabling regulations test as relevant to the kind of cabling registration being applied for; and
- a signed declaration from the applicant stating that:
 - the applicant is aware of the requirements of the Rules in relation to the kind of cabling registration being applied for;
 - the applicant has met all the competency requirements relevant to the kind of cabling registration being applied for;
 - all other documents attached to the application are original documents or true copies of the original documents; and
 - the information in the application is true and correct.

‘Certified copies’ is a term defined in section 6 as a copy (for a document) that has been certified by a prescribed person to be a true copy of the document.

‘Cabling regulations test’ is a term defined in clause 1 of Schedule 1 to the Rules. This is a test administered by a registered training organisation that assess a person’s understanding of the Act, the requirements for the performance of cabling work specified in Part 4 of the Rules, the applicable technical standard and the Wiring Rules. ‘Applicable technical standard’ is defined in clause 1 of Schedule 1 to the Rules to be the Technical Standard or a standard made under subsection 376(1) of the Act that replaces that standard. The relevant cabling regulations test for each of the kinds of cabling registration is set out in clauses 2-4 of Schedule 1 to the Rules.

Division 4—Decisions about registration applications

Section 14 Decisions about registration applications – registrar

This section specifies the decisions a registrar may make when a person makes an application to a registrar for a kind of cabling registration under section 13.

The registrar must not issue the applicant with a cabling registration unless:

- the application is a valid application;
- the applicant has satisfied the requirements for registration under section 12; and
- the applicant has not had a previous cabling registration revoked under the Rules or rules previously in place under subsection 421(1) of the Act.

The criteria outlined in subsection 14(2) are mandatory pre-requisites to a registrar issuing a person with a cabling registration.

Upon being satisfied of the matters in subsection 14(2), subsection 14(3) provides that the registrar must issue the applicant a registration of the same kind and of the same period that was applied for. The registration must be issued in writing and the applicant given proof of this registration.

There are two notes to subsection 14(3). The first note provides examples of the form that the proof of registration issued to a person may take, being a registration card or a certificate. The form of the proof of registration is at the discretion of the registrar who issues the registration (the **issuing registrar**). The second note points to the requirement in section 34 for a registrar to update the Database upon issuing a person with cabling registration. ‘The Database’ refers to the database of cabling provider registrations which is established and maintained by each registrar in accordance with section 34 of the Rules.

Alternatively, in the event that a registrar is not satisfied that:

- a valid application has been made; or
- an applicant has met the requirements for registration under section 12

subsection 14(4) requires the registrar to assist the applicant with the registration and application requirements.

The level of assistance that a registrar must provide under subsection 14(4) is ‘such assistance as is reasonably necessary’. The note to subsection 14(4) explains that this will typically involve the registrar providing information to the person about the relevant competency requirements.

If a person makes an application to a registrar for a kind of cabling registration and has previously had any kind of cabling registration revoked, the registrar is required to refer the application to the ACMA under subsection 14(5). The ACMA will handle any such application in accordance with section 15 of the Rules.

If the registrar considers that an applicant for a kind of cabling registration has not met the registration requirements, the registrar has the option to refer the application to the ACMA. A referral of an application under subsection 14(6) might occur if the applicant is dissatisfied with a registrar’s treatment of their application for registration (for example where the registrar offers assistance in accordance with subsection 14(4) instead of issuing a registration). The ACMA will handle any application referred to it under subsection 14(6) in accordance with section 15 of the Rules.

Section 15 Decisions about registration applications – referral to ACMA

This section applies if a registrar refers an application for cabling registration to the ACMA in accordance with subsections 14(5) or (6) of the Rules. The referring registrar is ‘the relevant registrar’ for the purposes of this section.

Subsection 421(5) of the Act allows the Rules to include provisions enabling the ACMA to make decisions of an administrative character.

If the ACMA is satisfied that:

- the applicant will be able to comply with the Rules and the Wiring Rules if issued a cabling registration;
- the application is a valid application (in accordance with section 13); and
- the applicant meets the requirements for registration under section 12;

that applicant will be registered in accordance with a written notice given to the applicant and the relevant registrar.

A written notice issued by the ACMA under subsection 15(2) will include details of the kind of cabling registration and period of registration granted to the cabling provider. Upon receiving such a notice from the ACMA, the relevant registrar must give the person proof of registration and update the Database to include details of the cabling registration issued to the person.

‘The Database’ refers to the database of cabling registrations which is established and maintained by each registrar in accordance with section 34 of the Rules.

Alternatively, if the ACMA is not satisfied with the matters listed in subsection 15(2), it will provide written notification to the applicant and the relevant registrar refusing to issue the person with cabling registration. A decision to refuse to issue a cabling registration is a reviewable decision for the purposes of Part 6 of the Rules, meaning an affected person may apply to the ACMA for reconsideration of the decision in accordance with section 37, and if the decision on reconsideration is not favourable to the applicant, the applicant may subsequently apply to the Administrative Review Tribunal for review under section 40 of the Rules.

Division 5–Renewal of registration

Section 16 Renewal of registration

This section outlines the rights of a registered cabling provider or a person with an expired cabling registration (an ‘unregistered cabling provider’ for the purposes of this section) to apply for renewal of a cabling registration.

A registered cabling provider may apply to a registrar to renew the kind of cabling registration that they currently hold. Such an application must include proof that the provider’s cabling registration is active, for example a copy of their registration card or certificate issued by a registrar showing the date of expiry as not yet having lapsed.

An unregistered cabling provider may apply to a registrar to renew the kind of cabling registration that they previously held. Such an application must include proof that the provider’s expired cabling registration expired less than 10 years before the date of the application for renewal, for example a copy of their registration card or certificate previously issued by a registrar showing the date of expiry as having lapsed within 10 years of the renewal application date.

A registrar may only renew the active cabling registration of a registered cabling provider, or the expired cabling registration of an unregistered cabling provider, by issuing the provider with the same kind of cabling registration as was held prior to the renewal application.

If a person wants to apply for a different kind of cabling registration to the kind they currently hold or previously held, that person needs to make a fresh application for registration under section 13 of the Rules.

Division 6–Suspension or revocation of registration

Section 17 Suspension or revocation of registration

This section outlines the scenarios in which the ACMA may suspend or revoke a cabling provider’s registration.

If the ACMA is satisfied that:

- a cabling provider has breached the Rules, the Wiring Rules or the Act; or
- a cabling provider was incorrectly issued a cabling registration;

the ACMA may revoke that cabling provider’s registration or suspend that cabling provider’s registration for a period that does not exceed their remaining period of registration.

A decision to suspend or revoke a cabling registration is a reviewable decision for the purposes of Part 6 of the Rules, meaning an affected person may apply to the ACMA for reconsideration of the decision in accordance with section 37 and, if the decision on reconsideration is not favourable to the applicant, the applicant may subsequently apply to the Administrative Review Tribunal for review under section 40 of the Rules.

As soon as possible after deciding to suspend or revoke a cabling provider’s registration, the ACMA must provide written notification of the suspension or revocation to the cabling provider and the issuing registrar.

As soon as practicable after receiving notice from the ACMA of a suspended or revoked registration, a registrar must update the Database and the cabling provider’s proof of registration to reflect that the registration has been suspended or revoked. An example of an update to a cabling provider’s proof of

registration, made by a registrar under this section, includes a re-issued certificate of registration clearly marked to indicate that the registration has been suspended or revoked.

‘The Database’ refers to the database of cabling registrations which is established and maintained by each registrar in accordance with section 34 of the Rules.

Division 7—Requirements that apply to registered cabling providers

Section 18 Requirement to update registrar

This section requires a registered cabling provider to inform their issuing registrar of a change to their contact information, within 21 days of the change occurring. Contact information for the purposes of this section include the registered cabling provider’s name, address, email and phone number.

Section 19 Requirement to assist ACMA or inspectors

This section provides the requirement that a registered cabling provider give reasonable cooperation and assistance to the ACMA or an inspector. A registered cabling provider would be required to cooperate with or give assistance to the ACMA or an inspector for the purposes of monitoring or enforcing compliance with the Rules or the Act.

An inspector, for the purposes of this section, has the same meaning as given in sections 7 and 533 of the Act.

Division 8—Registrar ceases to be a registrar

Section 20 Registrar ceases to be a registrar – consequences for registered cabling providers

This section provides the consequences for registered cabling providers if for any reason the registrar who issued their registration ceases to be a registrar.

A registered cabling provider issued a registration prior to the date their issuing registrar ceased to be a registrar, will remain registered until the date on which their cabling registration expires. In other words, a cabling provider’s period of registration will remain unchanged in the event that their issuing registrar is no longer a registrar.

A registered cabling provider whose issuing registrar has ceased to be a registrar can renew their cabling registration with another registrar. Cabling registrations are renewed in accordance with section 16 of the Rules.

Part 4—Performance and supervision of cabling work

Section 21 Performance of cabling work

This section outlines the requirement that cabling work be performed by either:

- a registered cabling provider who holds the appropriate kind of registration for the particular work being performed; or
- a cabling provider who does not hold the appropriate kind of registration for the particular work being performed but is otherwise performing the work under the supervision of an appropriately registered cabling provider.

Cabling work must be performed by a registered cabling provider with a lift cabling registration, if that cabling work is of the kind described in section 7 of the Rules.

Cabling work must be performed by a registered cabling provider with an open cabling registration, if that cabling work is of the kind described in section 8 of the Rules.

Cabling work must be performed by a registered cabling provider who holds either an open cabling registration or restricted cabling registration, if that cabling work is of the kind described in subsection 9(1) of the Rules.

If a cabling provider does not hold a registration which authorises them to perform a given kind of cabling work, they must not perform that cabling work unless they are directly supervised at all times by a suitably registered cabling provider. In these circumstances, the cabling provider who is not registered is considered ‘the supervisee’ and the registered cabling provider the ‘the supervisor’.

To satisfy the supervision requirements, the supervisor must:

- hold a cabling registration that authorises them to perform the cabling work being undertaken by the supervisee;
- have complied with the applicable competency requirements for the cabling work being undertaken by the supervisee (including the competency requirements for cabling work that involves the use of specialised cabling outlined in section 22 of the Rules); and
- accept full responsibility for the cabling work performed by the supervisee.

Direct supervision ‘at all times’ requires direct supervision of the supervisee by the supervisor at all times while the supervisee is performing cabling work.

A registered cabling provider (see section 6) is a person who holds one of the three categories of cabling registration, and whose registration has not expired, and has not been suspended or revoked by the ACMA.

Section 22 Performance of cabling work involving specialised cabling

This section outlines the requirements for the performance of cabling work which involves the use of specialised cabling. The expression ‘specialised cabling’ is defined in section 6 of the Rules and refers to the following kinds of cabling (each of which has its own definition under section 6):

- aerial cabling
- broadband cabling
- coaxial cabling
- optical fibre cabling
- structured cabling
- underground cabling.

The requirements for the performance of cabling work involving specialised cabling are separate and additional to the requirements that cabling work be performed by, or under the supervision of, a registered cabling provider.

Subsection 22(1) provides that a cabling provider may only perform cabling work that involves the use of specialised cabling if the provider is, or is supervised by, a registered cabling provider who complies with the requirements of section 22.

Subsection 22(2) provides that a registered cabling provider must only perform or supervise the performance of cabling work that uses specialised cabling if they:

- hold an applicable kind of cabling registration as specified in subsections 22(3)-(5);
- have complied with the applicable competency requirements for the kind of specialised cabling to be used (as specified in subsection 22(6)); and
- have notified their issuing registrar of their completion of the applicable competency requirements for the specialised cabling.

As with section 21, the requirement to supervise cabling work requires direct supervision at all times while the cabling work is being performed.

Subsection 22(3) specifies that a registered cabling provider who holds a lift cabling registration may perform or supervise the performance of cabling work involving broadband cabling, provided that they have also met the other requirements of section 22.

Subsection 22(4) specifies that a registered cabling provider who holds an open cabling registration may perform or supervise the performance of cabling work involving any kind of specialised cabling – that is, aerial cabling, broadband cabling, structured cabling, coaxial cabling, optical fibre cabling or underground cabling, provided that they have also met the other requirements of section 22.

Subsection (5) specifies that a registered cabling provider who holds a restricted cabling registration may perform or supervise the performance of cabling work involving aerial cabling, broadband cabling or underground cabling, provided that they have also met the other requirements of section 22.

Subsection (6) outlines the additional units of competency that apply to the 6 kinds of specialised cabling, with reference to clause 5 of Schedule 1 to the Rules.

There is a requirement in section 34 for a registrar to record in the Database the additional units of competency completed by a registered cabling provider in relation to specialised cabling.

‘The Database’ refers to the database of cabling registrations which is established and maintained by each registrar in accordance with section 34 of the Rules.

Section 23 Compliance with Wiring Rules

A cabling provider must ensure all cabling work undertaken, whether that be by the provider themselves or a by a person performing cabling work under their supervision, complies with the Wiring Rules.

Section 24 Customer cabling and customer equipment – compliance with Labelling Notice

This section requires a cabling provider, when performing or supervising the performance of cabling work, to install or use only customer cabling and customer equipment that complies with the requirements of the Labelling Notice.

‘Customer cabling’ is an expression defined in sections 7 and 20 of the Act, and ‘Customer equipment’ is defined in sections 7 and 21 of the Act.

‘Labelling Notice’ is defined in section 6 as the *Telecommunications (Labelling Notice for Customer Equipment and Customer Cabling) Instrument 2025* (as in force from time to time: see section 10), or a later replacement of that instrument made under subsection 407(1) of the Act.

Where the Labelling Notice specifies an applicable technical standard (or standards) for an item of customer cabling or customer equipment, a manufacturer or importer of that cabling or equipment is required to indicate whether the item has met the applicable technical standard (or standards). This is achieved by the application of a compliance or non-compliance label to the cabling or equipment.

Accordingly, a cabling provider must ensure customer cabling and customer equipment used in the course of cabling work bears a compliance label, unless an exception applies under the Labelling Notice.

Section 25 Certification of cabling work

This section outlines the requirements for the certification of cabling work performed or supervised by a registered cabling provider.

The certification requirements apply at the time a cabling provider has completed cabling work, except where the cabling work consisted of any of the following tasks:

- running jumpers on distribution frames;
- transposing jumpers on distribution frames;
- removing jumpers from distribution frames; or
- replacing a piece of minor cabling equipment such as a plug, socket, module or over voltage unit.

The terms ‘jumper’, ‘plug’ and ‘socket’ are defined in section 6 of the Rules as having the same meaning as in the Wiring Rules.

A ‘distribution frame’ is defined in section 6 as an item of customer equipment that enables interconnections between, and the termination of, cables.

Subsection 25(2) describes when cabling work is taken to have been ‘completed’ for the purposes of the certification requirements under this section. Where a cabling provider has been engaged by a customer to perform certain cabling work, the cabling work is taken to have been completed once this work is finished. If there was no engaging customer, then the cabling provider is taken to have finished cabling work once the cabling involved becomes available for use by any end-user.

A note to subsection 25(2) provides an example of when a cabling provider may not be engaged by any customer to perform cabling work, being when they are performing work on their own premises. In accordance with subsection 25(2), a cabling provider will still need to comply with this section when performing work on premises that they own.

As soon as practicable after cabling work has been completed, the registered cabling provider who performed, or supervised, the cabling work must:

- prepare a statement that includes the provider’s name, contact details (including an email address or phone number) and proof of registration, and identifying the cabling work, stating that it has been completed and that it complies fully with the Wiring Rules; and
- give the statement to either their employer, or a person other than their employer who has engaged them to perform the work (for example, a contractor), and to the customer who has engaged them to perform the work.

A note to subsection 25(3) provides examples of the form that a statement prepared by a registered cabling provider, in accordance with this section, may take. If the ACMA has approved a form for the statement (in accordance with paragraph 25(6)(a) of this section), the registered cabling provider has the option to use this form. The registered cabling provider may also provide the statement as an attachment to, or in the information enclosed with, an invoice or receipt for the cabling work.

The above requirements to prepare and provide a statement in relation to cabling work apply irrespective of whether payment has been made for that work. A cabling provider cannot refuse to issue a certificate for cabling work on the basis that payment is outstanding.

A registered cabling provider must retain a copy of a statement prepared under this section for at least 1 year after the date of the statement. A registered cabling provider must also comply with a request to make a copy of a statement prepared under this section available to the ACMA. Such a request may be made by the ACMA or an inspector for the purposes of monitoring or enforcing compliance with the Rules or the Act (see also the requirement to give all reasonable cooperation to the ACMA or an inspector under section 19 of the Rules).

Part 5—Registrars

Division 1—Interpretation

Section 26 Definitions

This section defines the terms used in Part 5.

The terms are described below in the notes to the sections which use them.

Division 2—Application for accreditation

Section 27 Application

This section will apply when a person ('the applicant') makes an application to the ACMA for accreditation as a registrar.

A person must be a corporation to apply to the ACMA for accreditation as a registrar. Natural persons are excluded from applying for accreditation on the basis of the organisational capacity required to provide registration services (which a natural person would not be expected to have).

Applications for accreditation must be made to the ACMA in writing and include:

- the information and documents required under this section; and
- a statement that the applicant is aware of the requirement to enter into a deed with the Commonwealth (in the form of the Standard Deed) before they can act as a registrar and provide registration services.

An application for accreditation may include any other supporting information or documents.

The 'Standard Deed' refers to the *Standard Form of the Deed in relation to Cabling Provider Registrar Obligations* published by the ACMA and available on the ACMA's website: www.acma.gov.au.

Subsection 27(3) lists the information, relating to the applicant's ability to provide registration services, that must be included in an application for accreditation as a registrar.

Subsection 27(4) lists the information, relating to the applicant's suitability to act as a registrar, that must be included in an application for accreditation as a registrar.

Certified copies of the following documents must be included in an application for accreditation as a registrar:

- constituting documents for the applicant, including for example Rules, a company Constitution or Memorandum and Articles of Association;
- all codes of practice, ethics and/or conduct relating to the applicant; and
- audited financial statements for the applicant, covering a period of the last five years or the time since the applicant has been established (if this is less than a period of five years).

'Certified copies' is a term defined in section 6 as a copy, in relation to a document, that has been certified by a prescribed person to be a true copy of the document.

Section 28 Decision on application

This section outlines the decision-making criteria and procedures for the ACMA, when considering an application for accreditation as a registrar. The ACMA must make a decision on the applicant's

suitability to act as a registrar and provide registration services, upon receiving an application under section 27.

Subsection 28(2) outlines the criteria the ACMA must have regard to before making its decision on the applicant's suitability to act as a registrar and provide registration services.

Where the ACMA decides that an applicant is suitable to act as a registrar, it must notify the applicant in writing of its decision and invite the applicant to enter into a deed with the Commonwealth in relation to the provision of registration services. The deed must be in the form of the Standard Deed.

Where the ACMA decides that an applicant is not suitable to act as a registrar and that it will not accredit them, it must provide written notice of its decision to the applicant.

A decision by the ACMA not to accredit an applicant is a reviewable decision under Part 6 of the Rules. Persons affected by a reviewable decision may apply to the ACMA for reconsideration of the decision, and if the decision on reconsideration is not favourable to the applicant, the applicant may subsequently apply to the Administrative Review Tribunal for review.

Section 29 When accreditation takes effect and provision of registration services

If the ACMA makes a decision under subsection 28(1) that an applicant is suitable to act as a registrar, the accreditation of that applicant as a registrar takes effect on the date of the ACMA's written notice of its decision under subsection 28(3).

A person must not act as a registrar or provide registration services, until such time that a deed between that person and the Commonwealth commences. Such a deed will be of the kind specified in subsection 28(3) and is hereafter referred to as 'the Deed'.

A Deed is taken to have commenced once executed by all parties to that Deed.

Section 30 Revocation of accreditation

This section outlines the circumstances in which a person's accreditation may be revoked by the ACMA.

The ACMA may revoke a person's accreditation if satisfied that:

- the person has breached the Deed, the Rules or the Act; or
- the person is no longer a suitable person to act as a registrar or to provide registration services.

The ACMA must revoke an accreditation upon the termination of the Deed between the person and the Commonwealth, by the Commonwealth.

A decision by the ACMA to revoke a person's accreditation is a reviewable decision under Part 6 of the Rules. Persons affected by a reviewable decision may apply to the ACMA for reconsideration of the decision, and if the decision on reconsideration is not favourable to the applicant, they can subsequently apply to the Administrative Review Tribunal for review.

Division 3—Requirements that apply to registrars

Section 31 Provision of registration services

This section states that a registrar is required to provide registration services, in accordance with the Rules and the Deed, at all times while accredited as a registrar.

Section 32 Requirement to assist

This section requires a registrar to assist persons with the application process for cabling provider registration.

A registrar must:

- give advice to persons who wish to apply for registration about the required evidence of competency for such an application;
- make registration application forms available to persons, and ensure that these forms are appropriate (fit-for-purpose); and
- assist persons with the completion of forms associated with cabling provider registration.

Section 33 Requirement to advise of expiry of registration

This section requires a registrar to give a registered cabling provider advance notice of the expiry of their period of registration.

At least 28 days before a cabling provider's period of registration is due to expire, an issuing registrar must notify that cabling provider:

- of the date on which the registration will expire; and
- that upon the expiry of their registration, the provider will not be authorised to perform or supervise the performance of any cabling work until such time the registration is renewed.

Section 34 Requirement to establish and maintain database

This section provides the requirements on a registrar to establish and maintain a database ('the Database') which records and stores details of all cabling registrations that that registrar has issued.

The database must include the following information:

- the name and contact details (including an email address and phone number) of each registered cabling provider;
- the kind of cabling registration issued to the provider;
- the period of registration and date of expiry for a registration;
- if the registration is an active cabling registration or suspended, expired, or revoked; and
- any additional units of competency completed by the provider.

A registrar must ensure that the information in the Database is up to date and accurate.

In relation to the contact details of a registered cabling provider, section 13 of the Rules requires that an application for registration include a contact email address and phone number for the cabling provider. Section 18 requires a registered cabling provider to notify their issuing registrar of any changes to their contact details.

The Database includes personal information of cabling providers within the meaning of the *Privacy Act 1988* (Privacy Act). The collection and use of this personal information is necessary to ensure that there is a method of verifying which persons are registered to conduct cabling work (and the kind of cabling work which they may perform) and to facilitate renewals of registration. The Database only includes such personal information as is reasonably necessary for these purposes.

Before making a decision on an application for accreditation as a registrar, the ACMA must have regard to the applicant's ability to collect, store, use and disclose personal information in a manner consistent with the Privacy Act – this will, for example, include considering whether the applicant has an appropriate privacy policy.

The Standard Form of the Deed between a person accredited to be registrar under the Rules and the Commonwealth contains clauses relating to the protection of personal information and privacy, as well as the Database, and public access to the Database. Under those clauses, a registrar is taken to be a ‘contracted service provider’ within the meaning of section 6 of the Privacy Act and is required to comply, and ensure that its officers, employees, agents and subcontractors comply, with the Privacy Act, and not do anything, which if done by the ACMA would breach an Australian Privacy Principle as defined in that Act.

Part 6–Reviewable decisions

Section 35 Reviewable decisions

This section provides that the following decisions by the ACMA are each a ‘reviewable decision’ for the purposes of Part 6 of the Rules:

- a decision under subsection 15(4) to refuse to issue a cabling registration;
- a decision under section 17 to suspend or revoke a cabling registration;
- a decision under subsection 28(1) to not accredit a person; and
- a decision under section 30 to revoke a person’s accreditation.

Section 36 Deadlines for making certain reviewable decisions

This section provides the timeframe in which the ACMA is required to make certain reviewable decisions in the first instance, being decisions that are made on application to the ACMA, or on referral to the ACMA.

The ACMA must make a reviewable decision of a kind described in paragraph 35(a) - to refuse to issue a cabling registration - within 90 days after receiving the application for registration via referral from a registrar. Such a referral is made by a registrar under subsection 14(5) of the Rules if the applicant for cabling registration has had a previous cabling registration revoked, or under subsection 14(6) of the Rules if the registrar considers that the applicant does not meet the registration requirements.

For a decision to not accredit a person (paragraph 35(c)), the ACMA must make its reviewable decision within 90 days after receipt of an application for accreditation (made under section 27 of the Rules).

Subsection (3) provides that the ACMA will be taken to have made a decision to refuse:

- an application for cabling registration (referred to the ACMA by a registrar); or
- an application for accreditation as a cabling registrar;

if the ACMA has not informed the person (being the relevant applicant) of any decision before the end of the applicable 90-day decision making timeframe.

A deemed refusal decision made in accordance with subsection (3) to this section is subject to the same review rights under Part 6 of the Rules, as if it were made within the applicable deadline for that reviewable decision.

Section 37 Statement to accompany notice of reviewable decision and application for reconsideration

This section outlines the notification requirements that apply to the ACMA upon making a reviewable decision and the procedural requirements for affected persons when applying for reconsideration of the decision.

The ACMA, must, upon giving notice of a reviewable decision to a person (the ‘affected person’), provide a statement informing that person of their right to apply for reconsideration of the decision.

An affected person may apply to the ACMA for reconsideration of the decision in accordance with section 37.

An affected person must make an application for reconsideration of a reviewable decision within:

- 28 days after the date on which they were notified of the decision; or
- an extended period provided by the ACMA.

The ACMA can offer an affected person an extended period within which they may apply for reconsideration of a reviewable decision during, or following the completion of, the usual 28-day period after notification of that decision. A decision to provide an extended period for making an application for reconsideration is made at the ACMA’s discretion. Factors that the ACMA may consider when making such a decision include any circumstances particular to the affected person which would warrant an extension of the relevant period.

Section 38 Reconsideration by ACMA

If the ACMA receives an application for reconsideration of a reviewable decision under subsection 37(2), it must make a decision – referred to as an ‘internal review decision’ in section 38 - to:

- affirm the original decision;
- vary the original decision; or
- revoke the original decision.

The ACMA has 90 days after receiving the application, in which it must notify the applicant of an internal review decision and the reasons for that decision.

A failure by the ACMA to notify the applicant of an internal review decision within 90 days after receiving an application under subsection 37(2) will mean the ACMA is taken to have affirmed the original reviewable decision.

Section 39 Statements to accompany notice of decision on reconsideration

A notice of an internal review decision given under subsection 38(2) must include statements about the affected person’s rights to:

- apply to have the internal review decision reviewed by the Administrative Review Tribunal under section 40 of the Rules, subject to the *Administrative Review Tribunal Act 2024*; and
- request a statement of reasons, from the ACMA, for the internal review decision under section 268 of the *Administrative Review Tribunal Act 2024*.

Section 40 Review by Administrative Review Tribunal

Under this section, a person may apply to the Administrative Review Tribunal to have a reconsidered decision reviewed.

Such an application will need to be made in accordance with the *Administrative Review Tribunal Act 2024*.

Part 7–Transitional and savings

Section 41 Definitions

This section defines the terms used in Part 7.

The term ‘commencement day’ is used throughout this Part to refer to the day on which the Rules commence.

Part 7 also includes a number of references to ‘the previous Rules’ which means the *Telecommunications Cabling Provider Rules 2014* as in force immediately before the commencement day.

Section 42 Existing registered cabling providers taken to be registered cabling providers

This section provides transitional provisions for a cabling provider who was registered, within the meaning of subsection 3.1(6) of the previous Rules, immediately before the commencement day (an ‘existing registered cabling provider’).

A registered cabling provider for the purposes of subsection 3.1(6) of the previous Rules is a cabling provider who was registered under the registration system outlined in Schedule 1 of that instrument and whose registration has not been suspended or revoked.

An existing registered cabling registrar is taken to be a registered cabling provider under the Rules. There will be no changes to the expiry dates for existing registered cabling providers’ registrations as a consequence of the Rules commencing.

Section 43 Expired registrations

If the period of registration for a cabling provider’s registration ended (expired) before the commencement day, and remains expired on the commencement day, the registration is taken to be an expired cabling registration (as defined in section 6) under the Rules.

Any cabling provider with a registration that expired but was subsequently renewed before the commencement day would be subject to the transitional provisions under section 42 of the Rules.

Section 44 Suspended registrations

A cabling provider whose registration was suspended in accordance with the previous Rules is taken to be a ‘suspended cabling provider’ (as defined in section 6) for the purposes of the Rules.

In these circumstances, the cabling provider’s registration will remain suspended until:

- the original period of suspension ends; or
- the ACMA lifts the suspension by notice in writing to the cabling provider.

Section 45 Existing registrars taken to be a registrar

This section provides that an existing registrar will remain a registrar under the Rules without the need for accreditation under Part 5.

The term ‘existing registrar’ is defined in section 41 of the Rules as a person who was – immediately before the commencement day – accredited as a registrar in accordance with, or an existing registrar for the purposes of, the previous Rules.

An existing registrar may continue to provide registration services in accordance with the terms of an Existing Deed between that registrar and the Commonwealth, with the exception that on or after the

commencement day, the registrar must comply with Part 3. This is to ensure that applications for registration made to a registrar after commencement day are processed in accordance with the Rules.

‘Existing Deed’ is defined in section 41 as:

- the Deed in relation to Cabling Provider Registrar Obligations as referred to in clause 6 of Schedule 1 to the previous Rules, if the registrar was accredited in accordance with the previous Rules; or
- the Registrar Obligations Deed as defined in section 6.1 of the previous Rules, if the registrar is an ‘existing registrar’ based on the definition under section 6.1 of that instrument.

Section 46 Application for registration made before commencement day

Where an application for cabling provider registration was made in accordance with the previous Rules and a decision about that application had not been made before the commencement day, the application shall be dealt with in accordance with the previous Rules as if those rules had not been repealed.

This section enables a person’s pending application for cabling provider registration to be considered against the previous Rules as if those rules had not been revoked. If that person has not complied with the formal requirements for registration as provided for in clause 9 of Schedule 1 to the previous Rules, (that is, the registration application was not made in accordance with the previous Rules), they will not be eligible for registration under the previous Rules, and as a consequence, will need to make a new application in accordance with the Rules should they wish to become a registered cabling provider.

Section 47 Application for accreditation made before commencement day

Where an application for accreditation was made in accordance with the previous Rules and a decision had not been made about that application before the commencement day, the application shall be dealt with as an application made under section 27 of the Rules.

Schedule 1–Competency Requirements

Part 1–Interpretation

Clause 1 Definitions

This section defines the terms used in Schedule 1 to the Rules.

Schedule 1 uses a range of terminology related to the regulatory arrangements for Vocational Education and Training (VET), established by the NVETR Act and related instruments. The following terms used in Schedule 1 share the same meaning with the term as used under the NVETR Act:

- Ministerial Council;
- National Register; and
- registered training organisation (RTO).

Other key terms related to the regulatory arrangements for VET used in Schedule 1 are:

- ‘Electrotechnology Training Package’, meaning the Electrotechnology Training Package as published on the National Register as existing from time to time;
- ‘The ICT Training Package’, meaning the Information and Communications Technology Training Package, as published on the National Register as existing from time to time; and

- ‘Unit of competency’, meaning a unit of study that forms part of the Electrotechnology Training Package or the ICT Training Package, and that is described as a unit of competency in the National Register.

The training packages and the National Register are incorporated as existing from time to time and the National Register on which the training packages are published is freely available at www.training.gov.au. A person who applies for registration must demonstrate that they have met the competency requirements at the time they apply (section 12). This allows for the flexibility for minor changes in course structures and units of study within the training packages to be incorporated without the need to amend the Rules. The ACMA will update the Pathways to Cabling Registration document that is incorporated into the Rules and published by the ACMA (and freely available on its website) when there are changes to training packages to ensure that persons who wish to apply for cabling registration are able to ascertain what competency requirements apply at the time of application. The ACMA also has the power (in accordance with subsection 421(5) of the Act) to declare an alternative qualification (clause 6 of Schedule 1). An example of a circumstance in which the ACMA might exercise this power is where amendments are made to the training packages.

Part 2—Competency requirements for cabling registration

Clause 2 Competency requirements for lift cabling registration

This clause sets out the competency requirements for lift cabling registration. The competency requirements consist of a qualification and examination component.

In accordance with section 12 of the Rules, meeting the applicable competency requirements for a kind of cabling registration is a pre-requisite to a person being issued that kind of registration.

The competency requirements for lift cabling registration are:

- both:
 - a current electrical licence or registration issued by a State or Territory which authorises the holder of that licence or registration to perform electrical work; and
 - completion of one or more units of competency from the ICT Training Package that when completed, entitle an individual to apply for lift cabling registration; or
- a qualification or unit of competency from the Electrotechnology Training Package, issued by a RTO, that entitles the individual to apply for lift cabling registration; or
- an alternative qualification or unit of competency declared by the ACMA under clause 6 for lift cabling registration; and
- completion of a cabling regulations test consisting of at least 30 questions, with at least 80 per cent of those questions answered correctly.

‘Cabling regulations test’ is defined in clause 1 of this Schedule to mean a test administered by a RTO for the purposes of assessing a person’s understanding of the Act, the requirements for the performance of cabling work under the Rules, the applicable technical standard and the Wiring Rules. The applicable technical standard is the Technical Standard as in force from time to time, or a replacement of that standard.

The Pathways to Cabling Registration lists (in detail) the qualifications or units of competency under the relevant training packages for cabling registration, according to the unit code and name identifiers in the National Register. The Pathways to Cabling Registration is defined in clause 1 as a document published by the ACMA on its website and existing from time to time.

Clause 3 Competency requirements for open cabling registration

This clause sets out the competency requirements for open cabling registration. The competency requirements consist of a qualification, work experience and examination component.

In accordance with section 12 of the Rules, meeting the applicable competency requirements for a kind of cabling registration is a pre-requisite to a person being issued that kind of registration.

The competency requirements for open cabling registration are:

- a qualification, issued by a RTO, that is specified in subclause 3(2);
- at least 360 hours of cabling work experience; and
- completion of a cabling regulations test consisting of at least 50 questions, with at least 80 per cent of those questions answered correctly.

Subclause 3(2) specifies the qualifications for the purposes of the open cabling registration competency requirements. These are:

- a qualification or units of competency from the ICT Training Package that entitle the individual to apply for open cabling registration;
- a qualification or units of competency from the Electrotechnology Training Package that entitle the individual to apply for open cabling registration; or
- an alternative qualification declared by the ACMA under clause 6 for open cabling registration.

Cabling work experience, for these purposes, is relevant on-the-job experience of performing cabling work and is not limited to telecommunications customer cabling work. It can include the installation, maintenance, and repair of cabling systems for carrier networks, mains electricity, security systems, television or home theatre.

The Pathways to Cabling Registration provides a detailed list of the qualifications or units of competency relevant for each kind of cabling registration, according to the unit code and name identifiers in the National Register.

Clause 4 Competency requirements for restricted cabling registration

This clause sets out the competency requirements for restricted cabling registration. The competency requirements consist of a qualification, work experience and examination component.

In accordance with section 12 of the Rules, meeting the applicable competency requirements for a kind of cabling registration is a pre-requisite to a person being issued that kind of registration.

The competency requirements for restricted cabling registration are:

- a qualification, issued by a RTO, that is specified in subclause 4(2);
- at least 80 hours of cabling work experience; and
- completion of a cabling regulations test consisting of at least 30 questions, with at least 80 per cent of those questions answered correctly.

Subclause 4(2) lists the qualifications for the purposes of the restricted cabling registration competency requirements. These are:

- a qualification or units of competency from the ICT Training Package that entitle the individual to apply for restricted cabling registration;

- a qualification or units of competency from the Electrotechnology Training Package that entitle the individual to apply for restricted cabling registration; or
- an alternative qualification or unit of competency declared by the ACMA under clause 6 for restricted cabling registration.

Cabling work experience, for these purposes, is relevant on-the-job experience of performing cabling work and is not limited to telecommunications customer cabling work. It can include the installation, maintenance and repair of cabling systems for carrier networks, mains electricity, security systems, television or home theatre.

The Pathways to Cabling Registration provides a detailed list of the qualifications or units of competency relevant for each kind of cabling registration, according to the unit code and name identifiers in the National Register.

Part 3–Additional units of competency – specialised cabling

Clause 5 Additional units of competency – specialised cabling

Section 22 of the Rules establishes the requirements for the performance of cabling work using specialised cabling, including the completion of additional competency requirements for the six kinds of specialised cabling as applicable. The competency requirements for specialised cabling are separate and additional to the competency requirements applicable to the three kinds of cabling registration.

The additional competency requirements for specialised cabling consist of a qualification component that relates to the specific kind of specialised cabling. The additional competency requirement for a particular kind of specialised cabling are the units of competency:

- (a) from either the ICT Training Package or Electrotechnology Training Package, and described in the National Register as relating to the skills and knowledge required to install, secure and terminate that kind of specialised cabling, or
- (b) declared by the ACMA under clause 6 as an additional unit of competency for that kind of specialised cabling.

Subclauses 5(1) to 5(6) deal with each kind of specialised cabling. For example, the additional units of competency for aerial cabling are specified in subclause 5(1) as:

- the units of competency that are from either the ICT Training Package or Electrotechnology Training Package, and described in the National Register as relating to the skills and knowledge required to install, secure and terminate aerial cabling; or
- the units of competency declared by the ACMA under clause 6 as an additional unit of competency for aerial cabling.

Part 4–Alternative qualification or additional unit of competency declaration

Clause 6 Alternative qualification or additional unit of competency declaration

This clause provides that the ACMA may make a written declaration relating to alternative requirements for the purposes of:

- the competency requirements for registration listed in clauses 2-4 of Schedule 1; or
- the additional units of competency for specialised cabling listed in clause 5 of Schedule 1.

The ACMA may make a declaration under clause 6 by updating the Pathways to Cabling Registration to include reference to the alternative qualification or unit of competency, or alternative additional unit or units of competency.

The ACMA is required to publish, on its website, specific details of any alternative requirements declared under this clause. Those details are the name of the alternative qualification or unit of competency, or alternative additional unit or units of competency, and the kind of cabling registration to which the qualification or unit(s) apply.

Examples of scenarios where the ACMA may decide to make a declaration under this clause include where a training package specified in Schedule 1 changes name, or where a new training package is published on the National Register and reflects appropriate and necessary skills for cabling providers.