



# Audit of Telecommunications Infrastructure Assets – Record Keeping Rules 2007

*Trade Practices Act 1974*

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The AUSTRALIAN COMPETITION AND CONSUMER COMMISSION makes these Rules under subsection 151BU(1) of the *Trade Practices Act 1974*.

Dated 19 December 2007

Chairman  
Australian Competition and Consumer Commission

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## **1 Name of Rules**

These Rules are the *Audit of Telecommunications Infrastructure Assets - Record Keeping Rules 2007*.

## **2 Commencement**

These Rules commence on the day they are made.

## **3 Interpretation**

(1) In these Rules:

*ACCC* means the Australian Competition and Consumer Commission.

*Act* means the *Trade Practices Act 1974*.

*CAN* means a Customer Access Network and is that part of a telecommunications network that allows end-users to connect to a local switch, base station, node or exchange.

*Copper* means twisted pairs of copper line.

*core network* means that part of a network that is not a CAN.

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*end-user* means a consumer of communications carriage services and other services supplied using communications carriage services.

*Fibre (point to multipoint)* means a shared optical fibre service from a core network to an end-user.

*Fibre (point to point)* means a dedicated optical fibre service from a core network to an end-user.

*Fibre to the node (FTTN)* means a combination of optical fibre and copper is used in a CAN to connect an end-user to a core network.

*GDA94* means Geocentric Datum of Australia 1994.

*geographic extent* means the physical location of infrastructure as well as the predicted propagation of wireless infrastructure.

*HFC* means Hybrid Fibre-Coaxial and is a combination of optical fibre and coaxial cable used in a CAN to connect an end-user to a core network.

*microwave radio* means a microwave electromagnetic signal.

*optical fibre* means a glass or plastic fibre designed to guide light along its length.

*Radio (fixed)* means a CAN that is provided by means of air interface using point-to-point or point-to-multipoint topology.

*Radio (mobile)* means a CAN that is provided by means of air interface using a cellular topology which offers roaming from interconnected geographic regions of service.

*record-keeper* is a person listed as a record-keeper in the Schedule.

*Rules* means the *Audit of Telecommunications Infrastructure Assets - Record Keeping Rules 2007*.

*TAB vector format* means the MapInfo proprietary format that contains a spatial representation of data using points, lines, and polygons.

- (2) Unless the contrary intention appears, an expression used in these Rules that is also used in the Act has the same meaning in these Rules.

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#### **4 Application**

These Rules apply to the record-keepers listed in Part 1 of Schedule 1.

#### **5 CANs**

- (1) A record-keeper who is listed in Part 1 of Schedule 1 must supply the information specified in subrule 5(2).
- (2) For each CAN owned and operated by a record-keeper, the record-keeper must specify:
  - (a) whether any access media of the types listed in Part 2 of Schedule 1 is deployed; and
  - (b) if so, the geographic extent of each access medium deployed.

*Note:* For the purposes of subrule 5(2)(b) a record-keeper is required to provide this information in accordance with rule 7.

#### **6 Core Network**

- (1) A record-keeper who is listed in Part 1 of Schedule 1 must supply the information specified in subrule 6(2).
- (2) For each core network owned and operated by a record-keeper, the record-keeper must specify the geographic extent of any:
  - (a) optical fibre core network;
  - (b) microwave radio core network; and
  - (c) other core network.

*Note:* For the purposes of this rule a record-keeper is required to provide this information in accordance with rule 7.

#### **7 Format**

For the purposes of subrule 5(2)(b) and rule 6, information provided to the ACCC by a record-keeper must be:

- (a) in a TAB vector format using the GDA94 coordinate system; or
- (b) in such other format as the ACCC agrees in writing or notifies on its website.

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## 8 Reporting requirements

- (1) A record-keeper is required to record and produce a report on the information specified in subrules 5(2) and 6(2) as at 31 January of each year.
- (2) A record-keeper must provide the ACCC with a report containing the information specified in subrule 8(1) on or before 1 March of each year.

*Note 1:* Under section 151BX of the Act a person who contravenes a record-keeping rule may be subject to pecuniary penalties.

*Note 2:* Subsection 36(2) of the *Acts Interpretation Act 1901* (Cth) provides that where the last day of any period prescribed falls on a Saturday, on a Sunday or on a day which is a public holiday in which the thing is to be done, the thing may be done on the first day following which is not a Saturday, a Sunday or a public holiday.

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**Schedule 1      Record-keeping requirements for  
CANs and Core Networks**

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**Part 1              List of record-keepers**

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**AAPT**  
**AARNET**  
**Agile Communications**  
**Amcom**  
**Austar**  
**Ergon**  
**Hutchison**  
**Macquarie Telecom**  
**Neighbourhood Cable**  
**NextGen**  
**Opel**  
**Optus**  
**Personal Broadband Australia**  
**PIPE Networks**  
**Primus**  
**Silk Telecom**  
**Soul Communications**  
**Telstra**  
**Transact**  
**Unwired**  
**Verizon**  
**Vodafone**

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**Part 2**                      **Types of access media deployed**

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**Copper**

**Fibre (point to multipoint)**

**Fibre (point to point)**

**Fibre to the Node (FTTN)**

**HFC**

**Radio (fixed)**

**Radio (mobile)**

**Other**

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