



Australian Government

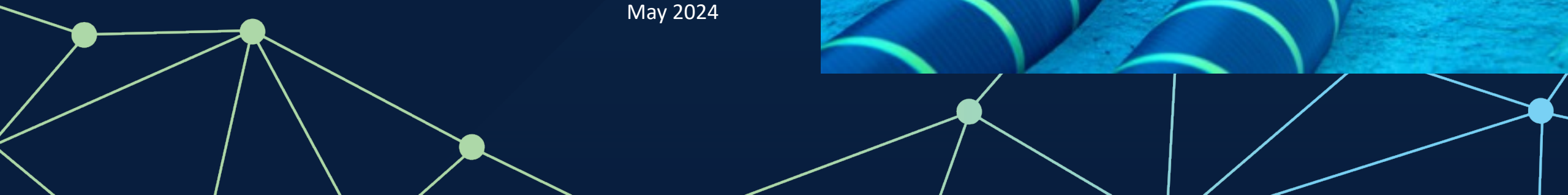
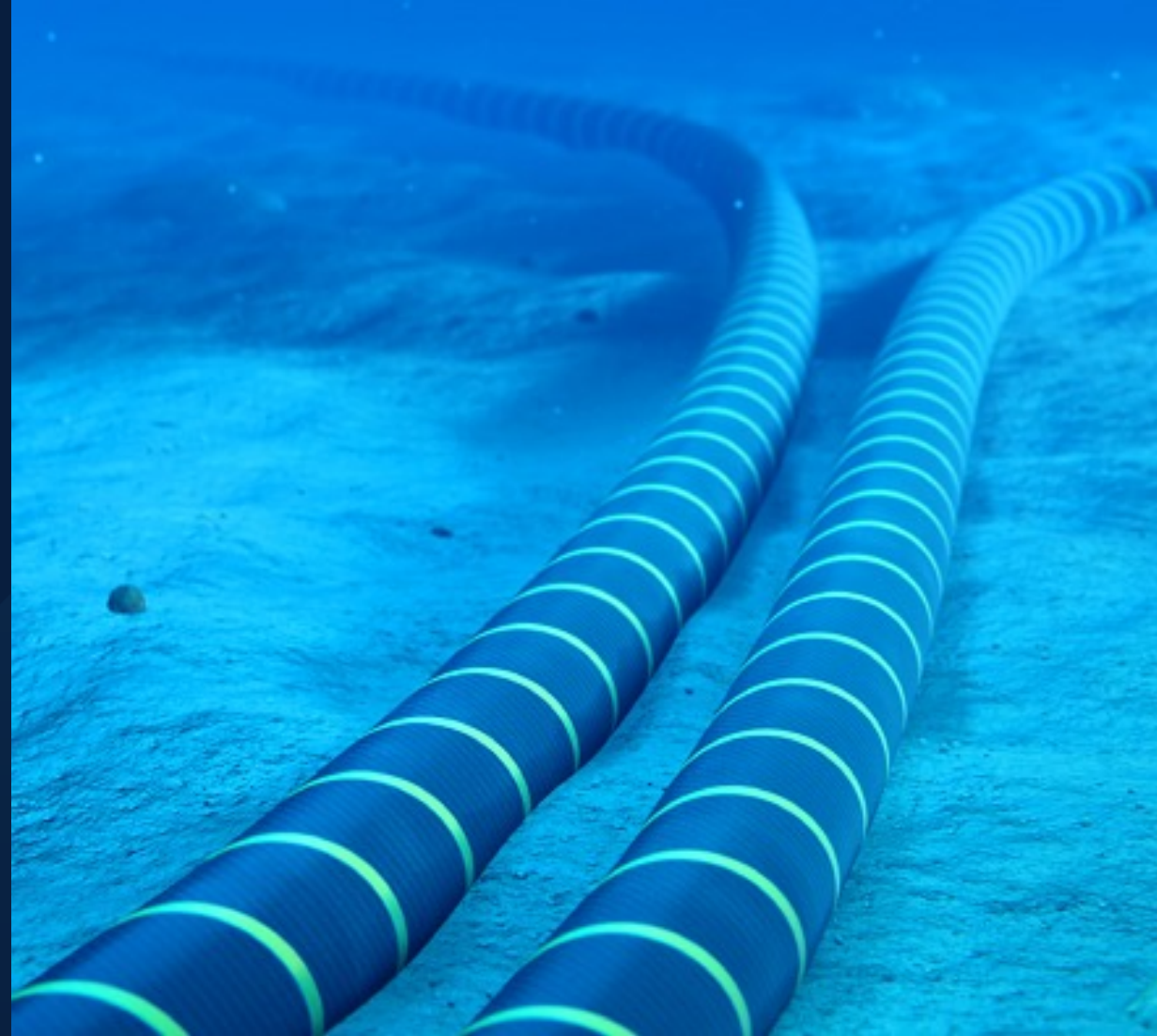
ICPC – CIL Closed-Door Workshop:

“Prospects for Collaboration between Governments and Industry on the Laying, Repair and Protection of Submarine Cables”

Session 1: Spatial and Competing Use Issues for Submarine Cables

Presented by Tim Scoltock

May 2024



How does the Australian Government manage competing use issues for cables transiting our maritime zones through regulation and other activities?



Australian Government



Australia has been a signatory to the ***United Nations Convention on the Law of the Sea*** since 1982.

The Australian Communications and Media Authority: Key regulator for subsea cables in Australia

Schedule 3A of the *Telecommunications Act 1997* (Tel Act)

Allows the Australian Communications and Media Authority (ACMA) to:

1. Issue permits to install international submarine cables in protection zones and/or Australian waters.
2. Declare protection zones over cables or proposed cables of 'national significance' in Australian waters

Guidelines: www.acma.gov.au/submarine-cables

- Tel Act also authorises the ACMA to manage the licensing system for registered Australian carriers (owners of telco infrastructure), including sub-cable operators.

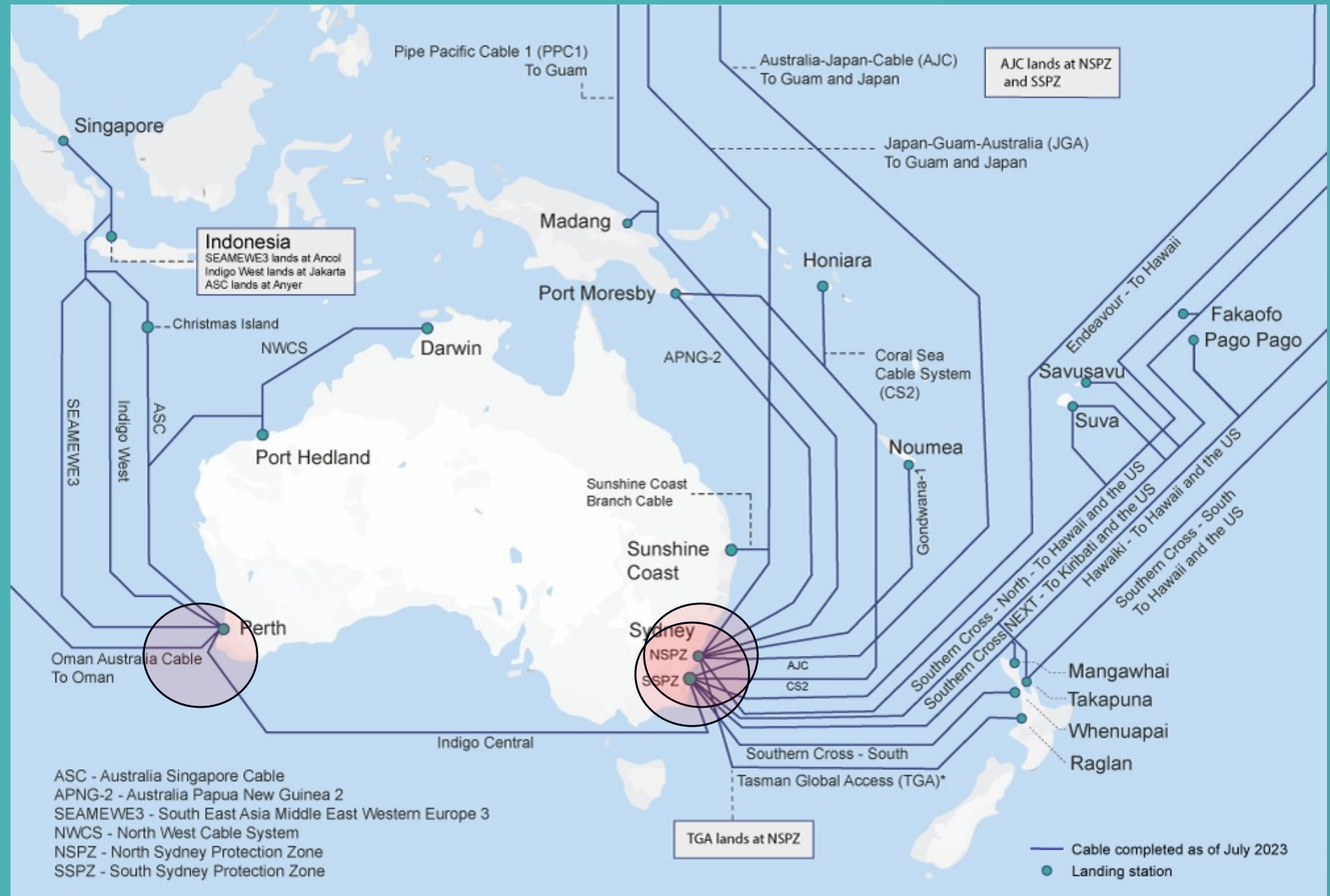


Australian Government

Protection zones for cables of 'national significance'



Australian Government



Patrol, monitoring and awareness raising activities



Awareness-raising and monitoring

ACMA coordinates with a range of bodies, including:

- Australian Maritime Safety Authority (AMSA)
- Australian Fisheries Management Authority (AFMA)
- Ports and Shipping Authorities and other entities.



Patrol and Surveillance activities

- Coastal Waters – State and Territory Water Police.
- Other territorial waters – Maritime Border Command.
- Commercial monitoring and surveillance.



Australian Government

Other regulatory frameworks relevant to Australia's security and protection of submarine cables



Telecommunications Security

- *Telecommunications Sector Security Reforms (Part 14 of the Tel Act)*
 - **Security obligation:** *Telecommunications infrastructure operators and service providers must **do their best** to protect networks and facilities from unauthorised interference or unauthorised access.*
 - **Notification obligation:** *Telecommunications infrastructure operators and service providers are also required to **notify** the Government of proposed **changes to their networks** and services that may have a **material adverse effect on their ability to protect their networks**.*



Australian Government

Critical infrastructure regulation

- *Security of Critical Infrastructure Act 2018 (SOCI Act)*
 - *Telco infrastructure assets recognised under SOCI in 2022*
 - *Critical asset reporting obligations*
 - *Mandatory cyber incident reporting*
- *Systems of National Significance (Part 6A of the SOCI Act) - Privately declared by Minister for Home Affairs:*
 - *Enhanced cyber security obligations*
 - *Vulnerability assessments*
 - *providing system information to develop and maintain a near-real time threat picture for the declared infrastructure asset.*

Cable Connectivity and Resilience Centre



Where we work



The Centre works across the Indo-Pacific region: South Asia, Southeast Asia and the Pacific.

The Centre tailors its services to the needs and requests of partner countries, recognising each country has different systems, policies, regulations and stages of development relating to undersea cables.

Who we are

The Centre is a whole of Australian Government initiative, embedded within the Department of Foreign Affairs and Trade. The Centre works with a wide range of partners, including Indo-Pacific governments, the private sector, regional and multilateral organisations, academia and think-tanks.

The development and management of the undersea cable system is complex. The Centre contracts and brings people together with expertise in regulations, policy, engineering, finance and more to support each partner country's work on cable connectivity and resilience.

What we do

Drawing upon Australia's expertise and experience with cable development and governance, the Centre focuses on:

- providing demand-driven **technical assistance and training** across the Indo-Pacific;
- commissioning **research and analysis** to support Indo-Pacific governments with policy development, regulations and decision making regarding undersea cables; and
- **convening dialogues and knowledge sharing activities** to strengthen engagement between Indo-Pacific governments and industry on the development and management of undersea cables.



Australian Government

If you would like more information about the Centre and its delivery of programs across the Indo-Pacific, please contact: undersea.cables@dfat.gov.au

