**MEMORANDUM**

To:                 ANZCTC Secretariat
               Deputy Commissioner Catherine Burn
               Assistant Commissioner Mark Murdoch
               Superintendent Dave Roptell
               Inspector Marilyn Hamilton
               Mr Fergus O'Connor
               Mr Michael Powter

From:                 Superintendent Christopher Keane

Date:                 2 December 2014

Security:         UNCLASSIFIED

Subject: :         ANZCTC Business - NSW Response: Spectrum Review – Potential Reform Directions paper

**1. RE: Spectrum Review – Potential Reform Directions paper – feedback sought by COB 2 December 2014**
The Commonwealth Minister for Communications has announced the release of the *Spectrum Review – Potential Reform Directions* paper for public comment (attachment A).

Following consultation with Assistant Commissioner Peter Barrie, NSW provides the following feedback:

The NSW Telco Authority has overall responsibility for the overall coordination of radio communications services for the NSW Government.  They are yet to finalise their submission to the current consultation paper.  However, the Telco Authority provided a prior submission on The Objects of the Radio Communications Act 1992 (attachment B).

The current consultation paper has an economic focus and espouses a market based approach to the administration, allocation, licensing and pricing of spectrum.  It makes no reference to the current legislative safeguards contained within the *Radiocommunications Act 1992*, s3(b)(i)  that specifically provides for the management of radiofrequency spectrum in order to make adequate provision of spectrum for use by agencies involved in the defence or national security of Australia, law enforcement or the provision of emergency services.  These provisions are more relevant now than ever due to the high market value of radiofrequency spectrum and the increasing requirement for agencies to provide innovative technological solutions to meet modern public safety requirements.

The Department of Communications should provide specific reference to if and how the potential reform proposals will impact on the allocation of radiofrequency spectrum to meet the requirements of defence, national security, law enforcement and emergency services so that any implications can be considered in an open and transparent way.

Kindest Regards

Melanie Roseman

on behalf of

Superintendent Christopher Keane
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