



Australian Government

Fact Sheet

How the powers and immunities framework affects you



All Australians should be able to access modern, reliable telecommunications services, regardless of where they live or do business.

To provide these essential services, the Australian Government granted telecommunications companies powers to carry out certain activities related to the deployment of telecommunications infrastructure and immunity from some state and territory laws when doing so. This is known as the carriers' powers and immunities framework.

It's a way of balancing the community's need to access reliable, affordable telecommunications services, while making sure that local government and property owners get a chance to have their say about the deployment of those services.

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What can telecommunications providers do under this framework?

The Telecommunications Act 1997 gives telecommunications companies the power to inspect land, install 'low-impact' facilities, and to maintain telecommunications facilities. Low-impact facilities are facilities that:

- are essential to the efficient operations of the network
- have low visual impact, and
- are unlikely to cause community disruption during installation or operation.

Telecommunications companies use these powers to install infrastructure supporting both landline and mobile communications services to the community using equipment that fall within strict type, size, colour and location limitations.

When rolling out low-impact facilities, telecommunications companies have to demonstrate good engineering practices and interfere as little as possible with the landowner's use of the land.

The Industry Code for Mobile Phone Base Station Deployment sets out additional processes that telecommunications companies are to follow when they install low-impact facilities. These processes generally do not apply to large facilities like new monopoles or towers which are subject to state and territory planning laws.

Designed to keep landowners in the loop

Often, and quite understandably, the people who will be most concerned about proposed deployments are the people who own the land these installation and activities are happening on.

Telecommunications companies are required to notify landowners and occupiers if they are planning to carry out upcoming works, including any plans to install telecommunications infrastructure. The notice should be sent at least 10 days before any activity is started on the land.

This notice must advise landowners of:

- their right to object
- the available grounds for objection
- the right to have a decision reviewed by the telecommunications industry ombudsman (TIO), and
- timeframes for lodging objections.

Telecommunications companies are also expected to engage with communities in a meaningful and sensitive way about proposed telecommunications deployments.

The Industry Code sets out notification processes that telecommunications companies must follow to ensure that landowners, councils and the community are advised before a mobile phone base station is constructed, and that council and community views are taken into account.



Concerned about new telecommunications infrastructure or a specific installation?



Information about proposed and current mobile phone base stations is available on the Radio Frequency National Site Archive website at www.rfnsa.com.au.

If you're concerned a telecommunications company has not complied with its obligations under the Industry Code, you can make a complaint to the Australian Communications and Media Authority (ACMA). You can contact them on **1300 850 115** or by email to info@acma.gov.au.

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