



In reply please quote KNet: 2014/13934/01 – 8682965

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Dear Sir/Madam,

RE: Comments on Spectrum Review Issues Paper

I refer to the Department of Communications discussion paper, Spectrum Review Issues Paper, and the request for comments. On behalf of the SA Government, the Office of the Chief Information Officer, Department of the Premier and Cabinet provides the following comments:

Term of Reference 1:

Simplify the framework to reduce its complexity and impact on spectrum users and administrators, and eliminate unnecessary and excessive regulatory provisions

- To simplify the framework one must first understand which Acts, Instruments and documents currently constitute the framework. The Terms of Reference need to outline the elements of the framework.
- Reduction of regulatory burden is fully supported, providing the overall effectiveness of the planning, allocation, licensing, re-issue processes and technical regulation and interference management is not weakened or the cost transferred to the stakeholders. The Terms of Reference must be clear on this matter.
- The Governor-General's powers to declare an emergency are unlikely to be effective in the current form. However, the Terms of Reference should not preclude developing an effective mechanism in support of emergency response.

Term of Reference 2:

Improve the flexibility of the framework and its ability to facilitate new and emerging services including advancements that offer greater potential for efficient spectrum use, while continuing to manage interference

- No Comment

Term of Reference 3:

Ensure efficient allocation, ongoing use and management of spectrum, and incentivise its efficient use by all commercial, public and community spectrum users

- Improving the efficiency in the way spectrum is allocated and used is worthy of discussion. However, the Terms of Reference should not preclude discussion where users should retain spectrum in the public interest whilst not necessarily being the most economically efficient use of spectrum.

Term of Reference 4:

Consider institutional arrangements and ensure an appropriate level of Ministerial oversight of spectrum policy and management, by identifying appropriate roles for the Minister, the Australian Communications and Media Authority, the Department of Communications and others involved in spectrum management

- This Term of Reference should be expanded to read:
Consider institutional arrangements and ensure an appropriate level of Ministerial oversight of spectrum policy and management, by identifying appropriate roles for the Minister, the Australian Communications and Media Authority, the Department of Communications, **statutory authorities**, and others involved in spectrum management.

Term of Reference 5:

Promote consistency across legislation and sectors, including in relation to compliance mechanisms, technical regulation and the planning and licensing of spectrum

- No Comment

Term of Reference 6:

Develop an appropriate framework to consider public interest spectrum issues

- This Term of Reference is strongly supported, the Review must find clear definition of terms such as: adequate provision, public interest services, value, and efficient/ly.

Term of Reference 7:

Develop a whole-of-government approach to spectrum policy

- No Comment

Term of Reference 8:

Develop a whole-of-economy approach to valuation of spectrum that includes consideration of the broader economic and social benefits

- No Comment

Thank you for the opportunity to comment on this matter. If you have any questions or require any clarifications, please contact Rod Dowling on 08 8463 4006 or via rod.dowling@sa.gov.au.

Yours sincerely



Bret Morris
CHIEF INFORMATION OFFICER

30 / 6 / 2014