

Satellite Internet Access Guide: Australia

October 2023

Using this Guide

Question: This column contains the relevant question to be addressed under (Response).

Response: Information addressing the question identified under (Question) is contained in this column.

Additional Information: This column contains any clarification or added information necessary to better understand the information under (Response).

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Abbreviations for Legislation

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- Telecommunications Act 1997 Act No. 47 of 1997 as amended by Act No. 140 of 2021 (**Telecommunications Act**)
- Radiocommunications Act 1992 Act No. 174 of 1992 as amended by Act No. 151 of 2020 (**Radiocommunications Act**)
- Australian Communications and Media Authority Act 2005 Act No. 44 of 2005 (**ACMA Act**)
- Telecommunications (Consumer Protection and Services Standards) Act 1999 Act No. 50 of 1999 (**TCPSS Act**)
- Telecommunications (Interception and Access) Act 1979 Act No. 114 of 1979 (**TIA Act**)
- Space (Launches and Returns) Act 2018 Act No. 123 of 1998 (**Space (L&R) Act**)

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S/N	Question	Response	Additional Information
1	Does the member state have law(s) relating to internet service provisioning and access?	<ol style="list-style-type: none"> 1. Telecommunications Act 2. Radiocommunications Act 3. ACMA Act 4. TCPSS Act 5. TIA Act 	These frameworks contain provisions relevant to internet service access, radiofrequency spectrum management, as well as technical and competition regulations of communications services (which internet service is a part of).
2	Are there restrictions on use or access to internet?	<p>Access to internet is not restricted in Australia and online contents, including political and social contents are not censored or blocked.</p> <p>Australia scored 76 out of 100 on Freedom House's Freedom on the Net 2022 Report, and is considered a free country that has few obstacles to internet access, online contents, and rights of users online.</p>	Note however that with the passage of the Online Safety Act in 2021, government is given expanded powers to block websites and issue takedown notices for certain online contents.
3	Is satellite a medium used to provide internet access in the member state?	Under Sections 87 and 360A of the Telecommunications Act, carriage services (which include internet access) can be provided to an end user by different means including the use of a satellite-based facility.	Different satellites, including those located in the Low Earth Orbit and Geostationary Earth Orbit are used to provide internet access.

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4	Are there existing legislations for satellite internet access?	Space (L&R) Act	This is in addition to the legislations enumerated under <i>No.1</i> above. More about its application is discussed under <i>No. 7</i> below.
5	Which agency is responsible for regulating internet service provisioning including satellite internet provisioning?	<p>Australian Communications and Media Authority (ACMA) is responsible for regulating broadcasting and telecommunications (including internet) services. ACMA also coordinates and manages frequencies for satellite communications in Australia.</p> <p>Another relevant agency for launching of satellites into outer space is the Australian Space Agency.</p>	While the ACMA is responsible for handle matters such as technical regulation, licensing etc., the Australian Competition and Consumer Commission (ACCC) is responsible for the economic regulation of different sectors, including the telecommunications sector.
6	Who can provide internet service using satellites?	Any person that meets the licensing criteria for the service intended to be offered.	Please note that where internet service is to be provided using a facility that is not owned or operated by the internet service provider (ISP), such ISP will be classified as a carriage service provider (CSP) and would not be required to obtain a carrier licence. However, the CSP must adhere to the rules contained under the Telecommunications Act and TCPSS Act.

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7	Is a license or permission required to use, operate or control satellite for internet access?	<p>An internet service provider that intends to use its own satellite systems to provide internet access to the public would need to apply to ACMA for the following licenses/permits:</p> <ol style="list-style-type: none"> 1. Carrier licence (or nominate a carrier to operate its facilities by way of a nominated carrier declaration issued by ACMA), 2. Radiocommunications licence (for use of radiofrequency spectrum), 3. Necessary authorization to set up and operate a new satellite network. <p>In addition, where a space object (in this case, a satellite) is to be launched from Australia, a launch permit issued by the Minister (through the Australian Space Agency) pursuant to Section 28 of the Space (L&R) Act is required.</p>	
8	What is the procedure for obtaining these licenses/permits?	<p>For the grant of a carrier licence, an application form must be completed and submitted to ACMA, and a licence application fee paid. A checklist of the required supporting documents is included in the application form. Under Section 52 of the Telecommunications Act, entities eligible to apply for a</p>	

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		<p>carrier licence are constitutional corporations, eligible partnerships, or public bodies.</p> <p>To obtain a radiocommunications licence, an application must be submitted to ACMA. Also, application for authorization to set up a new satellite network must be made to ACMA by completing its prescribed form and paying an application fee.</p>	
9	What is the validity period for these licenses/permits?	<ol style="list-style-type: none"> 1. There is no specified validity period for a carrier licence. Therefore, such licence will continue to be valid unless surrendered by the holder or cancelled by ACMA under certain circumstances including failure to pay an annual charge or a telecommunications industry levy. 2. Depending on the radiofrequency spectrum required, a radiocommunications licence may be valid for up to 20 years. These radiocommunications licences do not renew automatically, but an application must be made for renewal. 3. The validity period for a launch permit is usually specified in the permit. 	

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10	What are the technical requirements for use of satellites for internet access?	<p>Under Section 360A of the Telecommunications Act, the peak download transmission speed for internet access using satellites must be at least 25 megabits per second, while the peak upload transmission speed must be at least 5 megabits per second.</p> <p>Also, satellite internet access is provided using the following frequency bands: C-Band, Ku-Band as well as Ka-Band.</p>	
11	Are there existing (or planned) satellite Internet providers operating in this economy?	<p>A register of licensed carriers is maintained on ACMA's website. Thus, satellite internet providers that operate their own facilities and obtain a carrier licence will be included on this list.</p> <p>However, since ISPs that do not own their own facilities are not required to obtain a licence, there is no database that contains a list of all ISPs operating in Australia.</p>	

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12	Does an end user require a license to access satellite for internet connectivity?	No. An end user can approach any service provider that offers satellite internet access and subscribe to the service.	
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