



Government of South Australia  
Department of Further Education,  
Employment, Science and Technology

*Information Economy  
Directorate*

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To whom it may concern

**Re: Telecommunications Legislation Amendment (National Broadband Network) Bill 2008 – Submission to Senate Enquiry**

Thank you for providing an opportunity to comment on the above.

The Department of Further Education Employment, Science and Technology is the South Australian Government department responsible for responding to broadband and telecommunications policy.

The Department agrees with the fundamental principle behind the intended legislation, namely requiring disclosure of network information to ensure that a competitive environment exists which will facilitate the submission of high quality proposals for the proposed National Broadband Network.

Whilst the Commonwealth has constitutional responsibility for telecommunications, it is acknowledged that State and Territory government have an interest, and valuable expertise, in the outcomes of a process to develop broadband network infrastructure in Australia.

The National Broadband Development Group and the Online and Communications Council (OCC) Officials Committee consisting of representatives from State and Territory Government have repeatedly expressed their desire to assist the Commonwealth to maximise its investment in a national broadband network. It has also been made clear that

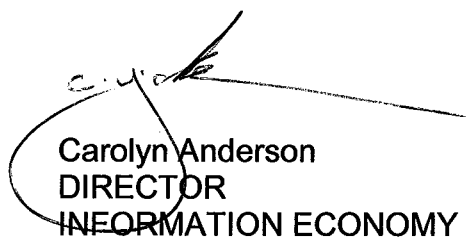
State and Territory government do not intend to be co-respondents or joint bidders with carriers for the NBN.

Accordingly we would seek an expanded definition of “entrusted public official” to include State and Territory government officers so that “protected carrier information” may be disclosed to them. This would particularly become relevant if the State and territories were invited by the Commonwealth to participate as advisers or in some other capacity in evaluation of the RFP. Such a role was discussed recently with the Commonwealth at the OCC Officials Meeting.

At the moment state and territory government officers are included within the definition of “entrusted company officer” which suggests that these governments may be co-respondents to an RFP. As was pointed out unanimously by states and territories at the OCC Officials meeting this is not intended to be the case.

We respectfully request that you give consideration to the amendment proposed by us.

Yours sincerely



Carolyn Anderson  
DIRECTOR  
INFORMATION ECONOMY DIRECTORATE