

Application form – carrier licence



Information for applicants

The Australian Communications and Media Authority (the **ACMA**) licenses telecommunications carriers under the *Telecommunications Act 1997* (the **Telecommunications Act**). Owners of a network unit used to supply carriage services to the public must hold a carrier licence, unless a nominated carrier declaration is in place, or an exemption applies.

Carriers are subject to specific regulatory obligations in addition to those that apply to carriage service providers.

One such obligation is that unless exempted by the ACMA, a carrier must join the Telecommunications Industry Ombudsman scheme. More information about the regulatory obligations that apply to carriers can be found in our [Carrier Licensing Guide](#).

Charges and levies associated with being a telecommunications carrier

Participating persons (telecommunications carriers that earn initial sales revenue, gross telecommunications sales revenue or eligible revenue of AUD \$25 million or more in an eligible revenue period) are required to pay the following levies and charges based on their eligible revenue for the financial year:

- the telecommunications industry levy (**TIL**)
- the annual carrier licence charge (**ACL**).

A carrier may also be required to pay a monthly Regional Broadband Scheme (**RBS**) funding charge if certain criteria are met.

More information on the TIL is available at acma.gov.au/telecommunications-revenue-reporting.

More information on the ACLC is available at acma.gov.au/cost-recovery-implementation-statement-cris.

More information on the RBS is available at acma.gov.au/about-regional-broadband-scheme-rbs.

Eligibility

A person who is a constitutional corporation, eligible partnership or public body may make an application to the ACMA for a carrier licence.

Prior to submitting an application

Please contact us at carriers@acma.gov.au to provide an overview of the reasons for seeking a carrier licence, including a brief description of the relevant network units and their ownership arrangements. This will help the ACMA determine whether a carrier licence is required in the circumstances.

Once the ACMA has determined that a carrier licence is required, we will provide an invoice for payment of the carrier licence application charge.

More information on the carrier licence application charge is available at acma.gov.au/apply-telecommunications-carrier-licence.

Submitting an application

An application for a carrier licence must be in writing, using this form, and be accompanied by the application charge. The ACMA will process the application once the charge has been paid.

Please submit an application, including any relevant supporting information or documentation, to the ACMA by email at carriers@acma.gov.au or by mail to:

The Manager
Infrastructure and Equipment Safeguards Section
Australian Communications and Media Authority
PO Box 13112 Law Courts
Melbourne VIC 8010

Applicants should refer to the checklist on the last page of this form to ensure their application is complete prior to submitting it to the ACMA. Applications which are incomplete or illegible may be returned or delayed.

Consultation and timeframe for considering an application

The ACMA must consult the Communications Access Coordinator (**CAC**) about a carrier licence application. Generally, the ACMA has 20 business days after the day on which the application is received by the CAC in which to decide whether to grant a carrier licence.

However, the timeframe on a carrier licence decision can vary in certain circumstances, including when:

- the ACMA requests further information from the applicant
- the CAC gives the ACMA a written notice under section 56A of the Telecommunications Act stating that while that notice remains in force, the ACMA must not grant the carrier licence.

Unsuccessful applications

The ACMA may refuse, or be deemed to refuse, a carrier licence application under the Telecommunications Act. If the ACMA refuses to grant a carrier licence, the ACMA must provide a written notice of the decision to the applicant. A person affected by a decision under section 56, 58 or 59 of the Telecommunications Act to refuse to grant a carrier licence (other than a decision made in compliance with sections 56A or 58A) may apply to the ACMA for reconsideration of the decision. If the ACMA affirms or varies the decision on reconsideration, the decision may be reviewable by the Administrative Review Tribunal.

The Minister for Home Affairs may direct the ACMA not to grant a carrier licence application under section 58A of the Telecommunications Act. While the direction is in force:

- the ACMA cannot reconsider a **non-compulsory refusal** to grant a carrier licence to the person, and
- the Administrative Review Tribunal cannot consider an application for review of a **non-compulsory refusal** to grant a carrier licence to the person.

A **non-compulsory refusal** means a refusal to grant a carrier licence, other than a refusal that is required by sections 56A or 58A of the Telecommunications Act.

The applicant may make a complaint regarding the ACMA's handling of an application to the Commonwealth Ombudsman.

Enquiries

Applicants can contact the ACMA on 1300 850 115 or by email at carriers@acma.gov.au to discuss the application process.

References

Before completing this application form, applicants should read the [Carrier Licensing Guide](#).

The following Acts of Parliament and legislative instruments are typically relevant to carrier licensing (available free of charge on the [Federal Register of Legislation](#) website):

- the Telecommunications Act
- the *Telecommunications (Consumer Protection and Service Standards) Act 1999*
- the *Telecommunications (Interception and Access) Act 1979*
- the *Telecommunications (Emergency Call Service) Determination 2019*
- the *Telecommunications (Customer Communications for Outages) Industry Standard 2024*
- any other related regulations or additional conditions imposed by the Minister for Communications
- the *Security of Critical Infrastructure Act 2018* and subordinate legislation.

Privacy

The collection of personal information in this form (such as the applicant's name and contact details) will be handled by the ACMA in accordance with the Australian Privacy Principles set out in Schedule 1 to the *Privacy Act 1988* (the **Privacy Act**) and all other obligations the ACMA must adhere to under the Privacy Act. Personal information is collected to enable the ACMA to assess applications for a carrier licence submitted under section 52 of the Telecommunications Act. The ACMA may use the personal information to contact an applicant should additional information be required about the application. Personal information may be disclosed to the CAC as described above, to other government agencies and/or departments and as otherwise enabled by law.

Further information on the Privacy Act can be found in the [ACMA's Privacy Policy](#). The ACMA's Privacy Policy contains details about how a person may access personal information that is held by the ACMA and seek the

correction of such information. It also explains how a person may complain if they think the ACMA may have breached the Privacy Act and how we will deal with such a complaint.

Carrier licence application form

Instructions for completion

Please print clearly. An illegible, unclear or incomplete application form may be returned or delayed.

Send the completed form by email to:

carriers@acma.gov.au

or by mail to:

The Manager
Infrastructure and Equipment Safeguards Section
Australian Communications and Media Authority
PO Box 13112 Law Courts
Melbourne VIC 8010

Please direct enquiries about the carrier licence application process to:

Australian Communications and Media Authority

Telephone: 1300 850 115

Email: carriers@acma.gov.au

Section 1: Applicant details

Name of applicant

ACN or ARBN (IF APPLICABLE)

Registered business or trading name of applicant (IF APPLICABLE)

ABN (IF APPLICABLE)

Registered office address (FOR CORRESPONDENCE)

POSTCODE

Company Identifier (IF ACN, ARBN, or ABN ARE NOT APPLICABLE)

Contact person

NAME
POSITION
TELEPHONE ()
MOBILE
EMAIL

Section 2: Legal status of applicant

Specify the applicant's legal status: (For definitions of these categories, see section 7 of the Telecommunications Act.)

Constitutional corporation

Provide a copy of the certificate of registration of the corporation.

Eligible partnership

Provide a copy of the certificate of registration of each corporation that is party to the partnership and a copy of the partnership agreement, deed or other arrangement.

Public body

Provide EITHER:

- 1) a statement as to the legislation that established the applicant as a public body, or
- 2) where the public body is an incorporated company, a copy of the certificate of incorporation of the company together with a statutory declaration by a director that states:

the capacity in which the statutory declaration is made, and

 - i) that all the stock or shares in the capital of the company is beneficially owned by the Commonwealth, a state or a territory; or
 - ii) for a company limited by guarantee, that the interests and rights of the members in or in relation to the company are beneficially owned by the Commonwealth, a state or a territory.

Section 3: Applicant information

Provide an attachment addressing each item below (if applicable) along with copies of any supporting documents:

1. Organisational structure, including directors, major shareholders and links with overseas and/or other Australian companies.
2. Whether the applicant has any foreign ownership, control or direction.
3. Details of any relationship between the applicant and another person in connection with the production and supply of facilities.
4. Background and experience of the applicant, as it relates to this application.
5. Any current or proposed research into new technologies and development of those technologies relevant to this application.
6. Whether the applicant (or any director, secretary or any other person involved in the management of the applicant) has been disqualified under the Telecommunications Act (see section 58 of the Telecommunications Act).
7. Membership of the Telecommunications Industry Ombudsman scheme, or the date the applicant will apply for membership, or evidence of exemption from joining the Telecommunications Industry Ombudsman scheme, or a statement that the applicant proposes to seek exemption and the grounds on which the exemption would be sought.

Section 4: Type of network owned or proposed to be owned by the applicant

Note: Relevant definitions are found in Part 2 of the Telecommunications Act.

Provide an attachment to the application that contains the following information:

1. A description of the network and technology that is proposed to be used to supply carriage services to customers, with reference to the statutory definitions for each relevant category of network unit described below.
2. A diagram of the key components, architecture, locations and ownership arrangements of the proposed network (including identification of any facilities/infrastructure in the network that are not owned by the applicant).
3. The type of radio spectrum to be used (if applicable) or if the applicant is already authorised to use radio spectrum as a part of its network unit or units, details of the relevant licence or third-party authorisation.

Select the category or categories of network unit owned, or proposed to be owned, by the applicant:

Category 1 – Line links (sections 26, 27 and 30 of the Telecommunications Act)

- A single line link (e.g. optical fibre cable, copper cable) connecting distinct places (see section 36 of the Telecommunications Act) in Australia that are at least 500 metres apart.
- Multiple line links connecting distinct places in Australia, where the aggregate of the distances between those distinct places (see section 36 of the Telecommunications Act) is greater than 5 kilometres.

Category 2 – Designated radiocommunications facilities (sections 28 and 31 of the Telecommunications Act)

- A base station used or for use to supply a public mobile telecommunications service.
- A base station that is part of a terrestrial radiocommunications customer access network.
- A fixed radiocommunications link.
- A satellite-based facility.
- A radiocommunications transmitter or receiver of a kind specified in a ministerial determination made under subsections 31(2) or 31(3) of the Telecommunications Act.

Category 3 – Facilities specified in a Ministerial determination (section 29 of the Telecommunications Act)

- Facilities specified in a Ministerial determination under section 29 of the Telecommunications Act. Please specify the relevant determination.

Section 5: Type of services proposed

1. Provide an attachment that describes the intended geographic coverage of the network and the proposed market(s) to be serviced (for example, residential, small businesses, wholesale).

Applicants are also requested to identify in this attachment the types of services intended to be supplied over the network units and provide a brief description. Examples of the types of services include, but are not limited to: public mobile telecommunications services, satellite services, voice services and entertainment services.

Declaration by applicant's agent

I declare that:

1. I have the authority to sign this application on behalf of the applicant.
2. The applicant has read the *Carrier Licensing Guide*.
3. The applicant is aware of (and if necessary has sought professional advice on) and undertakes to comply with, the applicant's legal obligations under, but not limited to, the *Telecommunications Act 1997*, the *Telecommunications (Consumer Protection and Service Standards) Act 1999*, the *Telecommunications (Interception and Access) Act 1979*, the *Telecommunications (Emergency Call Service) Determination 2019*, the *Telecommunications (Customer Communications for Outages) Industry Standard 2024* and the *Security of Critical Infrastructure Act 2018*.
4. The applicant acknowledges that a copy of this application will be provided by the ACMA to the CAC in accordance with section 53A of the *Telecommunications Act 1997*.
5. The applicant consents to the ACMA disclosing information provided in, or as part of, this application (including a copy of this application) to government agencies and/or departments for the purposes of considering carrier licence applications under the *Telecommunications Act 1997* and to enable the ACMA to perform a number of its telecommunications functions.
6. The information provided in this application and in any enclosures is true and correct in every detail.
7. The applicant acknowledges that this application does not constitute an application for a radiocommunications licence or licences, and separate action by the applicant will be required if radiofrequency spectrum access is sought.
8. The applicant acknowledges that it is the applicant's responsibility to ascertain the suitability and availability of spectrum for its purposes.
9. I am aware that under the *Criminal Code Act 1995*, it is an offence to knowingly make false or misleading statements to a Commonwealth entity in an application and give false or misleading information or documents to a Commonwealth entity (see sections 136.1, 137.1 and 137.2 of the *Criminal Code*).

SIGNATURE OF AGENT
DATE

PRINT FULL NAME
POSITION IN ORGANISATION

IMPORTANT NOTES

The information that must be provided on or with this form is being sought for the purpose of considering applications for carrier licences under the *Telecommunications Act 1997* and to enable the ACMA to perform a number of its telecommunications functions under section 8 of the *Australian Communications and Media Authority Act 2005*, in particular those under paragraphs 8(1)(a), (c), (f) and (j). The ACMA may make the information provided in this application available to government agencies and departments in accordance with Part 7A of the *Australian Communications and Media Authority Act 2005*.

A copy of this application will be provided by the ACMA to the CAC in accordance with section 53A of the *Telecommunications Act 1997*.

Any application provided to the ACMA may be released under the *Freedom of Information Act 1982*.

The ACMA may also be required to release applications for other reasons, including for the purpose of parliamentary processes or where otherwise required by law.

Applicants should note that, if their application is successful and the licence is granted, the name of the applicant will be included on the register maintained by the ACMA under section 84 of the *Telecommunications Act 1997*. By virtue of the same section, the register is available for inspection on the ACMA's website.

Checklist for carrier licence application

(To be completed prior to submitting application to the ACMA)



Have you:

- read the ACMA's online [Carrier Licensing Guide](#)?
- paid the application charge?
- provided documentation to support the legal status of the applicant, e.g. a certificate of company registration (as required for Section 2)?
- supplied statements about organisational structure, foreign ownership, current or proposed research, relationships with other entities, background information about the applicant and TIO membership (as required for Section 3)?
- provided information about the proposed network and technology to be deployed (as required for Section 4)?
- attached information describing the geographic coverage of the network, the market(s) proposed to be served, and the types of services intended to be supplied (as required for Section 5)?
- read and understood (and if necessary has sought professional advice on) the legal obligations that will apply to the applicant if a carrier licence is granted? (See the [Carrier Licensing Guide](#) for further information about a carrier's obligations.)
- read, signed and dated the declaration at the end of the form?