

From: Compliance Operations <Compliance.Operations@acma.gov.au>
Sent: Thursday, 22 February 2024 1:32 PM
To: [REDACTED]
Subject: Invitation to comment on use of devices to provide carriage services
[SEC=OFFICIAL]
Attachments: invitation to comment.docx

Attention: [REDACTED]

Dear Sir,

I am an inspector with the Australian Communications and Media Authority, Australia's regulator of radiocommunications, telecommunications and broadcasting.

Attached you will find correspondence which was sent to your postal address - [REDACTED]
[REDACTED], on 25 January 2024.

I note that we are yet to receive a response.

Please respond to this correspondence within 10 business days of the date of this email or contact me on the number below, should you wish to discuss the matter.

Kind regards,

Nic Jones
Compliance Officer
Monitoring and Compliance
Licensing and Infrastructure Safeguards Branch
Australian Communications and Media Authority
T +61 3 9963 6749
acma.gov.au

The ACMA acknowledges the traditional owners of country throughout Australia and their continuing connection to land, culture and community. We pay our respects to elders past, present and future.

22 February 2024

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Our ref: ACMA2023/89-43

Dear [REDACTED]

Invitation to comment on use of devices

The Australian Communications and Media Authority (ACMA), Australia's regulator of radiocommunications, telecommunications and broadcasting, has reason to believe that you have engaged in conduct which may contravene Section 42 of the Telecommunications Act 1997 (**the Act**).

The ACMA has received information which indicates that you have affixed a radiocommunications device to the roof of your residence at [REDACTED], and you are using that radiocommunications device to supply internet services/ data services to nearby residents.

We wish to make you aware that the Act contains a framework for the licensing and use of devices (network units) to provide internet/data (carriage services) to the public. Please be aware that using network units to provide carriage services to the public without the appropriate licensing (carrier licence or nominated carrier declaration) is a serious offence under section 42 of the Act, fines may be up to 20,000 penalty units for each day the contravention continues. A single penalty unit is currently \$313.00

Actions requested

We now invite you to write to the ACMA and provide information responding to the contents of this letter. Please provide a response within 14 days of the date of this letter. In your response please provide the following information:

1. Provide information and technical specifications of the device described above.
2. Provide information about the network you have setup and how it is operated, including the name, address and relationship to you of any other persons/entities you may be providing services to.

3. Any other information or material you believe to be a relevant to the ACMA's consideration of this matter.

You may wish to seek legal advice in respect of the contents of this letter.

Please contact Nic Jones at the ACMA on (03) 9963 6749 or via email at Compliance.Operations@acma.gov.au should you wish to discuss this matter.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Melissa Moroney', with a stylized, flowing script.

Melissa Moroney

Manager
Monitoring and Compliance Section
Australian Communications and Media Authority