Security of Critical Infrastructure (Application) Amendment (Critical Telecommunications Assets) Rules 2024

I, Tony Burke, Minister for Home Affairs and Minister for Cyber Security, make the following rules.

Dated 2024

Tony Burke **EXPOSURE DRAFT ONLY—NOT FOR SIGNATURE**
Minister for Home Affairs
Minister for Cyber Security

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1 Name

This instrument is the *Security of Critical Infrastructure (Application) Amendment (Critical Telecommunications Assets) Rules 2024*.

2 Commencement

This instrument commences on the later of:

(a) the day after this instrument is registered; and

(b) immediately after the commencement of Parts 1 and 2 of Schedule 5 to the *Security of Critical Infrastructure and Other Legislation Amendment (Enhanced Response and Prevention) Act 2024*.

3 Authority

This instrument is made under section 61 of the *Security of Critical Infrastructure Act 2018*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

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Schedule 1—Amendments

Security of Critical Infrastructure (Application) Rules (LIN 22/026) 2022

1 Section 3 (after the definition of *regulated air cargo agent*)

Insert:

relevant carriage service provider asset is a critical infrastructure asset owned or operated by a carriage service provider where:

(a) the asset is used in connection with the supply of at least 20,000 active total carriage services including any of the following:

(i) broadband services;

(ii) fixed telephone services;

(iii) public mobile telecommunications services;

(iv) voice only services; or

(b) the responsible entity for the asset is aware that the asset is used in connection with carriage services supplied to Commonwealth entity (other than a body corporate established by a law of the Commonwealth).

2 Section 3

Insert:

Act means the *Security of Critical Infrastructure Act 2018*.

3 At the end of subsection 4(1)

Add:

; (n) a critical telecommunications asset that is:

(i) owned or operated by a carrier; or

(ii) a relevant carriage service provider asset.

Note A data storage system that meets all of the requirements under subsection 9(7) of the Act in respect of a critical infrastructure asset specified in subsection (1) is taken to be part of the critical infrastructure asset.

4 At the end of subsection 5(1)

Add:

; (u) a critical telecommunications asset that is:

(i) owned or operated by a carrier; or

(ii) a relevant carriage service provider asset.

Note A data storage system that meets all of the requirements under subsection 9(7) of the Act in respect of a critical infrastructure asset specified in subsection (1) is taken to be part of the critical infrastructure asset.

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