



**Telecommunications and Other
Legislation Amendment (Protection of
Submarine Cables and Other Measures)
Act 2005**

No. 104, 2005

**An Act to provide for the protection of submarine
cables, and for other purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

10 Prohibited activities

- (1) A declaration of a protection zone may specify activities that are prohibited in the protection zone.
- (2) If a declaration of a protection zone does not specify activities that are prohibited in the protection zone, the activities specified in subclause (4) are prohibited.
- (3) An activity which is specified in a declaration of a protection zone must be an activity that is covered by subclause (4).
- (4) This subclause covers the following activities:
 - (a) the use of:
 - (i) trawl gear that is designed to work on or near the seabed (for example, a demersal trawl); or
 - (ii) a net anchored to the seabed and kept upright by floats (for example, a demersal gillnet); or
 - (iii) a fishing line that is designed to catch fish at or near the seabed (for example, a demersal line); or
 - (iv) a dredge; or
 - (v) a pot or trap; or
 - (vi) a squid jig; or
 - (vii) a seine; or
 - (viii) a structure moored to the seabed with the primary function of attracting fish for capture (for example, a fish aggregating device);
 - (b) towing, operating, or suspending from a ship:
 - (i) any item mentioned in paragraph (a); or
 - (ii) a net, line, rope, chain or any other thing used in connection with fishing operations;
 - (c) lowering, raising or suspending an anchor from a ship;
 - (d) sand mining;
 - (e) exploring for or exploiting resources (other than marine species);
 - (f) mining or the use of mining techniques;
 - (g) any activity that involves a serious risk that an object will connect with the seabed, if a connection between the object and a submarine cable would be capable of damaging the cable;

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- (h) an activity specified in the regulations, being an activity that, if done near a submarine cable, would involve a serious risk of damaging the cable.

11 Restricted activities

- (1) A declaration of a protection zone may specify restrictions that are imposed in the protection zone on activities in the protection zone.
- (2) An activity on which restrictions are imposed must be an activity that is covered by subclause (3).
- (3) This subclause covers the following activities:
 - (a) the use of:
 - (i) a net that is above the seabed at all times; or
 - (ii) lures or baits attached to a line towed behind a ship;
 - (b) towing, operating, or suspending from a ship:
 - (i) any item mentioned in paragraph (a); or
 - (ii) a net, line, rope, chain or any other thing used in connection with fishing operations;
 - (c) fishing using a line;
 - (d) installing, maintaining or removing an electricity cable, an oil or gas pipeline, any like cables or pipelines and any associated equipment;
 - (e) constructing, maintaining or removing an installation for the use of ships;
 - (f) constructing or maintaining navigational aids;
 - (g) any activity that involves a risk that an object will connect with the seabed, if a connection between the object and a submarine cable would be capable of damaging the cable;
 - (h) an activity specified in the regulations, being an activity that, if done near a submarine cable, could involve a risk of damaging the cable.

12 Conditions

- (1) A declaration of a protection zone may be subject to any conditions that the ACA considers appropriate.
 - (2) Those conditions must be specified in the declaration.
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