



National Broadband Network Companies Amendment (Commitment to Public Ownership) Act 2025

No. 27, 2025

**An Act to amend the law relating to companies
associated with the national broadband network,
and for related purposes**

Note: An electronic version of this Act is available on the Federal Register of Legislation
(<https://www.legislation.gov.au/>)

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No. 27, 2025

**An Act to amend the law relating to companies
associated with the national broadband network,
and for related purposes**

[Assented to 27 March 2025]

The Parliament of Australia enacts:

*No. 27, 2025 National Broadband Network Companies Amendment (Commitment to
Public Ownership) Act 2025 1*

1 Short title

This Act is the *National Broadband Network Companies Amendment (Commitment to Public Ownership) Act 2025*.

2 Commencement

- (1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this Act	The day after this Act receives the Royal Assent.	28 March 2025

Note: This table relates only to the provisions of this Act as originally enacted. It will not be amended to deal with any later amendments of this Act.

- (2) Any information in column 3 of the table is not part of this Act. Information may be inserted in this column, or information in it may be edited, in any published version of this Act.

3 Schedules

Legislation that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

National Broadband Network Companies Act 2011

1 Paragraphs 3(1)(b) and (c)

Repeal the paragraphs, substitute:

- (b) to ensure that NBN Co remains in Commonwealth ownership.

2 Section 4 (paragraph beginning “The Commonwealth ownership provisions”)

Repeal the paragraph.

3 Section 4 (paragraph beginning “NBN Co must take all reasonable steps”)

Repeal the paragraph.

4 Section 4 (note 1)

Omit “Note 1:”, substitute “Note:”.

5 Section 4 (note 2)

Repeal the note.

6 Section 5

Repeal the following definitions:

- (a) definition of *declared pre-termination period*;
- (b) definition of *declared sale deferral period*;
- (c) definition of *financial product*;
- (d) definition of *hybrid-security issuer company*;
- (e) definition of *listed disclosing entity*;
- (f) definition of *listing market*;
- (g) definition of *listing rules*;
- (h) definition of *NBN Co sale scheme*;
- (i) definition of *Parliamentary Joint Committee on the Ownership of NBN Co*;

- (j) definition of *Productivity Minister*;
- (k) definition of *sale-scheme hybrid security*;
- (l) definition of *sale-scheme trust deed*;
- (m) definition of *sale-scheme trustee*.

7 Section 5 (definition of securities)

Omit “(except in section 55)”.

8 Section 5 (definition of *unacceptable private ownership or control situation*)

Repeal the definition.

9 Section 8 (note 1)

Omit “Note 1:”, substitute “Note:”.

10 Section 8 (note 2)

Repeal the note.

11 Subsection 34(2)

Repeal the subsection.

12 Section 43

Repeal the section, substitute:

43 Simplified outline of this Part

Parliament’s intention is that the national broadband network is operated by NBN Co.

Under provisions called the Commonwealth ownership provisions, the Commonwealth must retain ownership of NBN Co.

13 Before Subdivision A of Division 2 of Part 3

Insert:

Subdivision AA—Infrastructure of national significance

43A Parliament’s intention in relation to operation of the national broadband network and ownership of NBN Co

It is the Parliament’s intention, in recognition of the importance of the national broadband network as nation-wide infrastructure, that:

- (a) the national broadband network is operated by NBN Co; and
- (b) NBN Co remains wholly owned by the Commonwealth.

14 Section 45 (note)

Repeal the note.

15 Section 46 (note)

Repeal the note.

16 Subdivisions B and C of Division 2 of Part 3

Repeal the Subdivisions.

17 Division 3 of Part 3

Repeal the Division.

18 Section 75

Repeal the section.

19 Part 4

Repeal the Part.

20 Subsection 98A(3)

Omit “makes a declaration under section 48”, substitute “made a declaration under repealed section 48”.

21 At the end of subsection 98A(3)

Add:

Note: The declaration under repealed section 48 was made on 11 December 2020.

22 Subsection 98A(5)

Omit “makes a declaration under section 48”, substitute “made a declaration under repealed section 48”.

23 At the end of subsection 98A(5)

Add:

Note: The declaration under repealed section 48 was made on 11 December 2020.

24 Subsection 99(1)

Omit “(other than section 48)”.

25 Subsection 99(2)

Omit “(other than section 50)”.

26 Schedule 2

Repeal the Schedule.

Telecommunications Act 1997

27 Subparagraph 143E(2)(b)(ii)

Omit “makes a declaration under section 48”, substitute “made a declaration under repealed section 48”.

28 At the end of subsection 143E(2)

Add:

Note: For the purposes of subparagraph (2)(b)(ii), the declaration under repealed section 48 of the *National Broadband Network Companies Act 2011* was made on 11 December 2020.

[Minister’s second reading speech made in—
House of Representatives on 9 October 2024
Senate on 25 November 2024]

(125/24)
