

# Bird & Bird Satellite Bulletin

October 2015



## *Australia Update: Launch of Sky Muster and Review of Regulatory Framework*

Bringing ubiquitous broadband to citizens is a common policy goal of governments worldwide. In Australia, there are unique challenges to realising this goal including the country's relatively large landmass and low population density unevenly spread across it. Satellite technology is a key means to deliver broadband to rural and remote Australians and the Australian Government has made significant investment in satellite infrastructure as part of its policy objective of rolling out national broadband infrastructure.

On 1 October 2015, "nbn co" (the Australian Government owned corporation established in 2009 to design, build and operate the national broadband network, or "nbn", on a wholesale basis) and its aerospace contractors launched the first of two purpose-built satellites, "Sky Muster" from the Guiana Space Centre in French Guiana.

In the coming weeks it is expected that Sky Muster will settle into its orbital slot and commence testing and operation with commercial services beginning around April 2016. Sky Muster:

- was built by Space Systems/Loral (SSL), will be controlled by Optus and its 10 ground stations will be operated by ViaSat;
- will project 101 spot beams covering the whole of Australia as well as Christmas, Cocos, Lord Howe, Norfolk and Macquarie Islands;
- will operate in the Ka Band frequency of 26.5-40 GHz; and
- is anticipated to offer wholesale access speeds of up to 25 Mbps download and 5 Mbps upload speeds.

A second satellite will be launched in mid-2016.

Prior to the launch of Sky Muster, nbn co had in place an interim satellite service, supported by a

subsidy scheme to defray some of the costs. Sky Muster is the first part of the Australian Government's long-term satellite service which will bring much improved broadband connectivity to those living in regional and remote areas of Australia.

On 24 October 2015, the Government announced that it will conduct a review of Australia's existing space legislative and regulatory framework.<sup>1</sup> The review will assess whether the existing framework is appropriate for current and future advancements in space technologies, and provides an appropriate balance between supporting emerging commercial opportunities and ensuring that Australia meets its international obligations for the use of space. We will comment about the outcome of this in a later Bulletin.

For more information on this topic or our satellite group please contact:

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<sup>1</sup><http://www.industry.gov.au/industry/IndustrySectors/space/Pages/Review-of-the-Space-Activities-Act-1998.aspx>

## Bird & Bird's Satellite Group

Bird & Bird's satellite group are international specialists with a unique reputation and track record in the industry. Through many years of experience working in-house, at regulators, in international institutions (EC, ESA, ITU, UN) and in private practice, we have built an extensive footprint of expertise and knowledge. Possessing a genuine interest in the sector, our team assist clients in many areas including: regulatory advice, industry specific commercial contacts, competition, corporate, finance, dispute resolution, employment, and insurance.

Our international team offers clients a one-stop shop to address the issues they face, with expert lawyers across Europe, the Middle East, Asia, and strong experience in Africa.

Our satellite group fits neatly within Bird & Bird's world leading Tech & Comms sector group, which offers advice in related sectors such as: energy and utilities, life sciences, transport and maritime, aerospace, defence and security, aviation, financial services, and healthcare. Bird & Bird also house a team focused on SMEs and the needs of start-ups.

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