

"Telecommunications law, Australian perspectives"

Alan Robertson reviews the first Australian text on this area

The stated aim of this book is to provide public access to the widest range of experience, and insights from experts concerned with making and reforming the laws and applying them in practices.

The question to be answered, therefore, is whether it achieves that laudable aim.

Note that the target is 'public access', so that it is apparently not meant to be a specialised reference work only for lawyers. The texts I sampled - and that is most of them - are very readable. Potential readers who are not lawyers can be reassured that they will not suffer the mind-numbing that may have occurred when struggling with some other legal commentaries.

In all, the book follows the excellent example set by Justice Michael Kirby, whose Foreword is both interesting and informative, while, at the same time giving a brief survey of how some contributors' perspectives differ from one another.

I believe that the aim of appealing to a wider public interest has been achieved. By offering a range of different views, rather than having all contributors follow a common line, the work achieves balance.

The scope of the book

Some idea of the scope of the book can be gained from the subject matter of chapters. These begin with an outline of how the telecommunications regulatory environment has developed from colonial times, through federation, up to the 1989 Telecommunications Act, with expectations of more to follow as a result of the government's review of the role of and relationship between, the public telecommunications carriers. Different perspectives of the 1989 Act, and how it came about, are then discussed before we get to specifics. These cover private networks, resale and interconnect, value added services, cabling, Telecom's joint ventures, international regulations, electronic data interchange, regulatory approvals by Telecom before 1989 and by AUSTEL since then, the Trade Practices Act and the role of competition law.

The last six chapters are concerned with Telecom's community service obligations, social responsibilities of government-owned utilities, fair pricing of monopoly services, the alternative of competition, and the con-

sumer protection which the Ombudsman can provide for users.

Altogether the coverage is thorough and comprehensive. Many people in the industry may be reasonably familiar with a lot of the matters discussed but will still find this collection of topics and the manner they are dealt with most useful. Newcomers to the Australian regulatory environment, or those whose employment in the industry has not involved them in policy issues to any extent will find this an invaluable reference. The convenience of having one volume containing details of the more important events and decisions of the last ten years or so should appeal to a wide range of people.

Other aspects

The main index is detailed. Using it to check on the inclusion of a number of different matters of particular interest to me did not show up any deficiencies. The dreaded 'cadastral separation' requirement, which is going to plague many of us until the law is changed, gets a mention by three of the contributors, for instance.

As well as the main index there is a very useful legislation index, although I suspect that will be of more interest to lawyers than to general readers. Diagrams, tables and appendices are given a separate listing and are consequently easy to find. Brief biographical notes are provided for all contributors and there is a glossary of abbreviations.

As to the production of the book, the typeface is clear and big enough so that those of us over forty will have no trouble reading it. The binding looks durable; the artwork of the cover is distinctive without being pretentious. It should be easily spotted on the bookshelf.

In summary, "Telecommunications Law" should be a most welcome reference for a wide cross-section of people in the industry. We all need to be better informed on the issues it covers. It will be a comfort to have it handy, and be able to quote from it. At \$78 a copy - including postage - it won't break anyone's bank. Besides, it should be tax deductible.

The editor, Professor Armstrong, his sponsors at CIRCIT and the individual contributors are to be congratulated on a timely

and very useful book. Highly recommended.

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Holes in the net from p20

links were removed, then users with modems or radiolinks would take over. Admittedly costs would increase and volume decline, but USENet would survive, even over Australia's long-haul distances.

Net Value

The net is a living organism, an information bazaar of staggering variety and scope. Despite the pettiness and immaturity of the minority, some of the best minds in the world grace the net with their presence. Problems are solved, issues are clarified. The net has a culture and etiquette all of its own. For some months now, professional and amateur astronomers have been discussing and calculating the best way to deflect large asteroids that could be on a collision course with Earth. It is difficult to think of any other medium that could bring so many first-rate minds together so easily and for such an important technical problem.

What people do with the net will challenge legal minds, transborder agreements, and especially our social mores and cultural values. Until now it has been an unregulated combination of intellectual feast and interpersonal vomit. What happens to it now and what AARNet's contribution to it will be is anyone's guess. Hopefully, some combination of public debate and bean counting will determine what it becomes and what it is for.

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