

Telecommunications Act review: Public Questions and Answers

What is the Review about?

The Review is about assessing whether the current regulatory framework for telecommunications in New Zealand is the optimal one for competition, investment and innovation after 2020.

We've seen massive changes in markets and technology since 2001 when the Telecommunications Act was first introduced, and there's been some uncertainty in the way the Act works.

The review aims to establish a durable and flexible framework that will support ongoing innovation and investment following the completion of the Ultra-Fast Broadband (UFB) roll-out post 2020.

The review forms part of Government's wider work on convergence and digital disruption. Two other papers, the Convergence Green Paper, and the Content and Convergence Review, have already been released.

What are you trying to achieve?

The goal is to develop a framework that supports competition, innovation, and efficient investment for the long-term benefit of telecommunications users and for New Zealanders.

We have already significantly improved New Zealanders' access to high quality connectivity through the UFB and RBI programmes.

It is important to get the regulatory settings right to build on these opportunities and support growth across the economy.

Why do we need this Review now?

The New Zealand communications market has undergone fundamental change since industry-specific regulation was introduced in 2001 via the Telecommunications Act 2001 (the Act). The pace and impact of change has major implications for the design of our regulatory frameworks.

The 2011 amendments to the Act anticipated the need for Government to respond to these changes. The Act requires the Minister for Communications to conduct a review of the policy framework for regulating telecommunications services in New Zealand.

There has also been substantial change in the markets and technology that the Act framework regulates since its introduction. In particular the trend of 'convergence' has emerged where multiple, formerly distinct sectors are converging into a broader communications sector. The framework was designed for a different, pre-convergence era, and it may need reform to keep up with the pace of change.

This is an opportunity to increase stability and certainty in our regulatory processes, after the separation of Telecom and the rollout of UFB. We need to clarify the way UFB will be regulated after 2020, and we need to maintain and build on competition in mobile markets.

Key things the review will look at include:

- How to ensure New Zealand's communications regulatory systems are best set up to address the reality of a converged sector, and to regulate consistently across networks and content;

- Whether our communications regulatory systems are keeping up with the rapid pace of change in technology and markets (for example, in addressing new issues like net neutrality);
- Whether our communications regulatory systems need to be adapted to reflect the modern environment, given they were designed for a different era;
- How to minimise uncertainty in the operation of the telecommunications regulatory regime; and
- How to maintain and build on competition in mobile markets.