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Feedback on telecommunications regulatory and funding frameworks
Ministry of Business, Innovation and Employment

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RURAL WOMEN NEW ZEALAND (INC) SUBMISSION

Feedback on telecommunications regulatory and funding frameworks

Introduction

Rural Women New Zealand (RWNZ) welcomes the opportunity to provide feedback to the Ministry of Business, Innovation and Employment (MBIE) on the telecommunications regulatory and funding frameworks.

Comments

RWNZ's feedback on the options contained in the discussion document are set out in the following table.

Issue	Options	Position
Consumer access to dispute resolution	<ol style="list-style-type: none"> 1. Status Quo 2. Making membership in an industry dispute resolution scheme mandatory 	<p>Rural Women New Zealand supports Option 2</p> <p>RWNZ Comment: We are in support of this option as we consider it is important to give all consumers of telecommunications services access to free and impartial dispute resolution (particularly in relation to the 111 Contact Code and Copper Withdrawal Code).</p>
Accessing shared property for fibre installations - Issue 1	<ol style="list-style-type: none"> 1. Status Quo - statutory rights expire on 1 January 2025 2. Reinstate the rights for access for new fibre installs after the rights expire 	<p>Rural Women New Zealand supports Option 2 in principle, subject to feedback MBIE receives from fibre providers on this issue and option.</p>
Accessing shared property for fibre installations - Issue 2 (High impact installations)	<ol style="list-style-type: none"> 1. Status Quo - not extended to high impact 2. Expanded to high impact 	<p>Rural Women New Zealand comment:</p> <p>We propose that expanding to high impact installations and allowing rights without an order (Issues 2 and 3) should be given further consideration before selecting a preferred option.</p> <p>We note that:</p> <ul style="list-style-type: none"> • the last 10% is often the hardest and they will likely be the situations with these kind of issues at the forefront; • if we have the most restrictive legislation on what will be the hardest situations to get fibre to, then we may be disadvantaging those situations/extending fibre installation timeframes.
Accessing shared property for fibre installations - Issue 3 (Installing without a retail connection order)	<ol style="list-style-type: none"> 1. Status Quo - require a retail order before rights can be invoked 2. Allow rights without an order 	<p>Rural Women New Zealand comment:</p> <p>Please see comment above.</p>
Telecommunications Levy Settings (Including new liable persons)	<ol style="list-style-type: none"> 1. Status Quo - Do not alter the existing provisions 2. Legislative change – amend liability provisions 	<p>Rural Women New Zealand supports Option 2</p> <p>RWNZ Comment: We agree that it is pragmatic for the levy liability regime to be flexible enough to respond to market changes.</p>

Issue	Options	Position
	to capture all satellite providers and/or future-proof provisions (MBIE's preferred option)	<p>We note and support the listed anticipated benefits, 'Would promote a level playing field, as the levies would apply to all service providers who meet the revenue threshold and are benefiting from providing services to New Zealanders and operating in the regulated market.'</p> <p>With regards to this consideration:</p> <p>'Providers brought into scope may pass any levy costs onto consumers, increasing the costs of these products'.</p> <p>RWNZ recommends that adequate safeguards are included in any legislative amendments to limit costs passed on to consumers.</p>
Telecommunications Levy Settings (Process to set levy amount)	<ol style="list-style-type: none"> 1. Status Quo - amount remains that set in the Act (\$10m pa) 2. Legislative change to provide for the levy to be set in regulations 	<p>Rural Women New Zealand supports Option 2</p> <p>The discussion document notes: 'We consider the current framework does not allow enough flexibility to address changes in telecommunications markets. This could result in diminished connectivity outcomes for consumers, as the Government may be unable to fund services that would otherwise not be offered commercially, or are offered, but not at an affordable price. For instance, we are aware that some rural communities still have challenges accessing high-quality connectivity and that this is an issue that may need to be addressed with further investment.'</p> <p>RWNZ strongly supports the above comment regarding connectivity challenges for rural communities. We welcome MBIE's consideration of how best to ensure critical infrastructure is in place to support our rural communities.</p>
Identifying participants in the market	<ol style="list-style-type: none"> 1. Status Quo - no obligation for participants to identify themselves 2. Mandatory registration requirement for market participants 	<p>Rural Women New Zealand supports Option 2</p> <p>We note the anticipated benefits that mandatory registration requirement would:</p> <ul style="list-style-type: none"> • Allow the Commerce Commission to accurately identify market participants for monitoring and compliance purposes. • Reduce risk of non-compliance for providers, and in turn benefit consumers.
Enhancing information flow to the Emergency Location Information	<ol style="list-style-type: none"> 1. Status Quo - voluntary contractual arrangements 	<p>Rural Women New Zealand supports Option 2</p> <p>The discussion document notes:</p>

Issue	Options	Position
System	2. Regulating the provision of emergency location information to the Emergency Location Information System in the Act (MBIE's preferred option)	<p>'The Emergency Location Information System enables emergency service providers (Fire, Ambulance and Police) to collect and use emergency location information from telecommunications agencies. The information is a crucial component of New Zealand's emergency response system. For example, it allows emergency services to quickly find the location of someone making a 111 call by locating their mobile phone.</p> <p>... Should any current or new telecommunications agency decide not to support the Emergency Location Information System this would jeopardise the provision of the information, slowing emergency response times and potentially putting lives at risk.'</p> <p>RWNZ strongly supports regulation to require telecommunications agencies to provide location information through the Emergency Location Information System.</p> <p>It is critically important for emergency services to be able to locate someone as quickly as possible in remote, rural, extensive land areas (e.g. forests, farms, isolated roads), by locating the mobile phone of someone making a 111 call. This warrants regulation through the Act to ensure it endures without any future issues that may arise through the voluntary contractual system.</p>

Broader Context

RWNZ has also submitted on the Copper Services Investigation. We have included our submission link for MBIE's information, due to its interconnection with this telecommunications consultation [RWNZ+Submission+-+Copper+Services+Investigation+Final.pdf \(squarespace.com\)](#).

The Ministry for Primary Industries Rural Proofing Policies Checklist [Rural Proofing Policies Checklist \(mpi.govt.nz\)](#) is a useful tool for considering the needs of rural communities. MBIE may wish to use this tool when developing detailed options analysis, following this consultation process.

Thank you for the opportunity to provide feedback.

About Rural Women New Zealand

Rural Women New Zealand (RWNZ) is a not-for-profit, member-based organisation that reaches into all rural communities to provide a credible and respected voice on rural environment, health, education, technology, business and social issues.

RWNZ strives to ensure that all rural residents, workers and families have equitable access to services, inequalities are addressed by Government, and the wellbeing of rural communities is considered from the beginning of all policy and legislative development.

RWNZ is affiliated to the Associated Country Women of the World and as such upholds all United Nations, International Labor Organisation (ILO), Food and Agriculture Organisation (FAO) and World Health Organisation (WHO) conventions and outcome statements as they relate to women and rural women in particular.

Nāku iti noa, nā

A handwritten signature in dark ink, appearing to read 'Gabrielle O'Brien', with a horizontal line extending to the right.

Gabrielle O'Brien
Chief Executive Kaiwhakahaere Mataamua