



## COVERSHEET

<b>Minister</b>	Hon Kris Faafoi	<b>Portfolio</b>	Broadcasting Communications and Digital Media
<b>Title of Cabinet paper</b>	Fibre regulations under the Telecommunications Act 2001	<b>Date of release</b>	22/05/19

### List of documents that have been proactively released

<b>Date</b>	<b>Title</b>	<b>Author</b>
03/04/2019	Fibre regulations under the Telecommunications Act 2001	Minister of Broadcasting Communications and Digital Media
03/04/2019	DEV-19-MIN-0054 Minute	Cabinet Office

**Information redacted**

**YES / NO** (*please select*) – N/A No redactions



# Cabinet Economic Development Committee

## Minute of Decision

*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

### Fibre Regulations under the Telecommunications Act 2001

**Portfolio**                      **Broadcasting, Communications and Digital Media**

On 3 April 2019, the Cabinet Economic Development Committee:

- 1        **noted** that the Telecommunications Act 2001 was amended in November 2018 to create a new framework for the regulation of wholesale fibre services;
- 2        **noted** that, as part of this new regulatory framework, certain regulations need to be made to identify the wholesale fibre companies that are subject to price-quality and information disclosure regulations, and to declare certain fibre fixed line access services to be Anchor Services or Direct Fibre Access Services;
- 3        **agreed** that regulations be made to
  - 3.1        prescribe that Chorus Limited be subject to price-quality regulation and information disclosure regulation in relation to its existing fibre fixed line access services;
  - 3.2        prescribe that UltraFast Fibre Limited, Enable Networks Limited, Northpower Fibre Limited, and Northpower LFC2 Limited be subject to information disclosure regulation in relation to their existing fibre fixed line access services;
  - 3.3        declare Chorus Limited's voice-only Ultra Fast Broadband (UFB) service and 100Mbps/20Mbps UFB broadband service to be Anchor Services, ensuring that the prescribed description and conditions for these services will not be materially different from the services and conditions described in Chorus Limited's UFB contracts;
  - 3.4        declare Chorus Limited's UFB service that connects large commercial users, mobile cell sites or fixed wireless sites to the network to be a Direct Fibre Access Service, ensuring that the prescribed description and conditions will not be materially different from the services and conditions described in Chorus' UFB contracts;
- 4        **authorised** the Minister of Broadcasting, Communications and Digital Media to:
  - 4.1        issue drafting instructions to the Parliamentary Counsel Office to give effect to the above paragraphs;
  - 4.2        approve and release an exposure draft of the regulations when available, and related commentary, for consultation with the telecommunications industry;

- 4.3 make decisions consistent with proposals outlined in the paper under DEV-19-SUB-0054 on minor issues that arise during the drafting process.

Janine Harvey  
Committee Secretary

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**Present:**

Hon Kelvin Davis  
Hon Grant Robertson (Chair)  
Hon Phil Twyford  
Hon David Parker  
Hon Nanaia Mahuta  
Hon Stuart Nash  
Hon Iain Lees-Galloway  
Hon Jenny Salesa  
Hon Damien O'Connor  
Hon Julie Anne Genter  
Hon Eugenie Sage

**Officials present from:**

Officials Committee for DEV

**Hard-copy distribution:**

Minister of Broadcasting, Communications and Digital Media