

THE TELECOMMUNICATIONS (PROPERTY ACCESS AND OTHER MATTERS)  
AMENDMENT BILL

The Internet Service Providers Association of New Zealand (Inc) (ISPANZ) is the industry body representing small to medium sized internet service providers (ISPs). We welcome this Bill. It directly addresses one of the larger concerns that our members have with the provision of new fibre connections; the extension of lead time involved when a local fibre company (LFC) defines a new installation as a multi-dwelling unit (MDU). We consider that, with one minor amendment, the provisions in this Bill, if enacted, will enable installations to be processed promptly and will enable our members to communicate realistic installation timeframe expectations to their customers.

We submit the following specific comments, which include one minor proposed amendment:

1. We agree with the two installation categories.
2. We consider that the rights of access for design purposes detailed in s 155Q are essential. Access for design purposes requires access to wiring closets which are normally locked, and are therefore probably not areas "that unit owners are able to freely access on a day-to-day basis". To overcome this issue an amendment to s 155Q(3) is needed. An additional sentence could be added along the following lines; "Such access shall not be unreasonably withheld and shall be granted within one working day of a request being received."
3. We consider that the ongoing right to access infrastructure for inspection and maintenance detailed in ss 155ZD and 155ZE is essential.
4. We note that dispute resolution is through the District Court rather than the Telecommunications Dispute Resolution Service and agree that this is appropriate.
5. We agree with the liability allocation process.

In addition to the matters addressed specifically by this Bill, our members are concerned that there appears to be little oversight of, or accountability by, some LFCs. Installation timeframes and quality have both been mentioned as issues. If appropriate in this Bill, we would welcome Crown Fibre Holdings having a more active oversight and auditing function covering LFC performance related to new fibre connections.

ISPANZ is happy for this submission to be made public and does not wish to be heard orally.



David Haynes

Chief Executive

10<sup>th</sup> August 2016