



Australian Government

Department of Communications and the Arts

Mr Wayne Poels
Executive Director
Office of Best Practice Regulation
Department of the Prime Minister and Cabinet
One National Circuit
BARTON ACT 2600

Dear Mr Poels

Carrier Licence Conditions (Networks supplying Superfast Carriage Services to Residential Customers) Declaration 2014

I am writing to the Office of the Best Practice Regulation (OBPR) regarding the *Carrier Licence Conditions (Networks supplying Superfast Carriage Services to Residential Customers) Declaration 2014* (CLCs), which were due to sunset on 30 June 2018 in accordance with section 3 of the CLCs. The Minister for Communications and the Arts has decided to extend the CLCs to 30 June 2020, thereby remaking them, without significant amendment.

The Department of Communications and the Arts certifies that the CLCs are operating effectively and efficiently, and that a Regulation Impact Statement was therefore not required for this regulation to be remade. The assessment that the regulation is operating effectively and efficiently has been informed by a consultation process which involved carriers and the general public, over the period 24 April 2018 to 23 May 2018. The Department received three public submissions (from Telstra, Optus and OPENetworks) and one confidential submission. No submissions opposed extending the CLCs. Optus stated that ‘...the CLCs have so far achieved its objective of facilitating a fair and more competitive fixed services environment at both consumer and wholesale levels’.

The Telecommunications Legislation Amendment (Competition and Consumer) Bill 2017 is currently before Parliament and includes clauses to extend the CLCs indefinitely, grandfathering existing arrangements for networks affected by the CLCs. The extension of the CLCs to 30 June 2020 allows this grandfathering to occur, and maintains regulatory certainty while the Bill is considered.

I acknowledge that OBPR will publish this letter for transparency purposes.

If you have any queries, please contact Daniel Tangri on 6271 1047, or Daniel.Tangri@communications.gov.au.

A handwritten signature in black ink, appearing to read 'Tristan Kathage'.

Tristan Kathage
A/g Assistant Secretary
Competition Branch
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