



COVERSHEET

Minister	Hon Paul Goldsmith	Portfolio	Media and Communications
Title of Cabinet paper	Urgent Amendment to Support Continued Fibre Uptake	Date to be published	30 October 2024

List of documents that have been proactively released

Date	Title	Author
August 2024	Urgent Amendment to Support Continued Fibre Uptake	Office of the Minister for Media and Communications
12 August 2024	Urgent Amendment to Support Continued Fibre Uptake CBC-24-MIN-0080 Minute	Cabinet Office

Information redacted

YES / NO (please select)

Any information redacted in this document is redacted in accordance with MBIE's policy on Proactive Release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Some information has been withheld for reasons of Commercial Information and Constitutional conventions



Cabinet Business 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.

Urgent Amendment to Support Continued Fibre Uptake

Portfolio **Media and Communications**

On 12 August 2024, the Cabinet Business Committee:

- 1 **noted** that Subpart 3 of Part 4 of the Telecommunications Act 2001 (the Act) provides rights of access to shared property for fibre installations, which will expire on 1 January 2025;
- 2 **noted** that a continuation of the rights is required to support continued fibre uptake;
- 3 **noted** that the Parliamentary Business Committee has determined (under Standing Order 300(2)) that the Economic Development, Science and Innovation Committee is authorised, when considering the Regulatory Systems (Economic Development) Amendment Bill (the Bill), to consider and recommend the amendments to continue the provisions relating to shared property fibre installations, provided that the amendments are available to the Select Committee in an Amendment Paper and submissions are taken on it;
- 4 **noted** that the Minister for Media and Communications (the Minister) has support from the Minister responsible for the Regulatory Systems (Economic Development) Amendment Bill, to include the amendments outlined in paragraph 5 below in the Bill;
- 5 **agreed** that necessary amendments be made to the Act to ensure the continuation of:
 - 5.1 the rights to access shared property for fibre installations for a period of three years;
 - 5.2 the requirement to be a member of the prescribed dispute resolution scheme for a period of three years, so that it remains in place for one year after the new expiry date for the rights;
- 6 **invited** the Minister to issue drafting instructions to the Parliamentary Counsel Office for an Amendment Paper to give effect to the decision in paragraph 5;
- 7 **authorised** the Minister to make decisions on minor policy matters that may arise during the drafting process;
- 8 **authorised** the Minister to approve the Amendment Paper prepared by the Parliamentary Counsel Office for release without reference to the Cabinet Legislation Committee or Cabinet;

- 9 **authorised** the Minister to write to the Chair of the Economic Development, Science and Innovation Select Committee to ask the Committee to consult on and, if it sees fit, recommend the amendments set out in the Amendment Paper when it considers the Bill;
- 10 **noted** that the Minister may further report back to Cabinet later in 2024 with additional proposals on the operation and scope of the shared property access for fibre installations for the longer term, to be progressed in a separate legislative vehicle, depending on the outcomes of the recent discussion document titled *Enhancing Telecommunications Regulatory and Funding Frameworks*.

Jenny Vickers
Committee Secretary

Present:

Rt Hon Christopher Luxon (Chair)
Hon Nicola Willis
Hon Brooke van Velden
Hon Chris Bishop
Hon Dr Shane Reti
Hon Simeon Brown
Hon Paul Goldsmith
Hon Matt Doocey
Hon Simon Watts

Officials present from:

Office of the Prime Minister
Department of the Prime Minister and Cabinet