

WORLD TRADE ORGANIZATION

RESTRICTED

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Negotiating Group on Basic Telecommunications

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COMMUNICATION FROM NEW ZEALAND

Supplementary Information on the New Zealand Response to the Questionnaire on Basic Telecommunications

Supplement

With reference to document S/NGBT/W/3/Add.2 the following supplementary information is circulated at the request of New Zealand to Members of the Negotiating Group on Basic Telecommunications.

In light of the implementation of the Telecommunications (International Services) Regulations 1994, with effect from 1 March 1995, New Zealand wishes to update its response to the questionnaire on basic telecommunications (S/NGBT/W/3/Add.2 of 3 October 1994).

The suggested changes are as follows:

Part II: Overview

Telecommunications Legislation

Add "The Telecommunications (International Services) Regulations 1994".

Resale Basis

Amend paragraph 3 to read as follows:

"Under the Telecommunications (International Services) Regulations 1994, public switched services and those provided over leased lines are distinguished. Providers of public switched services will be granted registration subject only to certain administrative formalities being observed.

Providers of services supported by leased circuits interconnected at both ends will have their applications considered on the basis of:

- conditions for the reselling of leased circuits or services based on leased circuits, including any conditions relating to the connection of leased circuits to public networks in the territory concerned; or
- the level of harm to the interests of users of international telecommunications services in New Zealand that may occur through the materialization of a risk that may arise from the use of leased circuits to terminate traffic in New Zealand.

After assessment, any country may be listed as meeting the above criteria for the purposes of future applications regarding that country.

Providers of services which do not involve the establishment of physical facilities in New Zealand (e.g. marketing or billing operations for callback services) are not covered by the regulations, and are not required to register".

Part III: Regulatory Issues

Amend paragraph 22 to read:

"The New Zealand Government is not involved in the specific regulation of prices, which are set in accordance with normal commercial practice. However, it should be noted that the Telecommunications (International Services) Regulations provide, in certain defined circumstances, for the stipulation of the fee and/or method for terminating traffic to an overseas operator.

The regulations (including the discretion provided in the regulations to the Secretary of Commerce) are administered in an mfn-consistent manner, and do not constitute a limitation on national treatment".