



# New Zealand Gazette

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## ECONOMIC DEVELOPMENT

### TELECOMMUNICATIONS (OPERATIONAL SEPARATION) DETERMINATION 2007

PURSUANT TO SECTION 69G  
OF THE TELECOMMUNICATIONS ACT 2001

**Telecommunications (Operational Separation) Determination 2007**

On 26 September 2007, the Minister of Communications, pursuant to section 69G(1) of the Telecommunications Act 2001 ("the Act"), made a determination of further requirements for the operational separation of Telecom under section 69F of the Act by notice in writing to Telecom.

Section 69D of that Act provides that Telecom's separation plan must require a robust operational separation of Telecom. Some of the undertakings required by that section are—

- Telecom must establish and maintain a fixed network access service business unit, 1 or more business units which must provide a wholesale function for all relevant services, and 1 or more business units that provide 1 or more other functions (for example, retail); and
- Telecom must operate its fixed network access service business unit on a stand alone basis, at arm's-length from any other Telecom business unit; and
- Telecom must operate its wholesale business unit or units at arm's-length from any business unit that provides retail functions; and
- Telecom must operate any business unit that provides retail functions at arm's-length from any of Telecom's fixed network business units (whether access service units or other fixed network units).

The determination determines requirements with which Telecom's separation plan must comply, additional to those set out in Part 2A of the Act.

A public copy of the determination:

- (i) is available for inspection, free of charge, at the head office of the Ministry of Economic Development at 33 Bowen Street, Wellington (during ordinary office hours); and
- (ii) is available for inspection and download, free of charge, on the Ministry of Economic Development web site at  
[www.med.govt.nz](http://www.med.govt.nz)  
in an electronic form that is publicly accessible (at all reasonable times); and
- (iii) is available for purchase at a reasonable cost from all outlets that carry the Statutory Regulation series (SR 2007/302).

Dated at Auckland this 26th day of September 2007.

Hon David Cunliffe  
**Minister of Communications**