

**Senate Standing Committee on Environment and Communications**

**Answers to Senate Estimates Questions on Notice**

**Additional Estimates Spill-over hearing March 2017**

**Communications Portfolio**

**Department of Communications and the Arts**

**Question No: 311**

**Program 1.1**

**Hansard Ref: Written, 31/03//2017**

**Topic: Statutory Infrastructure Provider Regime**

**Senator Urquhart, Anne asked:**

1. Please confirm under the proposed SIP regime what minimum download speed a fixed-line carriage service must support in the fixed line footprint?
2. Please confirm under the proposed SIP regime what minimum upload speed a fixed-line carriage service must support in the fixed line footprint?
3. Must this minimum speed requirement be satisfied for an area to be adequately served?
4. If an NBN connection fails to be capable of offering a raw bitstream of that speed what recourse will be available to a consumer? What is the Government's policy on this?
5. Will this minimum speed requirement apply to NBN households in the existing RFS footprint?

**Answer:**

1. The exposure draft of the proposed Telecommunications Legislation Amendment (Competition and Consumer) Bill 2017 (the Bill) provided for a statutory infrastructure provider (SIP) to supply services so that a carriage service provider can supply retail fixed-line services with a download speed of normally 25 Mbps or more.
2. The exposure draft did not include requirements for upload speeds.
3. The proposed SIP regime has been designed in order to ensure that premises can receive an infrastructure connection and retail service providers have access to wholesale services supplied on that infrastructure. The regime does not preclude a provider other than the SIP from providing infrastructure to premises. 'Adequately served' has a specific meaning in relation to the NBN rollout under the 2012 Adequately Served Policy and should not be confused with the SIP regime.
4. SIP arrangements are proposed to be carrier licence conditions under the draft of the Bill, and therefore these requirements would be enforceable by the Australian Communications and Media Authority. The proposed legislation also allows the Minister to make standards, rules and benchmarks including rules about complaint handling mechanisms.
5. SIP regimes are expected to be in place all across Australia including areas where the NBN has already been rolled.