

Senate Standing Committee on Economics

ANSWERS TO QUESTIONS ON NOTICE

Treasury Portfolio

Additional Estimates 14 – 15 February 2007

Question: aet114 (ACCC)

Topic: Implications for the telecommunications access regime

Hansard Page: E22

Senator CONROY asked:

What would be the implications for the telecommunications access regime if Telstra's litigation was successful?

Mr Samuel—I do not think it is appropriate to comment on that, given that this is before the High Court at the moment. I think we need to await the adjudication of the High Court before we deal with that. As I indicated in my opening statement, we treat the current legislation as being valid. We will operate under the current legislation as if it is valid. If it is termed to be invalid then we will deal with that at the time, as no doubt will parliament.

Senator CONROY—You must have a general view about how it would impact on the access regime. Telstra are obviously saying it has got to throw it out. What impact would that have on the regulatory regime?

Mr Samuel—We will have to take that on notice. I do not think we have given it much consideration, which is not to say that we are treating the High Court case lightly, but I think we have more significant matters to deal with in the context of the administration of parts 11B and 11C than the current High Court challenge.

Answer:

It would be inappropriate to comment further on a matter before the court.