

ACCC (including AER) Regulatory Plan 2012/13

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PAST REGULATORY CHANGES

Type of entry	Past regulatory change – Revocation of permanent ban and imposition of a new permanent ban.
Title	<i>Competition and Consumer Act 2010 - Consumer Protection Notice No. 24 of 2011 - Revocation of existing permanent ban on miniature motorbikes (monkey bikes) with unsafe design features and imposition of new permanent ban on miniature motorbikes (monkey bikes) with unsafe design features.</i>
Description of issue	<p>Amendment to the permanent ban so that only miniature motorbikes with unsafe design features that are powered by internal combustion engine, will be subject to the ban.</p> <p>The current instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2011L01702].</p>
Date of effect	This regulation commenced on 20 August 2011.
Contact details	<p>Simon Bell Product Safety Branch P: 02 6243 1232 E: productsafety.regulation@accc.gov.au</p>

Type of entry	Past regulatory change – Interim ban.
Title	<i>Competition and Consumer Act 2010 - Consumer Protection Notice No. 26 of 2011 - Interim Ban Notice: babies' dummies to which there are crystals, beads or other similar ornaments attached to the ring or handle or plug or shield.</i>
Description of issue	<p>The instrument temporarily banned the supply of babies' dummies with crystals, beads or other similar ornaments attached to the ring, handle, plug or shield of the dummy.</p> <p>Crystals, beads and other ornaments on dummies can detach and become a small parts choking, inhalation or ingestion hazard.</p> <p>This interim ban was repealed on 9 September 2011 when a permanent ban was imposed.</p> <p>The repealed instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2011L01502].</p>
Date of effect	This regulation commenced on 14 July 2011.
Contact details	<p>Simon Bell Product Safety Branch P: 02 6243 1232 E: productsafety.regulation@accc.gov.au</p>

Type of entry	Past regulatory change – Revocation of an interim ban and imposition of a new permanent ban.
Title	<i>Competition and Consumer Act 2010 - Consumer Protection Notice No. 33 of 2011 - Revocation of interim ban and imposition of permanent ban on certain babies' dummies to which there are crystals, beads or other similar ornaments attached.</i>
Description of issue	<p>The instrument revoked the interim ban on babies' dummies with attached ornaments and imposed a permanent ban on babies' dummies with crystals, beads or other similar ornaments attached that do not comply with both the mandatory safety standard for babies' dummies and certain requirements in Australian Standard AS 2432–2009 <i>Babies' dummies</i>.</p> <p>Crystals, beads and other ornaments on dummies can detach and become a small parts choking, inhalation or ingestion hazard.</p> <p>The current instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2011L01874].</p>
Date of effect	This regulation commenced on 9 September 2011.
Contact details	<p>Simon Bell Product Safety Branch P: 02 6243 1232 E: productsafety.regulation@accc.gov.au</p>

Type of entry	Past regulatory change – Interim ban.
Title	<i>Competition and Consumer Act 2010 - Consumer Protection Notice No. 28 of 2011 - Interim Ban Notice: Pins, ribbons, strings, cords, chains, twines, leathers, yarns, or any other similar article to which there are crystals, beads or other similar ornaments attached, which are designed to be attached to babies' dummies.</i>
Description of issue	<p>The instrument temporarily banned the supply of pins, ribbons, strings, cords, chains, twines, leathers, yarns, or any other similar article to which there are crystals, beads or other similar ornaments attached, which are designed to be attached to babies' dummies.</p> <p>Crystals, beads and other ornaments can detach and become a small parts choking, inhalation or ingestion hazard.</p> <p>This interim ban was repealed on 9 September 2011 when a permanent ban was imposed.</p> <p>The repealed instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2011L01501].</p>
Date of effect	This regulation commenced on 14 July 2011.
Contact details	<p>Simon Bell Product Safety Branch P: 02 6243 1232 E: productsafety.regulation@accc.gov.au</p>

Type of entry	Past regulatory change – Revocation of an interim ban and imposition of a new permanent ban.
Title	<i>Competition and Consumer Act 2010 - Consumer Protection Notice No. 34 of 2011 - Revocation of interim ban and imposition of permanent ban on certain pins, ribbons, strings, cords, chains, twines, leathers, yarns, or any other similar article to which there are crystals, beads or other similar ornaments attached, which are designed to be attached to babies' dummies.</i>
Description of issue	<p>The instrument revoked the interim ban on babies' dummy pins, ribbons chains etc and imposed a permanent ban on pins, ribbons, strings, cords, chains, twines, leathers, yarns, or any other similar article with crystals, beads or similar ornaments attached, which are designed to be attached to babies' dummies that do not comply with certain requirements of the European Standard, EN 12586:2007 (including amendment 1) <i>Child use and care articles – Soother holder – Safety requirements and test methods</i>.</p> <p>Crystals, beads and other ornaments on dummies can detach and become a small parts choking, inhalation or ingestion hazard.</p> <p>The current instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2011L01877].</p>
Date of effect	This regulation commenced on 9 September 2011.
Contact details	<p>Simon Bell Product Safety Branch P: 02 6243 1232 E: productsafety.regulation@accc.gov.au</p>

Type of entry	Past regulatory change – Tobacco regulations.
Title	<i>Competition and Consumer (Tobacco) Information Standard 2011.</i>
Description of issue	<p>The <i>Trade Practices (Consumer Product Information Standards) (Tobacco) Regulations 2004</i> (the 2004 Regulations) were made on 19 August 2004 and required graphic health warnings to be placed on certain tobacco products.</p> <p>This new Regulation, made as a mandatory information standard under section 134 of the Australian Consumer Law, updated and expanded the health warnings required on tobacco packaging as part of a comprehensive suite of reforms implemented by the Australian Government to reduce smoking and its harmful effects.</p> <p>This Regulation commenced on 1 January 2012 and takes full effect on 1 December 2012. Between 1 January and 30 November 2012, tobacco products regulated under the 2004 Regulations must comply with either this new Regulation or the 2004 Regulations. Suppliers of tobacco products not subject to the 2004 Regulations may comply with this Regulation, but are not obliged to until 1 December 2012. From 1 December 2012, the 2004 Regulations are repealed and all tobacco products sold at retail level must comply with this Regulation.</p> <p>The current Regulation can be found on the Federal Register of Legislative Instruments [FRLI No. F2011L02766].</p>
Date of effect	This Regulation commenced on 1 January 2012 and takes full effect on 1 December 2012.
Contact details	<p>Peter Wallner Product Safety Branch P: 02 6243 4972 E: productsafety.regulation@accc.gov.au</p>

Type of entry	Past regulatory change – Compulsory recall
Title	<i>Competition and Consumer Act 2010 - Consumer Protection Notice No. 2 of 2012 - Compulsory Recall of Consumer Goods: Teeth Whitening Products Supplied by Pro Teeth Whitening (Aust) Pty Limited.</i>
Description of issue	<p>This Regulation compulsorily recalled two teeth whitening products supplied by Pro Teeth Whitening (Aust) Pty Limited. The two products, ‘Bright white express - Advanced Teeth Whitening Kit’ and ‘PROTEETHWHITENING - Professional Teeth Whitening Pen’ contain 9 per cent, 12 per cent or 16 per cent hydrogen peroxide, which exceeds the recognised safe limit of 6 per cent weight/weight as set by the Poisons Standard 2011, expert clinical advice and published scientific risk assessments.</p> <p>Users of the recalled products may suffer irritation or inflammation to the gums and mouth due to the high concentration of hydrogen peroxide.</p> <p>The current instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2012L00189].</p>
Date of effect	This regulation commenced on 7 February 2012.
Contact details	<p>Peter Wallner Product Safety Branch P: 02 6243 4972 E: productsafety.regulation@accc.gov.au</p>

Type of entry	Past regulatory change
Title	<i>Access to Telstra exchange facilities Record Keeping and Reporting Rule 2011</i>
Description of issue	This record keeping rule (RKR) requires Telstra to provide information to the ACCC in relation to capping and queuing at its exchange buildings. Access seekers need access to Telstra's exchanges in order to use regulated services to supply voice and broadband services to end-users. The information provided under the RKR provides transparency and oversight around Telstra's exchange capping and queuing processes. The RKR was first issued in July 2008 and expired 14 July 2011. Following public consultation the ACCC issued the RKR, with minor amendments, to operate for a further 3 years.
Date of effect	14 July 2011
Contact details	Melanie Rainey Communications Group P: 03 9290 1868 E: melanie.rainey@accc.gov.au

Type of entry	Past regulatory change
Title	Division 12 report record keeping and reporting rule
Description of issue	This record keeping rule (RKR) requires a number of companies to provide information to the ACCC, which the ACCC uses in fulfilling its statutory reporting requirements to the Minister for Broadband, Communications and the Digital Economy under section 151CM of the Competition and Consumer Act 2010. The RKR was amended in August 2010 to take into account a change in company arrangements (namely the merger of two telecommunications companies).
Date of effect	August 2010
Contact details	Melanie Rainey Communications Group P: 03 9290 1868 E: melanie.rainey@accc.gov.au

Type of entry	Past regulatory change
Title	Local bitstream access service declaration
Description of issue	This declaration requires providers of local bitstream access services (LBAS) to provide these services in accordance with the standard access obligations in Part XIC of the <i>Competition and Consumer Act 2010</i> (CCA). The ACCC was required to declare this service by new amendments to the CCA introduced to ensure that LBAS providers and NBN Co operate on a level playing field. The ACCC began consultation of the service description for this declaration in August 2011 and finalised the declaration in February 2012. The declaration came into effect on 12 April 2012.
Date of effect	12 April 2012
Contact details	Kathryn Wood Communications Group P: 02 9230 3895 E: kathryn.wood@accc.gov.au

Type of entry	Past regulatory change
Title	Wholesale ADSL service declaration
Description of issue	This declaration requires providers of wholesale ADSL services to provide these services in accordance with the standard access obligations in Part XIC of the <i>Competition and Consumer Act 2010</i> (CCA). The ACCC commenced a public inquiry into declaring this service in December 2011. Following public consultation, the ACCC declared wholesale ADSL on 14 February 2012. The declaration expires on 13 February 2017.
Date of effect	14 February 2012
Contact details	Kathryn Wood Communications Group P: 02 9230 3895 E: kathryn.wood@accc.gov.au

Type of entry	Past regulatory change
Title	Wholesale ADSL interim access determination
Description of issue	The ACCC issued an interim access determination for the wholesale ADSL service on 14 February 2012. The determination sets out terms of access to wholesale ADSL that access seekers are able to rely on if they are unable to come to a commercial agreement with the access provider. The determination has effect until 14 February 2013, or the date of a final access determination coming into effect.
Date of effect	15 February 2012
Contact details	Kathryn Wood Communications Group P: 02 9230 3895 E: kathryn.wood@accc.gov.au

Type of entry	Past regulatory change
Title	Fixed line services final access determinations
Description of issue	<p>The ACCC issued final access determinations for declared fixed line services on 20 July 2011. These determinations set out terms and conditions of access to those services that access seekers are able to rely on if they are unable to come to a commercial agreement with the access provider.</p> <p>The final access determinations have been varied twice since they were made. The first variation removed certain geographic exemptions and the second variation temporarily suspended regulation of a subset of services were they are provided over the National Broadband Network.</p> <p>The final access determinations expire on 30 June 2014.</p>
Date of effect	20 July 2011
Contact details	Kathryn Wood Communications Group P: 02 9230 3895 E: kathryn.wood@accc.gov.au

Type of entry	Past regulatory change
Title	Mobile terminating access service final access determination
Description of issue	<p>The ACCC issued a final access determination for the mobile terminating access service (MTAS) on 7 December 2011. The determination sets out terms and conditions of access to the MTAS that access seekers are able to rely on if they are unable to come to a commercial agreement with the access provider.</p> <p>The final access determination commenced on 1 January 2012 and expires on 30 June 2014.</p>
Date of effect	1 January 2012
Contact details	<p>Lauren Zhu Communications Group P: 02 9230 3827 E: lauren.zhu@accc.gov.au</p>

Type of entry	Past regulatory change
Title	Explanatory material on Part XIC non-discrimination provisions
Description of issue	<p>This explanatory material describes the ACCC's approach to interpreting and enforcing the Part XIC non-discrimination provisions. The <i>Telecommunications Legislation Amendment (National Broadband Network Measures – Access Arrangements) Act 2011</i> inserted non-discrimination provisions into Part XIC that apply to NBN corporations and designated providers of Layer 2 bitstream services. The ACCC is required to publish explanatory material relating to the Part XIC non-discrimination provisions as soon as practicable after these sections commenced. Following public consultation, the ACCC issued explanatory material on 19 April 2012.</p>
Date of effect	19 April 2012
Contact details	<p>Evan Lutton Communications Group P: 02 9290 1833 E: evan.lutton@accc.gov.au</p>

PLANNED REGULATORY ACTIVITIES

Type of entry	Planned regulatory activity – Review of regulation
Title	Review of <i>Trade Practices (Consumer Product Safety Standard) (Hot Water Bottles) Regulations 2008</i> .
Description of issue	<p>Review of mandatory safety standard for hot water bottles to ensure continued adequacy and effectiveness of mandated requirements in increasing consumer safety.</p> <p>The current instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2008L00651].</p>
Consultation opportunities	A draft regulation impact statement or a draft regulatory proposal document will be prepared and distributed to stakeholders (including suppliers) during the review. Consultation documents will be available on the Product Safety Australia website (www.productsafety.gov.au) and emailed to stakeholders.
Expected timetable	Public consultation/stakeholder consultation is proposed to commence in late 2012 with regulatory changes expected to be introduced in 2013.
Contact details	<p>Morgan Wilson Product Safety Branch P: 02 6243 1292 E: productsafety.regulation@accc.gov.au</p>
Date last modified	20 July 2012

Type of entry	Planned regulatory activity – Review of regulation
Title	Review of <i>Trade Practices Act 1974 - Consumer Protection Notice No. 1 of 2003 - Consumer Product Safety Standard: Bunk Beds</i> .
Description of issue	<p>Review of mandatory safety standard for bunk beds to ensure continued adequacy and effectiveness of mandated requirements in increasing consumer safety.</p> <p>The current instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2005B01055].</p>
Consultation opportunities	A draft regulation impact statement or a draft regulatory proposal document will be prepared and distributed to stakeholders (including suppliers) during the review. Consultation documents will be available on the Product Safety Australia website (www.productsafety.gov.au) and emailed to stakeholders.
Expected timetable	Public consultation/stakeholder consultation is proposed to commence in late 2012 with regulatory changes expected to be introduced in 2013.
Contact details	<p>Ian Scott Product Safety Branch P: 02 6243 1170 E: productsafety.regulation@accc.gov.au</p>
Date last modified	20 July 2012

Type of entry	Planned regulatory activity – Review of regulation
Title	Review of <i>Trade Practices Act 1974 - Consumer Protection Notice No. 9 of 1990 - Consumer Product Safety Standard: Protective Helmets for Motor Cyclists</i>
Description of issue	<p>Review of mandatory safety standard for protective helmets for motor cyclists to ensure continued adequacy and effectiveness of mandated requirements in increasing consumer safety.</p> <p>The current instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2005B01097].</p>
Consultation opportunities	A draft regulation impact statement or a draft regulatory proposal document will be prepared and distributed to stakeholders (including suppliers) during the review. Consultation documents will be available on the Product Safety Australia website (www.productsafety.gov.au) and emailed to stakeholders.
Expected timetable	Public consultation/stakeholder consultation is proposed to commence in late 2012 with regulatory changes expected to be introduced in 2013.
Contact details	<p>Simon Bell Product Safety Branch P: 02 6243 1232 E: productsafety.regulation@accc.gov.au</p>
Date last modified	20 July 2012

Type of entry	Planned regulatory activity – Review of regulation
Title	Review of <i>Trade Practices (Consumer Product Safety Standard) (Baby Walkers) Regulations 2002</i> .
Description of issue	<p>Review of mandatory safety standard for baby walkers to ensure continued adequacy and effectiveness of mandated requirements in increasing consumer safety.</p> <p>The current mandatory standard is based on certain requirements of the American Society for Testing and Materials (ASTM) Safety Specification for Infant Walkers, F977-00 published in July 2000. It is proposed to base the mandatory standard on the 2012 version of ASTM F977.</p> <p>The current instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2002B00220].</p>
Consultation opportunities	Stakeholders were contacted in early 2012 and sent a discussion paper which outlined details of the review. The discussion paper was also made available on the Product Safety Australia website. A number of stakeholders made submissions to the ACCC. It is expected that a further short period of consultation will be conducted towards the end of July or early August 2012.
Expected timetable	Regulatory changes are expected to be introduced in late 2012.
Contact details	<p>Morgan Wilson Product Safety Branch P: 02 6243 1292 E: productsafety.regulation@accc.gov.au</p>
Date last modified	20 July 2012

Type of entry	Planned regulatory activity – Review of regulation
Title	Review of mandatory standard for bean bags.
Description of issue	<p>Review of mandatory safety standard for bean bags to ensure continued adequacy and effectiveness of mandated requirements in increasing consumer safety.</p> <p>The current instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2004C00303].</p>
Consultation opportunities	A draft regulation impact statement or a draft regulatory proposal document will be prepared and distributed to stakeholders (including suppliers) during the review. Consultation documents will be available on the Product Safety Australia website (www.productsafety.gov.au) and emailed to stakeholders.
Expected timetable	Public consultation/stakeholder consultation is proposed to commence in late 2012 with regulatory changes expected to be introduced in 2013.
Contact details	<p>Ian Scott Product Safety Branch P: 02 6243 1170 E: productsafety.regulation@accc.gov.au</p>
Date last modified	20 July 2012

Type of entry	Planned regulatory activity – Review of regulation
Title	Review of <i>Trade Practices (Consumer Product Safety Standards) (Children's Nightwear and Paper Patterns for Children's Nightwear) Regulations 2007</i> .
Description of issue	<p>Review of mandatory safety standard for children's nightwear and paper patterns for children's nightwear to ensure continued adequacy and effectiveness of mandated requirements in increasing consumer safety. The Australian Standard for children's nightwear is currently under review.</p> <p>The current instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2007L00215].</p>
Consultation opportunities	A draft regulation impact statement or a draft regulatory proposal document will be prepared and distributed to stakeholders (including suppliers) during the review. Consultation documents will be available on the Product Safety Australia website (www.productsafety.gov.au) and emailed to stakeholders.
Expected timetable	Public consultation/stakeholder consultation is proposed to commence in early 2013 with regulatory changes expected to be introduced late 2013.
Contact details	<p>Ian Scott Product Safety Branch P: 02 6243 1170 E: productsafety.regulation@accc.gov.au</p>
Date last modified	20 July 2012

Type of entry	Planned regulatory activity – Review of regulation
Title	Review of <i>Trade Practices Act 1974 - Consumer Protection Notice No. 5 of 2010 - Consumer Product Safety Standard: Children's Toys Containing Magnets</i>
Description of issue	<p>Review of mandatory safety standard for children's toys containing magnets to ensure continued adequacy and effectiveness of mandated requirements in increasing consumer safety.</p> <p>The current instrument can be found on the Federal Register of Legislative Instruments [FRLI No. F2010L00195].</p>
Consultation opportunities	A draft regulation impact statement or a draft regulatory proposal document will be prepared and distributed to stakeholders (including suppliers) during the review. Consultation documents will be available on the Product Safety Australia website (www.productsafety.gov.au) and emailed to stakeholders.
Expected timetable	Public consultation/stakeholder consultation is proposed to commence in early 2013 with regulatory changes expected to be introduced late 2013.
Contact details	<p>Morgan Wilson Product Safety Branch P: 02 6243 1292 E: productsafety.regulation@accc.gov.au</p>
Date last modified	20 July 2012

Type of entry	Planned regulatory activity – New regulation
Title	Mandatory safety standard for portable swimming pools
Description of issue	Introduction of a mandatory safety standard which will introduce labelling requirements for portable swimming pools.
Consultation opportunities	Public consultation/stakeholder consultation was completed mid to late 2011. Additional consultation will be conducted once a draft instrument has been prepared.
Expected timetable	Public consultation/stakeholder consultation is expected to be completed in August 2012 and the new regulation is expected to be introduced late August 2012.
Contact details	Simon Bell Product Safety Branch P: 02 6243 1232 E: productsafety.regulation@accc.gov.au
Date last modified	20 July 2012

Type of entry	Planned regulatory activity – New regulation
Title	Mandatory safety standard for trampolines
Description of issue	Introduction of a mandatory safety standard for trampolines.
Consultation opportunities	Public consultation/stakeholder consultation was conducted early 2012 when a draft regulation impact statement was released. Further consultation will be conducted prior to introducing any regulation.
Expected timetable	Any regulation is expected to be introduced in 2013.
Contact details	Simon Bell Product Safety Branch P: 02 6243 1232 E: productsafety.regulation@accc.gov.au
Date last modified	20 July 2012

Type of entry	Planned regulatory activity – New regulation
Title	Mandatory safety standard for the installation of corded internal window coverings.
Description of issue	Introduction of a mandatory safety standard for the installation of corded internal window coverings to improve consumer safety. Looped cords on corded internal window coverings pose a hazard to children and a mandatory standard is expected to address those hazards.
Consultation opportunities	Public consultation/stakeholder consultation was conducted early 2012. Further consultation will be conducted prior to introducing any regulation.
Expected timetable	Any regulation is expected to be introduced in 2013.
Contact details	Ian Scott Product Safety Branch P: 02 6243 1170 E: productsafety.regulation@accc.gov.au
Date last modified	20 July 2012

Type of entry	Planned regulatory change
Title	Division 12 report record keeping and reporting rule
Description of issue	This record keeping rule (RKR) requires a number of companies to provide information to the ACCC, which the ACCC uses in fulfilling its statutory reporting requirements to the Minister for Broadband, Communications and the Digital Economy under section 151CM of the Competition and Consumer Act 2010. The ACCC is currently reviewing this RKR which may lead to amendments to the RKR.
Consultation Opportunities	Will undertake consultation with the industry on the impact of proposed amendments if any.
Expected timetable	Commencement: 2012. Completion: 1 st half of 2013
Contact details	Zhen Wang Communications Group P: 03 9658 6418 E: zhen.wang@ accc.gov.au
Date last modified	19 July 2012

Type of entry	Planned regulatory change
Title	Telecommunications Industry Regulatory Accounting Framework
Description of issue	<p>This record keeping rule (RKR) requires a number of companies to provide information to the ACCC relevant to the responsibilities of the ACCC which include:</p> <ul style="list-style-type: none"> • the operation of Parts XIB and XIC of the Act, • establishing if the competition rule or tariff filing directions have been complied with, • Part 9 of the Telecommunications Act 1999, and • Division 3 of Part 20 of the <i>Telecommunications Act 1997</i>. <p>The ACCC plans to review this RKR which may lead to amendments to the RKR.</p>
Consultation Opportunities	Will undertake consultation with the industry on impact of proposed amendments if any
Expected timetable	Expected to commence in the 2 nd half of 2012
Contact details	<p>David Cranston Communications Group P: 03 9290 1971 E: David.Cranston@accc.gov.au</p>
Date last modified	19 July 2012

Type of entry	Planned regulatory activity
Title	Building Block Model Record Keeping and Reporting Rule
Description of Issue	<p>The ACCC has issued final access determinations which adopt the 'Building Block Model' pricing approach for pricing declared fixed-line access services.</p> <p>The Building Block Model requires demand, operating expenditure (opex) and capital expenditure (capex) forecasts in order to calculate prices for the regulatory period. Forecast opex and capex are used to determine the revenue required to be recovered by the access provider (Telstra) over the period. The revenue required is then allocated to each service and divided by forecast demand to determine indicative prices.</p> <p>The ACCC proposes to implement a Building Block Model RKR that will require Telstra to provide actual and forecast service demand and opex and capex forecasts at the commencement of a price review prior to each regulatory period.</p>
Consultation Opportunities	Public consultation/stakeholder consultation commenced in March 2012 with the release of a draft Building Block Model RKR and discussion paper.
Expected timetable	Regulatory changes are expected to be introduced in November 2012.
Contact	<p>Jessica Wicks Communications Group P: 03 9290 6919 E: jessica.wicks@accc.gov.au</p>
Date last modified	19 July 2012

Type of entry	Planned Regulatory Activity – Amendment to regulation
Title	Infrastructure Record Keeping Rule (RKR)
Description of Issue	<p>The ACCC issued an Infrastructure RKR in December 2007, requiring 22 specified carriers to report on the location of their core network and customer access network infrastructure.</p> <p>In order to better streamline the information collected under this RKR and to update the list of record keepers who are required to comply with the RKR, the ACCC is considering an amendment to the RKR.</p>
Consultation Opportunities	A public consultation is scheduled to begin in August 2012 and a draft regulation impact statement will be released by the end of 2012.
Expected timetable	Public consultation/stakeholder consultation will begin in August 2012 and a draft regulation impact statement will be released by the end of 2012.
Contact	<p>Priya Balachandran Communications Group P: 02 9230 9173 E: priyatharsheni.balachandran@accc.gov.au</p>
Date last modified	19 July 2012

Type of entry	Planned Regulatory Activity – Amendment to regulation
Title	A code of access to telecommunications transmission towers, sites of towers and underground facilities (Facilities Access Code)
Description of Issue	<p>The ACCC issued a Facilities Access Code in October 1999, which governs how access to eligible telecommunications facilities is provided to carriers seeking to install their equipment on or in facilities owned by other carriers.</p> <p>Given the changes in the structure and regulation of the telecommunications industry since this time, the ACCC has released a discussion paper to consider the merits of any review to the Facilities Access Code.</p>
Consultation Opportunities	On 4 July 2012, the ACCC released a discussion paper to examine the Facilities Access Code and to invite comments on aspects of the Code. Pending the submissions received, the ACCC may release a discussion paper to consider potential updates to the Code.
Expected timetable	Public consultation/stakeholder consultation will conclude in late 2012 with any regulatory changes expected to be introduced in early 2013.
Contact	<p>Priya Balachandran Communications Group P: 02 9230 9173 E: priyatharsheni.balachandran@accc.gov.au</p>
Date last modified	19 July 2012

Type of entry	Planned regulatory activity
Title	Local bitstream access service final access determination
Description of Issue	<p>The ACCC commenced a public inquiry into making a final access determination for the local bitstream access service on 24 February 2012. This determination will set out terms and conditions of access to those services that access seekers are able to rely on if they are unable to come to a commercial agreement with the access provider.</p> <p>The ACCC is currently consulting on the proposed pricing methodology (benchmarking to the National Broadband Network) and non-price terms and conditions to be included. The ACCC issued an interim access determination on 6 July 2012 which set the price for the service at \$27 per service per month.</p>
Consultation Opportunities	Public consultation commenced in February 2012 with the release of a discussion paper. Consultation continues with the release of a report into proposals for the final access determination in July 2012.
Expected timetable	The final access determination is expected to be released by February 2013.
Contact	<p>Kathryn Wood Communications Group P: 02 9230 3895 E: kathryn.wood@accc.gov.au</p>
Date last modified	19 July 2012

Type of entry	Planned Regulatory Activity
Title	Wholesale ADSL final access determination
Description of Issue	<p>The ACCC commenced a public inquiry into making a final access determination for wholesale DSL on 14 February 2012. This determination will set out terms and conditions of access to those services that access seekers are able to rely on if they are unable to come to a commercial agreement with the access provider.</p> <p>The ACCC is currently consulting on what is the most appropriate pricing methodology, the scope of application of the determination, bundling of services and points of interconnection. The ACCC issued an interim access determination at the beginning of the public inquiry process in February 2012.</p>
Consultation Opportunities	Public consultation began in February 2012 with the release of a discussion paper. A further issues paper was released in July 2012. It is expected that a draft final access determination will be released for comment later in 2012.
Expected timetable	The final access determination is expected to be released by February 2013.
Contact	<p>Kathryn Wood Communications Group P: 02 9230 3895 E: kathryn.wood@accc.gov.au</p>
Date last modified	19 July 2012