

AUSTRALIAN COMPETITION AND CONSUMER COMMISSION

EXERCISE OF DELEGATED POWERS UNDER THE *COMPETITION AND CONSUMER ACT 2010*

As a member of the Australian Competition and Consumer Commission's (Commission) Communications Committee and in accordance with delegation instrument TP141 approved by the Commission on 16 February 2022, I declare, by written notice published on the Commission's website, that the expiry date of Interim Access Determination No. 1 of 2021 (SBAS) dated 16 July 2021 is taken to be the day immediately before the day on which the final access determination for the Superfast Broadband Access Service (SBAS) comes into force, pursuant to subsection 152BCF(10) of the *Competition and Consumer Act 2010*.

DATED this 26th day of October 2022



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Anna Brakey
Commissioner, Chair of the Communications Committee
Australian Competition and Consumer Commission

Declaration under subsection 152BCF(10) of the Competition and Consumer Act 2010

Interim Access Determination No. 1 of 2021 (SBAS) (the IAD) dated 16 July 2021 maintains current regulated price and non-price terms while the ACCC conducts a public inquiry to make a final access determination (**FAD**) for Superfast Broadband Access Service (**SBAS**).

The IAD is due to expire on the earlier of:

- 31 December 2022, or
- the day on which the IAD is taken to be revoked by operation of subsection 152BCF(9A) of the *Competition and Consumer Act 2010 (CCA)*.

The ACCC has decided to extend the SBAS Final Access Determination inquiry by a period of six months from 19 January 2023 to 19 July 2023 due to the complexity of the regulatory issues that have been raised in the inquiry and the need to engage further with stakeholders about them.

To ensure that current regulated price and non-price terms continue to be maintained until the inquiry is complete and final access determination for the SBAS is made, the ACCC has made a declaration under subsection 152BCF(10) of the CCA to extend the expiry date of the IAD.

Accordingly, the expiry date of the IAD is taken to be the day immediately before the day on which the final access determination for the SBAS comes into force.