



Australian Government

Department of Foreign Affairs and Trade

AANZFTA FACT SHEET – TELECOMMUNICATIONS REGULATORY DISCIPLINES

In order to establish and trade effectively in overseas markets, telecommunications services suppliers need to be on a “level playing field” with major domestic suppliers, who may own or control essential network facilities.

The WTO seeks to address this issue through a Telecommunications Reference Paper (TRP), which sets out a range of pro-competitive regulatory disciplines.

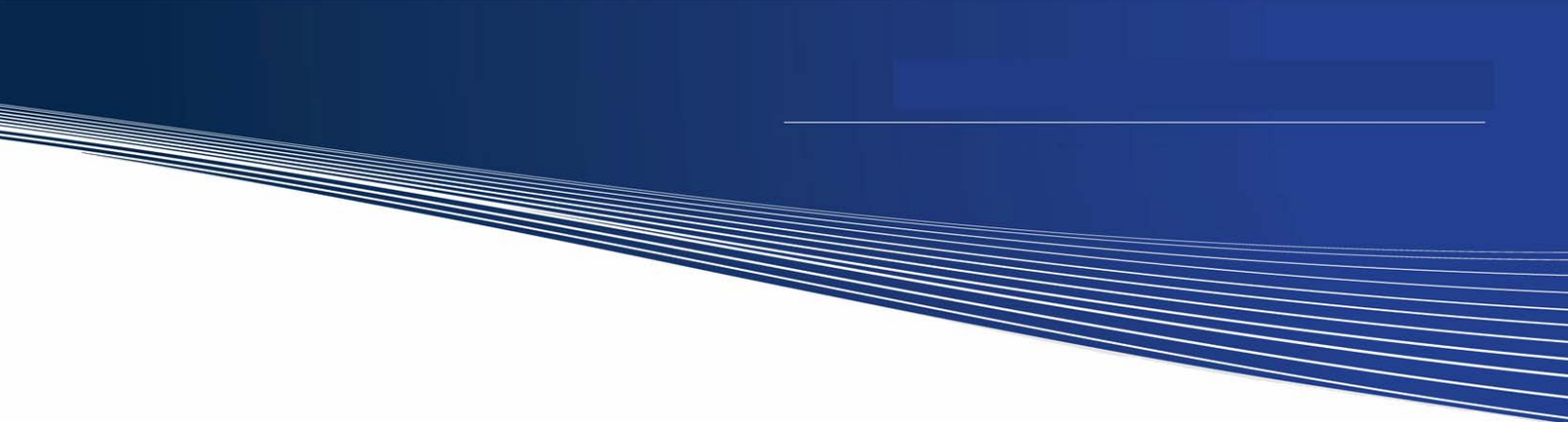
- The WTO TRP is a plurilateral agreement. Some ASEAN countries that are WTO members have not adopted the TRP or have made only partial commitments to it.

Recognising the role and importance of the telecommunications sector as an enabler of economic development and technological advancement, AANZFTA contains an Annex on Telecommunications that builds upon and strengthens the WTO TRP.

Under AANZFTA, all Parties have agreed to:

- maintain safeguards against anti-competitive conduct by major suppliers in their territory;
- ensure transparent licensing procedures;
- provide interconnection to the networks of major suppliers in a timely manner and at cost-oriented rates that are reasonable, non-discriminatory and transparent;
- enable physical co-location of equipment necessary for interconnection;
- make leased circuits services available to suppliers in a timely manner, and at rates that are reasonable, non-discriminatory and transparent;
- maintain procedures to resolve disputes about interconnection or address issues relating to co-location or leased circuit services;
- establish or maintain a telecommunications regulatory body that is separate from and not accountable to major suppliers.

Transitional arrangements for some ASEAN countries apply to some of these obligations, given differing stages of development and levels of WTO commitment.



Australia will benefit from full commitments to the Annex from Brunei Darussalam, Indonesia, Malaysia, Philippines and Singapore from AANZFTA's entry into force. Thailand will apply some obligations from 2018, the expiry of the last concession contract. Vietnam will apply some obligations three years after passage of legislation.