



## **Terms of reference for Expert Taskforce to manage the assessment process**

The Expert Taskforce will be responsible for the development and management of the assessment process for new commercial open access high speed broadband network infrastructure in metropolitan Australia and major regional centres. The Taskforce is to:

- A. Provide the Minister for Communications, Information Technology and the Arts a report on the proposed guidelines and specifications for the assessment process. The Taskforce's report will address the processes and criteria for assessing proposals for new high speed broadband network infrastructure build in capital cities and major regional centres that will enable the delivery of high speed broadband services, such as:
  1. proposed network and operational characteristics, including:
    - (i) price and non-price terms and conditions of access and interconnection and the mechanism to vary prices over the life of the investment;
    - (ii) the timetable for network rollout;
    - (iii) minimum service standards;
    - (iv) scalability;
    - (v) coverage;
    - (vi) capacity;
    - (vii) speeds; and
    - (viii) other characteristics to meet current and future needs.
  2. proposed pricing principles for access to the high speed broadband network including whether there should be a contribution towards network losses incurred in rural and remote areas;
  3. proposed legislative and regulatory measures to facilitate or enable the high speed broadband network and to avoid investment in duplicate networks if they are economically inefficient;
  4. proposed arrangements to provide any appropriate compensation to parties who would be affected by the implementation of the proposed legislative and regulatory measures; and
  5. proposed arrangements to provide an open and transparent process, noting that some information provided in submissions or proposals will be commercially sensitive.
- B. Consult publicly before reporting on the proposed final guidelines for the assessment process.
- C. Issue the guidelines inviting proposals and conduct the assessment process, including assessing proposals and negotiating with proponents as required, to maximise outcomes consistent with Government's objectives.

- D. Provide the Minister for Communications, Information Technology and the Arts a report and recommendations on the proposals received.

## **Considerations**

In preparing its reports, the Taskforce is to have particular regard to:

- the Government's strong ongoing commitment to robust competition and the long term interests of end-users;
- the Government's strong ongoing commitment that all people in Australia have access to quality telecommunications services at affordable prices, underpinned by legislation where necessary;
- the need for investors in a high speed broadband network to earn returns on their investment commensurate with the cost of their investment and their risks;
- the Government's objective to encourage efficient investment in communications infrastructure;
- the Government's view that investment to provide high speed broadband services, particularly in urban areas, can and should be funded by the private sector; and
- Australia's international trade commitments relating to telecommunications.

## **Consultation**

In undertaking its public consultation as discussed at item B above, the Taskforce will invite written submissions.

The Taskforce should undertake such other consultations, including industry fora and interviews with key stakeholders, as it considers appropriate.

## **Publication of Reports**

The Taskforce's reports will be made public, with appropriate arrangements for confidential material.

## **Timing**

The Taskforce is responsible for settling a timely but realistic assessment process, including the assessment of proposals and reporting recommendations to Government.

The Taskforce is expected to consult with the Government on its proposed draft guidelines and advise Government of its draft timetable for the assessment process within six weeks of its establishment, and then to release the final draft guidelines for public comment.

The Taskforce should provide at least three weeks for public comment on the draft guidelines after they are released.