

Notification of Commerce Commission's 111 Contact Code

The Commerce Commission gives notice, under section 239(7) of the Telecommunications Act 2001 ("Act"), that it has made the 111 Contact Code ("Code").

This notice summarises the Code in accordance with section 6(2)(b) of the Act.

Summary

Application

The Code applies to retail landline services. Landline services are voice services provided over a fixed-line connection or fixed wireless technology.

Purpose

The Code will ensure that vulnerable consumers, or persons on their behalf, have reasonable access to an appropriate means to contact the 111 emergency service in the event of a power failure.

The Code is based on an approach which treats a consumer as vulnerable if the consumer:

- is a consumer of a retail landline service;
- is at particular risk of requiring the 111 emergency service; and
- does not have a means for contacting the 111 emergency service that can be operated for the minimum eight hour period, in the event of a power failure.

Key Requirements on Providers

The Code sets out the following requirements on providers of retail landline services ("Providers"):

- Providers are required to provide information to consumers of retail landline services on the options available for consumers, including vulnerable consumers, to contact the 111 emergency service in the event of a power failure, including information about the telecommunication technologies that may not work in a power failure.
- Providers must make available a process for consumers (or someone on their behalf) to apply to the Provider to demonstrate that a consumer is (or will become) a vulnerable consumer. A key feature of this process is that a consumer's application must include:
 - the details of a nominated person (who, by virtue of their occupation, is competent to provide an opinion on whether the consumer is (or will become) at particular risk); or
 - sufficient evidence to show the consumer is (or will become) at particular risk.
- Providers must supply every vulnerable consumer with an appropriate means for contacting 111, which can be operated for at least eight hours.

Other Requirements

The Code also:

- provides that disputes under the Code may be referred to an industry dispute resolution scheme;
- prohibits Providers from denying or ceasing to provide a retail landline service to a consumer on the basis that the Provider knows or suspects the consumer is (or may be) a vulnerable consumer; and

- requires Providers to keep records and disclose certain information to the Commission, to help us monitor compliance with the Code.

Commencement

Most of the Code comes into force on 1 February 2021. Section G of the Code comes into force on 1 August 2021

Further Information

Copies of the Code, and the supporting Reasons Paper, are available on the Commission's website at: <https://comcom.govt.nz/regulated-industries/telecommunications/projects/commission-111-contact-code>.

Dated at Wellington this 17th day of November 2020.

COMMERCE COMMISSION.