

Briefing to the Incoming Minister

Media and Communications

3 May 2024



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Introduction

Tēnā koe e te Minita hou o te Kōmihana Tauhokohoko – Greetings from the Commissioners and staff of the Commerce Commission.

Congratulations on your appointment as the Minister for Media and Communications.

As the independent regulator, we strive to use the full range of tools available to promote investment, innovation, competition and connectivity in the telecommunications and fibre sectors. This includes broad sector engagement and a proactive media strategy, alongside careful use of our statutory powers.

This briefing note introduces you to our organisation, our role within your Ministerial portfolio, and our relationship to other portfolios:

- **Section A** describes the Commission's role
- **Section B** provides an overview of the Telecommunications and Fibre sectors and outlines the key matters the Commission is working on for your awareness
- **Section C** introduces you to the key staff of the Commission.

We trust you find this information helpful and very much look forward to working with you.

Dr John Small
Chair

Tristan Gilbertson
Telecommunications Commissioner

Adrienne Meikle
Chief Executive

Section A – The Role of the Commerce Commission

Our overall role

1. We are New Zealand’s primary competition, fair trading, and economic regulatory agency. Our vision is to make New Zealanders better off through markets that work well and by ensuring that consumers and businesses are confident market participants. Within this broader context we regulate the telecommunications and fibre sectors to promote competition and consumer interests.
2. Our vision is consistent with our statutory responsibilities which are focused on the long-term benefit of consumers. We focus on ensuring minimum standards are complied with and the interests of consumers are protected.
3. Factors that are critical to our ability to deliver include:
 - ensuring our independence and impartiality
 - maintaining an understanding and knowledge of the sectors we regulate
 - striking a balanced focus between stakeholder engagement, education and enforcement
 - retaining a big picture focus.
4. Our key responsibilities are set out in the legislation we implement. This is outlined below. The common thread through this legislation is a focus on the long-term interests of consumers, the promotion of competition where that is feasible and the regulation of commerce where it is not. This is why we maintain a focus on making New Zealanders better off across all our responsibilities.
5. How well markets function affects the affordability of goods and services, the incentives that businesses have to innovate and improve efficiency and the speed with which the economy recovers from external shocks. These issues all have a real impact on New Zealanders as consumers.
6. Effective competition creates incentives for businesses to innovate, improve efficiency and produce products and services that are attractive to consumers. Consumers contribute directly to competition when they buy things and are better off when they have confidence to participate in markets. They should have access to accurate, truthful information that helps them make informed purchasing choices and feel that the system is working to protect their interests.
7. Similarly, businesses need to be confident that the rules of trade are clear, that competitors are playing by them and that there is a reliable system for ensuring respect for the law. They also need to have confidence that the regulatory regimes we are responsible for are predictable, so that they can continue to invest and innovate.
8. We will work towards our vision by targeting four outcomes – Stewardship, Competitive markets, Fair trade and Essential services. These outcomes are described in our [Statement of Intent](#), which we published on 1 July 2023.

Legislated responsibilities

9. The key laws we are responsible for implementing and enforcing are outlined below.

<p>Commerce Act 1986 (Parts 2, 3 and 5)</p> <p>Promotes competition by preventing anti-competitive behaviour and acquisitions that substantially lessen competition. It also provides for a clearance and authorisation regime for mergers and restrictive trade practices and enables the Commission to carry out competition (or market) studies</p>	<p>Fair Trading Act 1986</p> <p>Promotes fair trading by prohibiting false and misleading behaviour by traders and a range of other unfair business practices, it also requires that consumers are given specified information about certain products and promotes product safety.</p>	<p>Fuel Industry Act 2020</p> <p>Promotes competition in engine fuel markets for the long-term benefit of fuel users. It establishes rules governing wholesale contracts, an information disclosure regime and requirements for the display of price info at retail fuel sites.</p>
<p>Commerce Act 1986 (Part 4)</p> <p>Promotes the long-term benefit of consumers in certain monopoly infrastructure markets by promoting incentives for suppliers to innovate, invest, improve efficiency and provide services at a quality that reflects consumer demand, and by limiting excessive profits. It provides for information disclosure, and regulation of price and quality of some suppliers.</p>	<p>Retail Payment System Act 2022</p> <p>Promotes competition and efficiency in the retail payment system for the long-term benefit of merchants and consumers. It establishes a monitoring regime for the sector, puts in place an initial pricing standard to regulate the interchange fees of Visa and Mastercard networks and provides a range of other tools to regulate fees, prices and access to networks.</p>	<p>Grocery Industry Competition Act 2023</p> <p>Establishes a monitoring and reporting regime for the grocery sector, provides for the making and enforcement of a Grocery Supply Code to promote fair conduct between grocery retailers and suppliers and includes a range of default and backstop regulatory tools to promote the availability of reliable and cost-effective wholesale supplies of groceries.</p>
<p>Telecommunications Act 2001</p> <p>Regulates the supply of certain wholesale telecommunications services (including the price and quality of fibre networks) and the quality of retail services. It also empowers the Commission to regulate the withdrawal of copper services by Chorus and require providers to ensure vulnerable users can access the 111 emergency service.</p>	<p>Dairy Industry Restructuring Act 2001</p> <p>Subpart 5A provides for an annual review of the base milk price manual and calculation and a limited disclosure regime with the purpose of providing an incentive for Fonterra to operate efficiently while providing for contestability in the market for the purchase of milk from farmers</p>	<p>Credit Contracts and Consumer Finance Act 2003*</p> <p>CCCF Act protects the interests of consumers in relation to consumer credit contracts, consumer leases and buy-back transactions of land. It includes provisions relating to disclosure and unforeseen hardship and sets out rules about interest payments, credit fees, responsible lending and lender certification.</p>

* In January 2024 the Government announced reforms to the CCCF Act, including a single conduct regulator. The implications of these reforms will affect our future role under the Act. At the time of writing these changes were still under development and we maintain the function under this BIM.

Relationship to Ministerial portfolios

10. The Commission's Ministerial responsibilities are as follows:
 - You, as the Minister for Media and Communications, are responsible for our activities under the Telecommunications Act 2001.
 - The Minister for Commerce and Consumer Affairs is responsible for our activities under the Commerce Act 1986, Fair Trading Act 1986, Credit Contracts and Consumer Finance Act 2003, Retail Payment System Act 2022 and Grocery Industry Competition Act 2023.
 - The Minister of Energy is responsible for our work under the Fuel Industry Act 2020 and has an on-going interest in our work with electricity and gas networks under Part 4 of the Commerce Act 1986.
 - The Minister of Agriculture is responsible for our role under the Dairy Industry Restructuring Act 2001.
 - The Minister of Finance has an interest in our work under the Credit Contracts and Consumer Finance Act 2003 through our membership of the Council of Financial Regulators, and our work under the Retail Payment System Act 2022.
 - The Minister for Infrastructure has an on-going interest in our work with infrastructure industries under Part 4 of the Commerce Act 1986, the Telecommunications Act 2001, and the Fuel Industry Act 2020.
 - The Minister of Transport has an on-going interest in our work with airports under Part 4 of the Commerce Act 1986, and in our work under the Fuel Industry Act 2020.
11. From time to time our work may intersect with Ministerial portfolios outside these on-going relationships, including when competition or consumer issues arise in particular sectors.

Our role in Telecommunications and Fibre

12. Telecommunications networks and services support New Zealanders in all aspects of their lives and are more important than ever to social and economic wellbeing.
13. Our telecommunications work brings together the infrastructure, competition and consumer aspects of the Commission's work. Under the Telecommunications Act, we promote competition and influence the performance of monopoly network infrastructure. This includes promoting competition in retail service quality such as by ensuring that information is available in a way that informs consumer choice. In parallel, our role under the Fair Trading Act extends to advocacy and enforcement relating to trade practices of telecommunications providers.
14. Section B of this briefing summarises the work we have been doing to deliver on the objectives set out in the most recent amendments to the Telecommunications Act.

Section B – Sector Overview and Key Upcoming Matters

15. Outlined below are the key telecommunications-related matters the Commission will be working through in the next six months and beyond. More detail will be provided in upcoming briefings and meetings. Information on any other matters can be provided at your request.

Background

16. Our telecommunications work, overseen by the Telecommunications Commissioner, is focused on delivering four key objectives that underpin the 2018 amendments to the Telecommunications Act 2001:
- implementing a new regulatory regime for fibre services
 - smoothing the transition from copper to fibre and protecting the interests of consumers during this process
 - improving retail service quality for consumers
 - enhancing our monitoring and reporting of competition and provider performance in the market.
17. The 2018 amendments were determined following many years of policy development and consultation.

Fibre Regime

18. We have developed a new regulatory regime for fibre that delivers the certainty, stability and predictability required for ongoing investment in this essential infrastructure.
19. The new regime went live on 1 January 2022 and includes two key means of promoting consumer interests over the long term. These are the specification of:
- maximum revenue and quality standards for Chorus (as the largest fibre provider) which constrain its ability to charge excessive prices and secure the quality that New Zealanders have come to expect from their fibre services
 - information disclosure requirements for Chorus and the other fibre providers that give the Commission and the public timely information to monitor outcomes, market performance, prices and quality for all fibre providers.
20. These measures have provided a smooth transition into the new regime and ensure that New Zealanders continue to enjoy some of the world's best fibre broadband services. Chorus and the other regulated fibre providers also have continued incentives to invest, innovate and compete for the long-term benefit of consumers.
21. The new regime has been well received by the industry and financial markets. International ratings agencies Standard & Poor's and Moody's have commented positively on the increased certainty the new regime provides to the market.
22. We are currently preparing to set Chorus' expenditure path for the second time since the regime commenced. The next price-quality path will apply for the period from 2025 to 2028. At the same time, we are reviewing the current state of competition in fibre markets, and assessing whether regulation continues to be necessary and beneficial.

23. We continue to ensure that all the regulated fibre providers meet their ongoing information disclosure requirements.

Copper Transition

24. We have developed two codes to help protect the interests of consumers during the transition from copper to fibre services:
- The **111 Contact Code**, which went live in November 2020, is focused on vulnerable consumers with landline services who are at more risk of needing to call emergency services in a power cut. Retail service providers must give these consumers an alternative means of calling emergency services during a power cut at no cost to them. There are currently 573 vulnerable consumers who have been registered under the code. Mobile phones (79%) or battery back-ups or similar devices (21%) have been supplied to enable these consumers to make emergency calls during a power cut
 - The **Copper Withdrawal Code**, which went live in December 2020, sets out the minimum requirements Chorus must meet before it can withdraw copper services. Copper can only be withdrawn in areas where fibre is available, consumers must get at least six months' notice of any change, and Chorus must work proactively with consumers to ensure they understand the process and what replacement fibre services are available to them. The code covers around 250,000 copper lines in fibre areas that are eligible for withdrawal. According to the latest reported information, approximately 30,000 copper lines have been put into the withdrawal process and 16,000 copper lines have been withdrawn. The remaining copper services are expected to be withdrawn on a rolling basis over the next few years.
25. We recently reviewed the *Copper Withdrawal Code* and are currently finalising our review of the *111 Contact Code*, following consultation with industry and consumer stakeholders. This has resulted in amendments to improve the efficiency and effectiveness of the codes.
26. We have also recently commenced civil proceedings against One NZ for multiple breaches of the *111 Contact Code* as noted at paragraph 35.

Retail Service Quality

27. We are working to improve telecommunications retail service quality (**RSQ**) in response to persistently high levels of consumer complaints in this area.¹
28. We have addressed the following areas in our work to date:
- *Evidence Base for Action*: We consulted extensively to build up a detailed understanding of what RSQ issues matter to consumers and why. Following this we have initiated an ongoing consumer satisfaction survey to monitor RSQ and inform our work.

¹ Parliament's most recent review of the regulatory regime found systemic problems in this area (which self-regulation and competition at the wholesale level alone were not correcting) leading to the introduction of the Pt 7 (Retail Service Quality) provisions of the Act. These task the Commission with improving retail service quality to meet the demands of consumers.

- *Effective Dispute Resolution Scheme*: We reviewed and then set out a detailed roadmap of changes to improve the effectiveness of the industry dispute resolution scheme for consumers.
 - *Mobile Transparency*: We required the three mobile network operators to give their customers better information and tools to determine whether they are on the best plan relative to their usage and spend.
 - *Broadband Marketing*: We issued guidelines to improve the marketing of broadband services to consumers including a requirement to use likely actual peak time speeds in advertising (rather than “up to” speeds or theoretical maximums) and provide an “exit right” for consumers if their service fails to deliver what was advertised.
 - *Telecommunications Dispute Resolution Scheme Access*: We worked to ensure as many consumers as possible have access to the independent and free industry dispute resolution scheme.
29. This year, our focus is on completing two major initiatives:²
- In the first half of the year, we aim to finalise our work on **customer service**, by identifying the service level reporting that best informs consumer choice and encourages providers to improve their performance.
 - In the second half of the year, we aim to finalise our work on **product disclosure**, by identifying the best way of enabling consumers to more meaningfully compare prices, plans and coverage between providers.
30. We also intend to conduct an *ex post* review of the RSQ work we have undertaken to date to ensure it is achieving its statutory purpose and addressing pain points for consumers. Specifically, we will look at:³
- Whether the changes made by the three mobile operators to improve billing and usage information for their customers have addressed inertia issues in the residential mobile market
 - Whether the industry response to the Commission’s guidelines on broadband marketing have improved marketing practices and reduced consumer confusion
 - Whether the changes made to the industry dispute resolution scheme have improved outcomes for consumers and what further changes may be required to maintain best practice in this area
31. Next year, we plan to move on to look at billing, debt practices, affordability, switching, and contract issues experienced by consumers. We will lay the foundation for that work this year by beginning to collect evidence on these areas.
32. As we move forward, we will continue to:
- phase our work to ensure it is manageable for all stakeholders

³ Around two years have passed since we made recommendations for improving outcomes for consumers in each of these areas. This provides a sufficient baseline of experience for reviewing the action taken by the Commission and the industry response.

- tackle issues in the order in which they matter to most consumers
- take a collaborative approach to problem solving with the industry and consumers
- give the industry the opportunity to develop solutions, by way of industry codes through the Telecommunications Forum, where appropriate
- keep the solutions we put in place under review to ensure they are improving outcomes for consumers.

Monitoring and Compliance

33. Expanding and enhancing our monitoring function is an ongoing priority for us. Effective monitoring:
- underpins our understanding of the market and ensures our actions are directed towards promoting competition and preventing harm to consumers
 - provides consumers with independent information that empowers them to make informed purchasing decisions and engage more confidently in the market.
34. This year our monitoring work will focus on two key areas:
- **Rural Connectivity Study:** We will complete our push, using information gathered from industry last year, to build up the most detailed picture we can of connectivity options available to rural consumers and how these are performing. This will give us a more complete view of the competitive landscape across New Zealand and enable more meaningful comparison and analysis of the rural customer experience going forward. It will also provide a key input into the statutory review of copper regulation that we need to complete by the end of 2025.
 - **Measuring Broadband New Zealand:** We will continue our push to include more technologies, providers and geographies in the programme, include more results by provider, introduce “real speed” reporting of speeds to the modem and devices in the home, and conduct performance testing of the most common modems as a special project. This will increase the usefulness of our quarterly reports in helping consumers to choose the best broadband for their needs and encourage providers to compete on quality as well as price.
35. Finally, we will also work to ensure effective monitoring, oversight and enforcement of obligations relating to:
- Copper Withdrawal Code
 - 111 Contact Code
 - Our Broadband Marketing Guidelines
 - Fibre ID regime.
36. In terms of enforcement, on 16 April 2024, we commenced civil proceedings in the High Court against One NZ for multiple breaches of the 111 Contact Code. It is critical that all telecommunications providers comply with the Code to ensure the safety of their customers whose lives may be at risk in a power cut. Breaches of the Code under the Telecommunications Act 2001 carry pecuniary penalties of up to \$300,000 for each breach and \$10,000 per day for continuing conduct.

Next Steps

37. We would welcome the opportunity to meet with you to discuss this briefing and any other matters you may wish to raise with us.
38. In the past we have found regular reporting and quarterly meetings to be a helpful way of maintaining open communication and keeping the Minister up to date with our work. Going forward, we would welcome the opportunity to meet with you, and propose that the Telecommunications Commissioner, and General Manager Market Regulation (introduced in Section C) would attend on a standing basis, supported by the Chair, Chief Executive and other Commissioners and Commission staff as needed.
39. Your office staff are welcome to contact Simon Thomson or Lachlan Cartwright (contact details outlined in Appendix C) to organise a meeting.

Section C – Key staff



Chair – Dr John Small

Dr John Small was appointed Chair in December 2022 and has been a Commissioner since June 2020.

The Chair leads the Commission and acts as its principal spokesperson. He provides leadership to the other Members of the Commission and Commission staff, oversees the governance of the Commission, the performance of the Commission's functions, and leads engagement with Ministers and other key stakeholders.

John's term as Chair ends in June 2025.



Telecommunications Commissioner – Tristan Gilbertson

Tristan Gilbertson was appointed as Telecommunications Commissioner in 2020.

The Telecommunications Act 2001 establishes the position of Telecommunications Commissioner as a member of the Commission and sets out the Commissioner's functions.

The Telecommunications Commissioner has statutory decision-making responsibilities and participates fully in the governance and wider work of the Commission along with other

Commission members. He chairs the Commission's Telecommunications Division and Fibre Regulation Division and is a member of the Consumer Division, Groceries Division and Market Studies Division.

Tristan's term as Telecommunications Commissioner ends in June 2025.



Commission Chief Executive – Adrienne Meikle

Adrienne is Chief Executive of the Commerce Commission, joining in May 2018. The Chief Executive is appointed by the Board and manages the Commission on a day-to-day basis. Adrienne supports Members of the Commission to undertake their powers, duties and functions.

Before joining the Commission Adrienne held the positions of Deputy Chief Executive, Corporate, Governance and Information group, Acting Deputy Chief Executive, Market Services and General Manager, Resolution Services at the Ministry of Business, Innovation and Employment (MBIE). Adrienne has extensive experience across the public sector and prior to joining MBIE in 2012, held the roles of Acting Deputy Secretary, Tourism, Events and Consumer Affairs, Director of Legal in the former Ministry of Economic Development, Chief Legal Advisor in the former New Zealand Food Safety Authority, and Parliamentary Counsel and Private Secretary in the Attorney General's office. In February 2024 Adrienne returned to the Commission from an 8 month secondment as Chief Executive of Land Information New Zealand | Toitū Te Whenua.

**General Manager Market Regulation – Simon Thomson**

The General Manager leads the Market Regulation branch, which is responsible for regulating sectors that are competitive. This includes the Telecommunications and Fibre sectors, as well Fuel and Dairy, and more recently the Retail Payments System and Groceries.

Appendix A – Commission Members and Associate Members

The Board

40. The Board is responsible for governing and exercising the Commission's statutory powers, duties and functions. The Board's actions must be consistent with the Commission's governing legislation, Statement of Intent, and Statement of Performance Expectations.
41. The Governor-General, on the recommendation of the Minister of Commerce and Consumer Affairs, appoints Commission members for their knowledge of, and experience in, areas relevant to the Commission's interests. The Telecommunications Commissioner is appointed on the recommendation of the Minister for Media and Communications.
42. The Board has a strong focus on:
- setting the strategic direction of the Commission
 - ensuring that the Commission achieves its objectives, as expressed in legislation and/or its Statement of Intent
 - managing any risks to the Crown.
43. The Board delegates the day-to-day management of the Commission to the Chief Executive. Our Chief Executive, with support of the senior leadership team, is the key point of accountability between the Board and the organisation.



Dr John Small

Chair

John is the Founding Director of economic consultancy firm, Covec, and was also the former Head of the University of Auckland's Economics Department. He has an extensive experience undertaking complex competition analysis in a wide range of sectors, including energy, transport, agriculture, telecommunications, payment systems, and construction.

John was also previously a lay member of the High Court of New Zealand, frequently called as an expert witness before courts, tribunals and commissions.

Term began: 8 June 2020 (first appointed: 17 Dec 2018)

Term ends: 7 June 2025



Anne Callinan

Deputy Chair

Anne was appointed Deputy Chair in July 2023.

Anne is a commercial litigation lawyer with deep experience in competition and consumer law. Prior to joining the Commission she worked for Simpson Grierson – becoming a Partner in 1997 and finally the firm's Chair in 2018.

She has a BA/LLB from the University of Auckland.

Term began: 10 July 2023

Term ends: 9 July 2028

**Tristan Gilbertson****Telecommunications Commissioner**

Tristan is a commercial lawyer with extensive international experience in telecommunications, media and technology businesses. After an early career in private practice, Tristan was appointed Legal & Regulatory Director – Asia-Pacific at Vodafone Group Plc, where he was closely involved in the expansion and diversification of Vodafone’s business. He then joined Telecom New Zealand Ltd where he was Group General Counsel and played a leading role in the structural separation of Telecom and the re-set of the regulatory framework. Most recently, he was

Group General Counsel of Digicel Group Ltd, where he focused on transformation and change across Digicel’s 32 global markets.

Tristan holds a BA/LLB(Hons) from the University of Auckland and has completed the Executive Leadership Development Programme at the Wharton School of the University of Pennsylvania.

Term began: 8 June 2020

Term ends: 7 June 2025

**Pierre van Heerden****Grocery Commissioner**

Pierre van Heerden was appointed Grocery Commissioner in July 2023.

Most recently, he was the Chief Executive Officer of Mojo Coffee, General Manager Commercial Development of Zealandia, and Executive General Manager of Farrah’s Breads. Prior to this, he was Managing Director of Southern Sky Associates, a business consultancy. He has also been the Chief Executive Officer of Brancourts Dairy Group, Australia and Executive General

Manager of Sanitarium Health and Wellbeing New Zealand for 10 years, Managing Director of Dick Smith Foods in Australia, as well as having held various executive roles with Sanitarium in Australia.

Pierre has also held roles as Chair and Deputy Chair of the Food and Grocery Council of New Zealand, New Zealand Representative of APEC’s Policy Partnership on Food Security, a member of expert advisory groups – Front of Pack Labelling as well as Health Star Rating advisory groups (on behalf of the Minister of Food Safety), and industry advisor on the Food and Beverage Information project. He has also been Chair of Life Health Foods Limited and director of New Zealand Health Association Limited, SoSoy (Pty) Ltd and the International Health Food Association.

He is well educated with recent studies at both London Business School and INSEAD on a Prime Minister’s Business Scholarship. He holds various other qualifications including BBA, Hons BCom, Hons BCompt, MBL, is a qualified Chartered Accountant, FCPA, MInstD, and GAICD.

Term began: 13 July 2023

Term ends: 8 July 2028

**Dr Derek Johnston****Commissioner**

A commercial lawyer, Derek has extensive experience and knowledge of competition law coupled with significant mergers and transactional experience and familiarity with many of the regulated sectors. His past roles include being the independent Chair of NZX's Regulatory Governance Committee and the Chair of the NZ Markets Disciplinary Tribunal. For many years Derek was a corporate partner with Russell McVeagh and most recently has been practising as a barrister and arbitrator at Thorndon Chambers. In December 2022, Derek was appointed as an

Associate Member of the Australian Competition and Consumer Commission until October 2024.

Derek holds undergraduate and postgraduate degrees in law from the University of Auckland and a doctorate in law from the University of Toronto.

Term began: 1 November 2019

Term ends: 31 October 2024

**Vhari McWha****Commissioner**

Vhari is an experienced economist and has advised on public policy and regulation, including competition analysis and market design. She has a background in quantitative analysis, including cost benefit, modelling and forecasting work. Vhari has specific expertise in the energy sector. Prior to joining the Commission, Vhari was a Director at Sapere. Her earlier roles include Deputy Director at the economic consultancy NZIER and as the Regulatory Affairs Manager at Meridian Energy.

Vhari holds an MCom (Hons) in economics from the University of Canterbury.

Term began: 5 June 2023 (first appointed 14 September 2020)

Term ends: 2 June 2028

**Bryan Chapple****Commissioner**

Bryan is an experienced economist and senior public sector leader, with a deep understanding of the New Zealand economy and the role of regulation.

Prior to joining the Commission, he was Deputy Secretary (Growth and Macroeconomics) at the New Zealand Treasury. In that role, Bryan led the Treasury's work on micro and macro-economic policy, including the Treasury's work on regulatory strategy.

Term began: 5 June 2023 (first appointed 29 August 2022)

Term ends: 2 June 2028

Associate Commissioners

Alongside Commissioners, the Minister of Commerce and Consumer Affairs may also appoint Associate Commissioners to the Commission. Associate Commissioners are appointed for specific classes of matters and are deemed to members of the Commission only for the matters they are appointed for. Associate Commissioner are not members of the Commission's Board.



Joseph Liava'a

Associate Commissioner

Prior to joining the Commission, Joseph worked as the Community Liaison Manager for Nirvana Health Group.

Before that he was a consumer law advisor for the former Ministry of Consumer Affairs and also worked as a private secretary for the Minister. Joseph has also given consumer law training to budget advice services and community law centres. He has been involved with a variety of boards and panels, including Pacific Health and Welfare Inc, Vaiola Pacific Island Budgeting Service Trust (Mangere),

Otara Health Charitable Trust, as well as the board of Consumer New Zealand.

Term began: 16 May 2022 (first appointed 8 April 2019)

Term ends: 7 June 2025



Nathan Strong

Associate Commissioner

Nathan is a qualified economist, with over 20 years of experience focusing on applied competition and regulatory economics, including at senior management levels in regulated companies. Prior to joining the Commission, he was the General Manager (Commercial) at Unison Networks having first been appointed to the executive team at Unison in 2010.

Nathan was also the Chair of the Electricity Networks Associations' Regulatory Working Group, a Member of the Electricity Authority's

Security and Reliability Council and has previously been a member of several Electricity Authority Advisory Groups

Term began: 29 August 2022

Term ends: 27 August 2027

**Loretta Lovell****Associate Commissioner / Alternate Water Services Commissioner⁴**

Loretta Lovell is a Solicitor, Independent Environmental Commissioner and Professional Director.

For over 20 years Loretta has specialised in public, commercial, energy and resource management law, advising clients as they develop their resources and negotiate and progress large scale infrastructure projects. As an environmental commissioner and chairperson, she has considered and decided many complex plan

and consent applications often involving large scale infrastructure for telecommunications, electricity grid, lines and generation, and drinking, storm and wastewater.

Loretta is also a Board member of the Independent Crown Regulator Taumata Arowai which regulates water quality for New Zealand, providing a common conduit between the economic and quality regulators at governance level. She is also a Board member of The Charities Registration Board and until recently served on the board of the Energy Efficiency and Conservation Authority and the Environmental Legal Assistance Advisory Panel.

Term began: 31 May 2023

Term ends: 30 May 2028

**Rakihia Tau****Associate Commissioner**

Rakihia brings knowledge of industry, commerce and economics, and extensive experience working with Māori rights and commercial interests. His experience with Māori/Crown relationships dates back to Ngāi Tahu's original Treaty settlement negotiations, and he has an ongoing involvement in various Māori businesses and organisations at both executive and board level.

Rakihia's experience includes managing Ngāi Tahu Holdings' strategic policy, litigation, and external relations, as well as providing business advisory services, and having a range of governance roles.

Term began: 26 June 2023

Term ends: 23 June 2028

⁴ Loretta has been designated by the Commission Chair as the Alternate Water Services Commissioner under s.132 of the Water Services Economic Efficiency and Consumer Protection Act 2023 in the absence of an appointment of a Water Services Commissioner

Appendix C – Key Contacts

Contact	Role and Details	Note
Dr John Small	Chair [REDACTED] [REDACTED]	Based in Auckland, but makes frequent trips to Wellington
Tristan Gilbertson	Telecommunications Commissioner [REDACTED] [REDACTED]	
Adrienne Meikle	Chief Executive [REDACTED] [REDACTED]	
Simon Thompson	General Manager Market Regulation [REDACTED] [REDACTED]	Simon leads the Market Regulation branch, which includes lead responsibility for the Telecommunications function.
Lachlan Cartwright	Head of Strategy, Policy and Performance [REDACTED] [REDACTED]	Lachlan leads the team responsible for engagement with MBIE and Ministers' offices
John McLaren	Head of Communications and Engagement [REDACTED] [REDACTED]	John leads the Commission's communications team