



**TCF Submission to
Commerce Commission New Zealand
111 Contact Code Review
1st March 2024**

A. Introduction

1. Thank you for the opportunity to comment on the Draft Amended Code and the Draft Decisions and Reasons paper published in December 2023 as a result of submissions on the Commerce Commission’s (Commission) Request for Views paper; on the effectiveness of the 111 Contact Code (the Code) in meeting the requirements under part 7 of the Telecommunications Act 2001 (Act).
2. This submission is provided by the New Zealand Telecommunications Forum (TCF) and represents views from TCF members on the amendments to the Code.
3. The TCF supports the Commission’s ongoing workability approach to amending the Code and would like to thank the Commission in presenting the Paper in a clear and helpful manner.

B. Response to proposed amendments to the Code

4. The TCF has provided comments and proposed additional amendment to the Code in a marked-up copy of the draft amended Code which accompanies this submission.

C. TCF Response on the Draft Decisions and Reasons Paper

5. In this section we have provided comments on some parts of the Commission’s Draft Decisions and Reasons Paper:

Reference	Purpose	TCF Response
Chapter 5 – Matters under consideration: Residential Care and Assisted Living Facilities	How providers of some Facilities and similar business models are covered under the Code	The TCF agrees with the Commission’s preliminary view that where commercial arrangements exist under Cl.93 scenarios A and B that the obligations sit with the Facility to support their residents. Under scenario C the direct billing relationship is between the resident and the Provider so the obligations to inform the consumer are with the Provider and not the Facility
Chapter 6 – No proposed amendments to existing Code requirements	Application of the Code to medical alarms	cl. 102 The Commission has provided clarification that consumers who have an appropriate medical alarm that meets the requirements under the Code are deemed to already have appropriate means for contacting 111 emergency services. The TCF requests that this is also clarified in the Code in line with the above wording as this would make it clearer to providers and consumers reading the Code.
98.11 Lack of consumer awareness	N/A	<p>The TCF supports the Commission providing information about providers’ obligations to support vulnerable customers who rely on the landline service for contacting 111 emergency services under the Code through different channels. We suggest that the Commission works with consumer advocacy organisations to increase consumer awareness of their rights under the Code e.g., Grey Power.</p> <p>Providers already have extensive obligations to regularly communicate to their customers about the support they provide to vulnerable customers under the Code. We think that the Commission has a role to play in helping to increase awareness of this more broadly.</p> <p>We support the Commission’s intention under cl. 177 to continue to provide further information and work with advocacy groups.</p>

D. Conclusion

6. The TCF is available to answer any questions and would welcome an opportunity to meet with the Commission to discuss our submission; in particular, the proposed additional amendments to the Code and the rationale behind them.
7. Any questions relating to this submission should be directed to Penny Sutcliffe:
[REDACTED]

The TCF is the telecommunications sector's industry body which plays a vital role in bringing together the telecommunications industry and key stakeholders to resolve regulatory, technical and policy issues for the benefit of the sector and consumers.

TCF member companies represent over 95 percent of telecommunications consumers in New Zealand. TCF Members include: 2degrees, AWACS, Chorus, Devoli, Enable Networks, Fortysouth, Kordia, Mercury, Northpower Fibre, NOW, One NZ, Spark, Symbio Networks, Tuatahi First Fibre, UnisonFibre and Vector Communications. WISPA-NZ, which represents 28 Wireless Internet Service Providers, is an Associate Member of TCF.

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