



Telecommunications Amendment Act 2005

Public Act 2005 No 70
Date of assent 16 May 2005
Commencement see section 2

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Telecommunications Amendment Act 2005.
- (2) In this Act, the Telecommunications Act 2001 is called “the principal Act”.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Interpretation

- (1) Section 5 of the principal Act is amended by repealing the definition of **existing works**, and substituting the following definition:

“**existing works**—

“(a) means any works relating to the provision of telecommunications under the Post Office Act 1959 (or any former Act) that were wholly or partly in existence, or for which work on the construction, erection, or laying commenced, before 1 January 1988; and

“(b) includes, for the purposes of subpart 2 of Part 4, any works relating to any conveyance that constitutes

broadcasting under the Post Office Act 1959 (or any former Act) that were wholly or partly in existence, or for which work on the construction, erection, or laying commenced, before 1 January 1988; but

“(c) does not include any works that, after that date, have been altered or moved or added to in a way that substantially alters their character or location, as the case may be”.

- (2) Section 5 of the principal Act is amended by repealing the definition of **telecommunication**, and substituting the following definition:

“**telecommunication**—

“(a) means the conveyance by electromagnetic means from one device to another of any encrypted or non-encrypted sign, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature, whether for the information of any person using the device or not; and

“(b) for the purposes of subpart 2 of Part 4, includes any conveyance that constitutes broadcasting; but

“(c) for all other purposes, does not include any conveyance that constitutes broadcasting”.

4 Persons declared to be network operators

Section 102(1) of the principal Act is amended by adding the words “and broadcasting markets”.

Legislative history

10 May 2005	Divided from Statutes Amendment Bill (No 4), third reading
16 May 2005	Royal assent

This Act is administered in the Ministry of Economic Development.
