

**Reprint
as at 1 October 2011**



**Telecommunications (Declaration
of TSO Instrument) Order 2004**

(SR 2004/239)

Telecommunications (Declaration of TSO Instrument) Order 2004: revoked (but continuing to apply, as if it had not been revoked, for certain purposes), on 1 October 2011, by clause 4 of the Telecommunications (Declaration of TSO Instrument) Order 2011 (SR 2011/301).

Silvia Cartwright, Governor-General

Order in Council

At Wellington this 9th day of August 2004

Present:

Her Excellency the Governor-General in Council

Pursuant to section 70(2) of the Telecommunications Act 2001, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council and on the recommendation of the Minister of Communications made in accordance with section 70(2) and (3) of that Act, makes the following order.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This order is administered by the Ministry of Economic Development.

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Order

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This order comes into force on the 28th day after the date of its notification in the *Gazette*.
- 3 Declaration of TSO instrument**
The Telecommunications Service Obligations (TSO) Deed for Telecommunications Relay Services (TRS) between Her Majesty the Queen and Sprint International New Zealand dated 9 July 2004 is declared to be a TSO instrument under the Telecommunications Act 2001.

Diane Morcom,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on the 28th day after the date of its notification in the *Gazette*, declares a deed entered into by the Crown and Sprint International New Zealand on 9 July 2004 (entitled the Telecommunications Service Obligations (TSO) Deed for Telecommunications Relay Services (TRS)) to be a TSO instrument under section 70 of the Telecommunications Act 2001.

Under the TSO instrument, telecommunications relay services are to be made available so that people who are deaf, hearing impaired, or speech impaired can communicate with other telephone users. Telecommunications service providers must comply with the terms of the TSO instrument.

In accordance with the Telecommunications Act 2001, the declaration of the TSO instrument is made on the recommendation of the Minister of Communications after certain specified conditions have been met.

The new TSO instrument can be viewed on the Commerce Commission website: <http://www.comcom.govt.nz> and on the Ministry of Economic Development website: <http://www.med.govt.nz>.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 12 August 2004.

Telecommunications (Declaration of TSO Instrument) Order 2011

(SR 2011/301)

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 29th day of August 2011

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to sections 70(2) and 76(1)(a) of the Telecommunications Act 2001, Her Excellency the Administrator of the Government makes the following order acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for Communications and Information Technology made in accordance with section 70(2) and (3) of that Act; and
- (c) on the recommendation of the Minister for Communications and Information Technology made in accordance with section 76(1)(a) and (2)(a) of that Act.

Order

1 Title

This order is the Telecommunications (Declaration of TSO Instrument) Order 2011.

2 Commencement

This order comes into force on 1 October 2011.

4 Revocation and saving

- (1) The Telecommunications (Declaration of TSO Instrument) Order 2004 (SR 2004/239) is revoked.
- (2) Despite subclause (1), the Telecommunications (Declaration of TSO Instrument) Order 2004 continues to apply, as if it had not been revoked, for the purposes of—
 - (a) determining in accordance with the Act the amounts payable under the Act to the TSO provider in respect of the TSO instrument declared by that order for the financial year ending 30 June 2011 and the 3-month period ending 30 September 2011; and
 - (b) liability for any amounts determined to be payable.

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Notes**1 General**

This is a reprint of the Telecommunications (Declaration of TSO Instrument) Order 2004. The reprint incorporates all the amendments to the order as at 1 October 2011, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Telecommunications (Declaration of TSO Instrument) Order 2011
(SR 2011/301): clause 4
