



Conference Report: Communications and Media Law Association Seminar - June 15, 1995, Sydney.

One regulator or two?

Should there be a telecommunications regulator? Should AUSTEL still have a competition policy role or should that go to the proposed Australian Competition and Consumer Commission (ACCC)? Or should there be just one communications regulator - an AusCom?

In the run up to Cabinet decisions on telecommunications policy reforms - and maybe an early election - the Communications and Media Law Association's evening seminar, on June 15, attracted the key players to what is becoming one of the major issues of telecommunications policy reform. The positions taken suggested agreement on a regulatory framework, particularly for competition policy.

Communications Law Centre director Helen Mills argued for one communications regulator. The convergence of technologies and services has meant that the current division of regulators - AUSTEL, the Aus-

tralian Broadcasting Authority (ABA), the Spectrum Management Agency (SMA), and the Trade Practices Commission (TPC) - has left significant gaps of coverage over such important issues as cross media rules.

TPC Chair Allan Fels used the forum for yet another plea that the ACCC should cover the competition policy aspects of telecommunications. He argued that an ACCC offered a broader overview of the converging communications industry. One communications regulator might absorb the functions of AUSTEL, the ABA and the SMA.

Optus's Alan Petts showed how far Optus has come in accepting the possibility that an ACCC may be the competition policy regulator. He conceded that economic and technical regulation could be addressed separately and that there are shared issues across all industries in competition policy regulation.

Telstra's director of corporate planning, Graeme Ward took another tack.

He said Telstra was committed to open competition and was comfortable with key competitive safeguards along the lines of the ACCC model. Any decision about regulation had to regard factors such as Telstra's value to Australia, the rapid rate of change in the industry and the globalisation of the marketplace.

Tony Branigan, general manager of the Federation of Australian Commercial Television Stations (FACTS) predicted that one big regulator would become a telecommunications regulator.

Summing up the debate, the director of the Centre for Media and Telecommunications Law and Policy, Mark Armstrong said the issue was about creating an environment for continued investment. The emergence of an AusCom was an appropriate means of dealing with specific communications issues while an ACCC would handle competition regulation across all industries. □

Holly Raiche

FAREWELL TO HELEN MILLS

THIS MONTH the Communications Law Centre bids farewell to its Director, Helen Mills. Helen arrived at the Centre in July 1993. Helen came to the Centre with a considerable working knowledge of the communications industry. Her background as director of corporate policy and planning at the ABC during the turbulent times of the 1980s secured a solid understanding of the broadcasting industry. She consolidated the Centre as a constructive participant in the fast-changing communications law and policy debates. The Centre's profile within the general media has been maintained with Helen's ability to get across the big



picture issues in an accessible way. Helen articulated clear objective policy guidelines to all major debates in the growing field of communications, including convergence, broadband services issues, access and equity. As well as developing policy, Helen represented the Centre on many occasions at conferences and in policy development forums, addressing these issues and giving much needed attention to the impact of the new communications environment on the public interest. The staff and board thank her for a tremendous effort and wish her well in her future pursuits.