

Telecommunications Market Evolution and the Need for Legislative Stability

Editorial

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Abstract: It would be wrong to expect either market or legislative stability in any large and complex industry today. The Australian telecommunications industry is no exception and in the lead-up to 2017 there have been a number of government reviews and inquiries announced that are certain to add to the instability if the outcomes do not focus on the long-term interests of end users. Whilst stability may not be achievable in an industry that is dependent on rapidly changing technology, there are aspects of telecommunications competition policy that are broken and need to be fixed urgently. Now is not the time to take an axe to the telecommunications competition legislation, especially when the underlying government policy is the cause of the instability. Mr Graham Shepherd, a leading member of the TelSoc Board and the Journal Board for many years, has retired from the TelSoc Board.

In This Issue

In this issue the *Journal* includes articles that cover a range of telecommunications policy related issues including papers from around the world that analyse the national telecommunications legislation and regulation environment. The excellent series of papers on the history of Australian telecommunications continues with a paper on the Telstra Research Laboratories and a paper on customer leadership.

The Telstra Research Laboratories includes three selected papers detailing the breadth of the research undertaken by the Research Laboratories of the Postmaster-General's Department (now Telstra).

Towards Customer Leadership, Building a Sales Force in Telecom Australia in the 1980's provides a brief history of Telecom's decision to build a sales force to reposition the company as a retail focused organisation.

Net Neutrality: A perspective responding to recent developments in the European Union explores the scope and application of the European Union's recently adopted net neutrality regulations.

Market Evolution and Regulation in the Italian Telecommunications Industry provides a review and analysis of the evolution of the Italian telecommunications market from the beginning of the liberalisation and privatisation process that commenced in the early 1990s.

Spain: from monopoly to (progressive) liberalization, Two decades of telecommunications regulation provides a review of telecommunications in Spain and highlights the evolution whilst touching on the relationship and tensions with European Union legislation.

What Influences International Differences in Broadband Prices? discusses the factors influencing international differences in broadband pricing, why this discussion receives limited attention in the academic and policy literature and how broadband pricing affects Australian consumers.

Reciprocity of Government Restructuring/Policy Changes and the Convergent Environment in South Korea analyses the interaction between government ministries, regulators and the telecommunications industry in South Korea relating to telecommunications convergence and the emerging broadband ecosystem.

A review of New Zealand Telecommunications: Legislation, Regulations and Recommendations provides a review of existing telecommunications legislation and regulations in New Zealand, highlights the existing legislation in the country and discusses the organizations responsible for regulating the underlying laws and provides recommendations for changes to the existing legislation and regulations in New Zealand.

The Australian Telecommunications Regulatory Environment, An overview provides an overview of the changing legal and regulatory regime for telecommunications and related services in Australia by charting the changes in regulation from 1901 to the present, and by indicating some of the changes that are still evolving.

The Shape and Implications of Korea's Telecommunication Industry: Crisis, Opportunity and Challenge provides a brief history of Korean telecommunications is supplemented by an overview of the social and economic factors the Korea is experiencing, the government's role as a key player within industry and relevant policy and an analysis of the market competition and regulation systems as well as customer protections and the future of IoT and 5G.

Telecommunications in Poland, Infrastructure, market and services describes the telecommunications market in Poland, and explores the organisation and infrastructure of

Poland's networks as well as the evolution of this sector within the last few decades and put a number of issues in the Polish experience in perspective.

The retention and disclosure of location information and location identifiers, OTT content and communications services describes how Australia's metadata retention and disclosure regime addresses the retention and disclosure of location information and location identifiers by locally licensed telecommunications service providers and those that do not require a licence to operate in Australia.

Mr Graham Shepherd's retirement

Graham Shepherd stepped down from the TelSoc Board in 2016, but has remained an active contributor to TelSoc's operations, albeit at a reduced pace, not least in supervising the administration of the TelSoc website. He remains a member of the Editorial Board of this Journal.

Graham was one of the seven founding directors of TelSoc, and his contributions were fundamental to TelSoc's creation and its ongoing success. Graham researched the pros and cons of the alternative legal structures available to the new Society. Having persuaded his fellow founders to choose a registered Association, he obtained a set of Model rules which were easily adapted to TelSoc's purposes, and was then instrumental in creating the financial and administrative processes and resources that underpin Telsoc's operations today.

Crucially, Graham, singlehandedly, created an operational website that the new Society has used ever since. Without this website, the Society might have struggled to find its feet as it sought to move forward following the instability created during the demise of the Telecommunications Society of Australia. For a fledgling Society being able to communicate with the membership is crucial and Graham's website provided the tools necessary to support the Society's activities.

Graham persuaded Peter Gerrand, the long-time Managing Editor of the Telecommunications Journal of Australia (TJA), of the advantages of publishing the Journal through the TelSoc website rather than on an independent site as before, for the benefit of both TelSoc members and Journal authors. Graham went on to add further functionality to the website, including a history section relevant to the Australian telecommunications industry.

Graham became a member of the Editorial Board of TJA and its successor the Australian Journal of Telecommunications and the Digital Economy, where his contributions to strategy and in reviewing authors' submissions have been greatly appreciated. Members of the Journal Board thank Graham for his tireless efforts over many years.

Looking Forward

The key themes for 2017 will be *International Telecommunications Legislation and Regulations* and *International Mobile Cellular Regulation and Competition*. As the global digital economy evolves it is timely to consider the different telecommunications markets and how each is coping with the transition to next generation networks – the ‘gigabit race’ – and how competition is being fostered with the market. Mobile cellular continues to be an expensive consumer product and for many nations the promise of a competitive mobile cellular market has not eventuated due to the inherent advantages enjoyed by incumbent telecommunication companies during the deregulation years.

Papers are invited for upcoming issues and with your contributions the Journal will continue to provide the readership with exciting and informative papers covering a range of local and international topics. The Editorial Board values input from our readership so please let us know what themes you would like to see in the coming year.

All papers related to telecommunications and the digital economy are welcome and will be considered for publication after a peer-review process.

Mark A Gregory