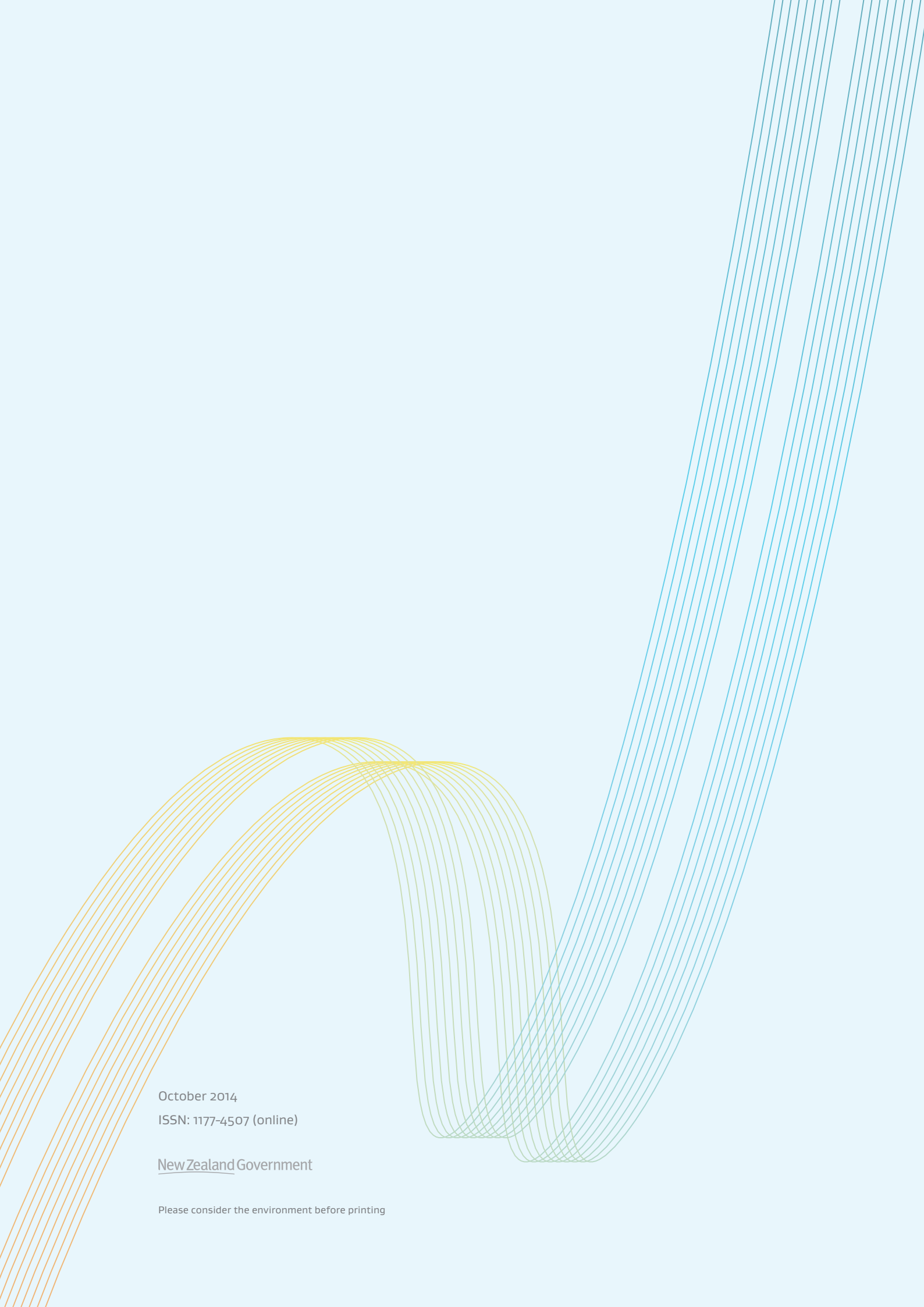




# Annual Report

2013/14 for the year ended 30 June 2014





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New Zealand Government

Please consider the environment before printing



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# Introduction

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A goal of government is to grow New Zealand's economy, allowing for businesses to have more confidence to invest and expand and for New Zealanders to have greater opportunities to succeed.

To effectively promote growth, New Zealanders need to be well connected with access to the latest technologies, and for this an effective radio spectrum management regime is increasingly critical.

The Ministry of Business, Innovation and Employment (MBIE) is responsible for efficiently and effectively managing the radio spectrum, including allocating rights for the use of the spectrum, and enforcing compliance with the requirements that protect it as a continuing resource.

In addition, MBIE is responsible for providing policy advice to the government on spectrum issues, and administering the allocation of any

spectrum the government decides to make available as tradable property rights.

These functions are completed for MBIE by the three sections of Radio Spectrum Management (RSM): Policy and Planning, Licensing and Compliance.

RSM's work programme for 2013–2014 was aligned with MBIE's *Statement of Intent 2013–2016*.

In particular, effective management of the radio spectrum by RSM is crucial to MBIE's intermediate outcome of: "more reliable infrastructure and responsible development of natural resources".



# Our Team

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RSM sits within the Infrastructure and Resource Markets group of MBIE.





# Our Vision

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To be the **world leader** in spectrum management, helping **grow** New Zealand's connectivity and **increase** economic growth through a **modern** telecommunications environment.



# Our Contribution

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## HOW WE CONTRIBUTED IN 2013/2014

### RADIO SPECTRUM MANAGMENT

Through efficient and effective management of the radio spectrum, including allocating rights for the use of the spectrum, and enforcing compliance.

By providing policy advice to the government on spectrum issues, and administering the allocation of any spectrum the government decides to make available as tradable property.

### MINISTRY OF BUSINESS, INNOVATION & EMPLOYMENT

More reliable infrastructure and responsible development of natural resources.

More productive and internationally competitive businesses.

Grow New Zealand for all.

### GOVERNMENT

Building the foundations for a stronger economy that will provide New Zealanders with jobs, higher incomes, and improved living standards.

# 2013/2014 Highlights

## POLICY AND PLANNING

- › The switchover from analogue to digital television, which we completed in December 2013.
- › Completing the technical planning for the allocation of the 700 MHz spectrum and the successful auction of the 700 MHz spectrum.
- › Producing a discussion document enabling industry to contribute to a review of the Radiocommunications Act 1989.
- › Starting an educational campaign for users of radio microphones on the frequencies available for radio microphone use in the future.
- › Developing Spectrum Licence Policy Rules for Crown Management Rights (PIB<sup>1</sup> 59).
- › Providing advice on Māori interests in radio spectrum.

## LICENSING

- › Registering 5,414 instruments and 1,722 new spectrum licences and granting 1,544 new radio licences. There was an increase in the number of instruments registered due to preparations for the AM/FM auction in late 2014 and cellular licences being issued for 1800 MHz/4G services.
- › Working with the Department of Corrections to minimise risk to other radio services from their licenced radio jamming systems.

## COMPLIANCE AND ENFORCEMENT

- › Working with the New Zealand Customs Service (Customs) to control importation of illegal Garmin dog tracking devices into New Zealand and assisting the New Zealand Police with the prosecutions of people using the devices.
- › Working with Garmin to arrange a suitable 'legal' product for the New Zealand market, for supply by the end of 2014.

## INTERNATIONAL ENGAGEMENT

- › Hosting Spectrum Management delegations from China, Indonesia and Thailand.
- › Achieving a world-first by being allowed to test electrical and electronic products and apply the Chinese CCC compliance mark, for electrical safety and electromagnetic compatibility (EMC), outside of China.

## BUSINESS DEVELOPMENT

- › The launch of a new visual identity, designed to position us as part of the wider MBIE family. At the heart of our new visual identity is our new logo.
- › Revising all content on the RSM website to 'go live' in late 2014.

**RADIO SPECTRUM  
MANAGEMENT**



<sup>1</sup> Public Information Brochure (PIB)

# Policy and Planning

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The Policy and Planning team help strengthen the underlying business environment by improving legislative, regulatory, and business frameworks for the efficient and effective functioning of national and international markets.

## REGULATORY FRAMEWORK

We examine and review the regulatory framework to ensure that the compliance burden is proportional to the level of risk to the radio spectrum. Specifically, in 2013/2014 we:

- › Prepared a discussion document to enable industry to provide submissions on a review of the Radiocommunications Act 1989, in particular their views on:
  - › The effectiveness of provisions relating to management of interference to radiocommunications.
  - › Competition safeguards to prevent anti-competitive behaviour in circumstances not already addressed by the Commerce Act provisions.
  - › Whether it would be beneficial to introduce a means of establishing a regional division of management rights.

Submissions on the review discussion document are due late 2014.

## INTERNATIONAL COORDINATION AND REPRESENTATION

We represent New Zealand radio spectrum interests at international fora to protect existing infrastructure and encourage opportunities for new investment. We monitor and influence international developments by representing New Zealand at international telecommunications and radio spectrum forums.

In 2013/2014 our international engagement focused on:

- › Identification of additional spectrum bands for future mobile broadband technologies, including 5th generation cellular services.
- › Identifying spectrum suitable for use by emergency services for broadband.
- › Promotion of new services to support future spectrum requirements in the aeronautical service, including the safe operation of aircraft.
- › Protection of existing services from interference resulting from the allocation of frequencies to new services.

Specifically, we:

- › Developed New Zealand positions in preparation for the World Radiocommunications Conference to be held in 2015.
- › Promoted those positions in our region (at the Asia-Pacific Telecommunity).
- › Supported the team that is negotiating the Trans-Pacific Partnership.

## RADIO SPECTRUM POLICY ADVICE

The Policy and Planning team work towards maintaining a regulatory environment that creates the conditions for businesses to succeed. We work to deliver a more competitive communications market that provides effective pricing and investment to support the uptake and use of new technologies. Specifically, in 2013/2014 we:

### Transition from Analogue to Digital Television

- › Completed the switchover from analogue to digital television.
- › Completed the allocation of the 700 MHz band for new uses.
- › Provided advice on other switchover related matters including:
  - › Provision of long-term licences to television broadcasters following switchover.
  - › Options for secondary use of digital television frequencies ('white space').
  - › Arrangements for the transition of radio microphones out of the 700 MHz band.

### Other Projects

- › Reviewed the 2.1 GHz band acquisition limits.
- › Reviewed the LMDS management rights.
- › Considered new uses for the VHF Band I.
- › Advised on arrangements to make spectrum available for the Māori Television Service.
- › Obtained government ratification of changes to the International Telecommunications Union (ITU) Treaty.
- › Obtained Cabinet approval for an auction of AM/FM radio licences.

## RADIO SPECTRUM PLANNING

We provide engineering and technical advice to support the effective allocation and efficient management of the radio spectrum resource.

### Technical Documentation

- › We developed the *Spectrum Licence Policy Rules for Crown Management Rights* (PIB 59).
- › We updated the:
  - › *Table of Radio Spectrum Usage in New Zealand* (PIB 21)
  - › *Fixed Service Bands in New Zealand* (PIB 22)
  - › *Radio Licence Certification Rules* (PIB 38)
  - › *Radio Licence Policy Rules* (PIB 58)
  - › *Radio Spectrum Allocations in New Zealand* chart.

### Crown Spectrum Management and Spectrum Sales

- › Conducted 700 MHz auction.
- › Reviewed the local commercial FM licences.
- › Allocated 3.5 GHz spectrum.
- › Continued the allocation of Managed Spectrum Park licences.
- › Provided temporary test licences for several companies trialling new applications.
- › Extended the 2.3 and 2.5/2.6 GHz management rights.

# Licensing

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## LICENSING AND REGISTRATION

The Licensing team ensures that our licence administration is user-focused, efficient and effective, and maximises the use of online services wherever possible.

Specifically, in 2013/2014 we:

- › Supported the 'approved persons' professional community and ensured that they were the initial contact for radio and spectrum licence holders.
- › Prepared a review of the 'approved persons', approved radio certifier (ARC)/approved radio examiner (ARE) scheme, in order to align it to the Australian scheme. The results will be published in late 2014.
- › Provided training for ARE, ARC and approved radio examiners (ARX) including:
  - › Radio licence certification technical rules and supporting radio licence policy rules.
  - › Promoting the use of best practice in spectrum engineering techniques.
  - › Using SMART<sup>2</sup> to efficiently process certificates and callsign applications.
- › Permitted all remaining radio licence classes to be certified by 'approved persons'. Previously these radio classes were only certified by RSM.

## OTHER PROJECTS

- › Worked with the Department of Corrections to minimise risk to other radio services from their licenced radio jamming systems.
- › Facilitated the entry of INMARSAT New Zealand and Telecom New Zealand into the KA Satellite band. The KA Satellite band will deliver faster broadband to the Pacific Region.
- › Engineered and registered all new FM licences that will be auctioned in 2014/2015.
- › Worked with 'approved persons' to licence radio services for V8 supercar racing and American Universities atmospheric research.
- › Worked with the Australian Communications and Media Authority (ACMA) to ensure radio standards are harmonised between New Zealand and Australia.

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<sup>2</sup> Spectrum Management and Registration Technology (SMART) allows a client to search the Register of Radio Frequencies, apply for a New Zealand radio licence, renew an existing licence or update client details

# Compliance and Enforcement

Radio Spectrum Management's Compliance team works with different segments of the radio spectrum sector to balance compliance requirements with competition needs. This enables a regulatory environment that does not unnecessarily impose burdens on business, but rather encourages innovation.

Specifically, in 2013/2014 we:

- › Worked, together with Customs, updating legislation to enable border control for non-compliant products. This enabled border-based inspection and interception of devices and products, such as dog-tracking devices, that are likely to cause interference.
- › Worked with Ofcom, the UK spectrum regulator, to address an issue with the internet supply of cellular boosters which are illegal to use in New Zealand.
- › Progressed our Free Trade Agreement with China, which saw New Zealand (in a world first) allowed to test electrical and electronic products and apply the Chinese CCC compliance mark for electrical safety and EMC.

## AUDITS

We perform audits to protect the utility of the radio spectrum by ensuring compliance with New Zealand regulatory requirements. Our audit programmes achieve outcomes through a mix of education, warnings, and infringement notices. Specifically, we:

### Licence Audits

- › Used over-the-air verification measurements in 97 percent of radio transmitter audits. This approach minimises user costs and encourages voluntary compliance. As a result of 811 audits, 102 warning and 26 infringement notices were issued.
- › Worked with test equipment manufacturers and software providers to develop and test new methods of automated and remotely controlled spectrum monitoring.

### Supplier Audits

- › Conducted audits of suppliers, targeting those who demonstrate a risk of non-compliance, and ensured consumers and businesses are well informed. We:
  - › Undertook 357 enforcement and conformance investigations, and issued 11 infringement notices to ensure that EMC and Radiocommunications/radio transmitting products supplied in New Zealand present an acceptably low level of interference risk to the radio spectrum.
  - › Encouraged voluntary compliance through education and incentives, issuing 128 warnings of non-compliance.
  - › Undertook supplier audits in frequency bands being cleared for other services, in particular in the 700 MHz band utilised by radio microphones.
  - › Worked with the ACMA, Standards New Zealand, and international suppliers to ensure standards provide sufficient protection to the spectrum at minimal compliance cost and that licensing requirements for transmitters were met.

### Examiner Audits

- › Worked with ARX and conducted six audits to ensure that examinations ensure that maritime radio operators and amateur radio operators have the necessary skills and knowledge to carry out efficient and effective radiocommunications. Only one warning was issued.

## RADIO FREQUENCY INTERFERENCE

We investigate and resolve radio spectrum interference complaints and actively monitor interference levels and the overall compliance environment. Specifically in 2013/2014 we:

- › Provided fast and effective interference investigation services, supported by website information and client education aimed at reducing the number of investigations and reducing costs. Interference complaints declined by 17 percent from the previous year.
- › Developed new tools to enable efficient investigation of existing services and new technologies.

Examples of interference complaints resolved this year include:

- › Long standing cellular issue resolved with location of a faulty masthead amplifier affecting Telecom services.
- › E band forestry repeater attributed to Garmin dog tracking equipment.
- › Invercargill police interference traced to a faulty power company link.
- › MET service rain radar affecting a number of sites traced to an oil exploration vessel.
- › Blue Star taxi services in Invercargill, traced to a temporary traffic light imported from Germany.
- › Kiwirail services in Wanganui, traced to a disused faulty country set telephone radio. The fault was caused by the Eketahuna earthquake.
- › Airways were reporting hearing music on the Napier Tower frequency. This was traced to a Low Power FM that had a number of spurious emissions.

## OTHER PROJECTS

Compliance Information Update

- › Updated the Compliance Guide. The updated Guide will be published on the RSM website late 2014.

### Dog Trackers

- › Worked with Customs to control importation of illegal Garmin dog tracking devices into New Zealand. Approximately 158 devices were intercepted by Customs this year.
- › Worked with Garmin to arrange a suitable product for the New Zealand market, for supply by the end of 2014.
- › Worked with a New Zealand company to develop a modification to make a range of illegal dog tracking devices compliant.





# Business Development

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We endeavour to make it simpler, faster, and more effective for business to deal with us. We realise this through improving the efficiency and effectiveness of our services, delivering better value for money, working more effectively with stakeholders and lifting the capability and engagement of our people.

## **BUSINESS DEVELOPMENT AND CAPABILITY**

We conduct annual forward-looking scans of external trends and developments, regularly review our progress and priorities, and flexibly allocate resources to address changing requirements. Specifically, in 2013/2014 we:

- › Analysed feedback from the client satisfaction survey and implemented improvements.

## **ONLINE SERVICES**

We improved our client service by supporting and enhancing our online delivery of services. We:

- › Revised all content on the RSM website to ensure the website is a source of accurate, easy to understand and up-to-date information about licencing processes, compliance, and radio spectrum projects. The revamped website will go live in late 2014.
- › Implemented web services to enhance upload/download capability within SMART and enable multiple online payments.
- › Ensured that the integrity of the Register of Radio Frequencies is maintained to enable effective engineering of licences.
- › Continued enhancements to SMART in response to client feedback.

## **INDUSTRY ENGAGEMENT**

We met regularly with industry to identify and develop radio spectrum allocation models and options, particularly for high-demand services and technologies.

- › Worked with cross-industry groups on the development of longer-term scenarios for spectrum use and regulatory frameworks.
- › Worked on an upgrade of the website to provide industry with the latest information.
- › Attended the Radio Frequency Users Association of New Zealand (RFUANZ) conference in May 2014 where we updated industry on spectrum management issues, and gave a presentation on interference investigation.
- › Produced monthly Radio Spectrum Management Business Update e-newsletters.

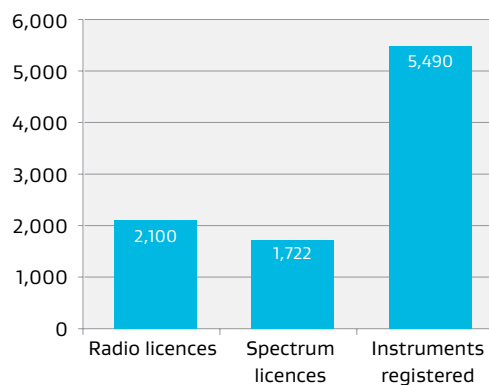
# Service Delivery Standards and Business Activity Statistics

Data for this section was obtained from our internal reporting systems.

## LICENSING AND REGISTRATION SERVICES

- › RSM granted a total of 2,100 radio licence applications (including modification to existing licences) and 1,722 spectrum licence applications. We registered 5,414 instruments. Seventy-six new management rights were also recorded in the Register of Radio Frequencies.
- › The large number of instruments and management rights registered relates to preparations for the AM/FM auction in late 2014 and cellular licences being issued for 1800 MHz/4G services.

**Processed applications and instruments registered**



- › 100 percent of correctly submitted licences, instruments or management rights applications were granted/registered by RSM within five business days.
- › From 2010 we created online versions of four spectrum forms (Spectrum licence, Notice of modification of spectrum licence, Notice of transfer of spectrum licence and Notice of cancellation of spectrum licence). Of these four forms, 79 percent are now completed online.

## ENGINEERING CERTIFICATION

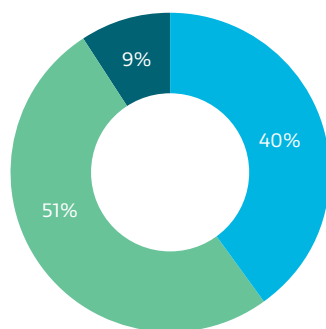
Clients applying for licences can select an independent ARE or ARC of their choice to complete their licences. There are now 150 AREs and ARCs, of which 61 have been active in the last financial year. AREs and ARCs engineered 97 percent of all licences (up from 95 percent in the previous year).

## INTERFERENCE COMPLAINTS

RSM received a total of 308 interference complaints during the 2013/2014 financial year. Twenty-seven cases related to interference to public safety radio communications services, 157 cases related to interference to commercial licensed services, and 124 complaints were for domestic broadcasting interference.

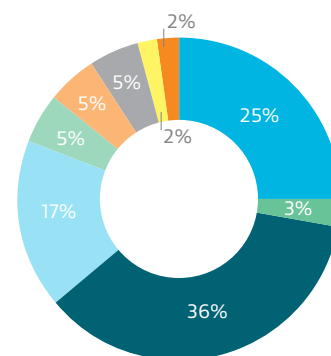
- › 96 percent of interference complaints to public safety services were responded to within two hours of being lodged.
- › 97 percent of commercial interference complaints were responded to within one working day of being lodged.
- › 98 percent of interference complaints to broadcasting services were responded to within two working days of being lodged.
- › Of the interference investigations undertaken RSM identified 44 offences that resulted in warning notices, and four offences resulted in infringement notices being issued.

Interference Complaint Sectors



- Broadcasting
- Commercial
- Public Safety

Interference Sources



- No source detected
- Transmitters
- Receivers
- Household tools, toys and appliances
- Broadcast receivers
- IT equipment
- Lighting equipment
- ISM equipment

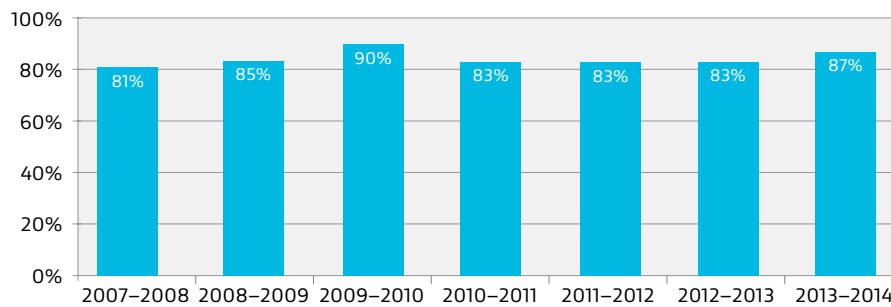
- › For 36 percent of interference complaint cases the interference source was identified as being a transmitter, followed by 'no source detected' (25%) and receivers (17%).

## LICENCE AUDITS

RSM has continued to improve its business intelligence gathering and remains focused on targeting areas at risk of non-compliance.

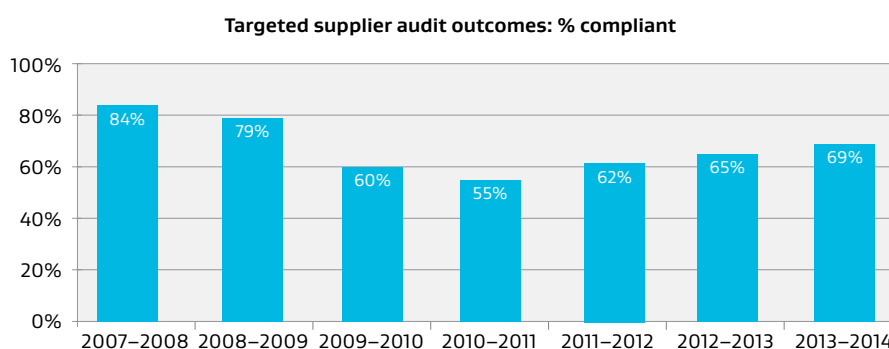
- › RSM conducted a total of 811 licence audits covering individual and multi-transmitter facilities.
- › Number of licence audits per licence type:
  - › Radio Licences: 433 (54%)
  - › Spectrum Management Rights (Crown): 68 (8%)
  - › Spectrum Management Rights (Private): 120 (15%)
  - › Other (includes unlicensed and General User Licence (GUL) transmitters): 190 (23%)
- › Licence audits identified 102 offences that resulted in warning notices and 26 offences that resulted in infringement notices.
- › The notices were issued to a range of services such as fixed links, land mobile, radio and television broadcasting, and cellular services.
- › These breaches were largely grouped under the categories of unlicensed transmitters, over-powered transmitters, and incorrect location, frequency or bandwidth.
- › 97 percent of licence audits were conducted over the air, saving industry significant costs and time.

**Targeted licence audit outcomes: % compliant**



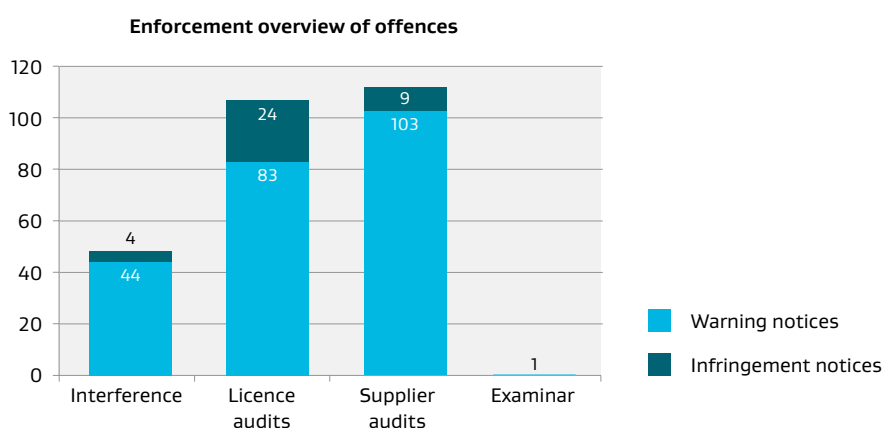
## SUPPLIER COMPLIANCE AUDITS

- › RSM conducted audits on 357 suppliers.
- › Most of the 128 warning notices and 11 infringement notices were issued for:
  - › Incorrect or non-labelling of products.
  - › Supplying products that operate outside GULs.
  - › Supplying products included in Prohibited Equipment Notices.
  - › 'Incomplete' or 'non-existent' compliance folders.
- › Online traders, both existing and new, present an increased risk to New Zealand's radio licensing framework due to the low start-up costs and ease of access to non-compliant products for these businesses. RSM has been targeting compliance with required performance standards and documentation.



## ENFORCEMENT

- › RSM identified a total of 231 offences that resulted in warning notices and 37 offences that resulted in infringement notices.
- › Compliance data indicates that over the past three years compliance rates are improving.
- › Four successful prosecutions were undertaken for transmitting radio waves in breach of the conditions of the radio licence issued under the Radiocommunications Act 1989.



# Statement of Financial Performance

For the year ended 30 June 2014

	2014 Budget \$000	2014 Actual \$000	2013 Actual \$000	2012 Actual \$000
<b>REVENUE</b>				
Crown	787	787	412	223
Other <sup>1</sup>	8,115	7,574	8,358	8,942
<b>Total Revenue</b>	<b>8,902</b>	<b>8,361</b>	<b>8,770</b>	<b>9,165</b>
<b>EXPENSES</b>				
Personnel	2,068	2,067	1,849	2,214
Operating	2,974	504	1,094	2,296
Depreciation	412	552	511	396
IT costs	1,401	837	1,250	1,148
Occupancy	10	19	325	322
Support costs	2,845	2,968	1,822	1,501
<b>Total Expenses</b>	<b>9,710</b>	<b>6,947</b>	<b>6,851</b>	<b>7,877</b>
<b>Surplus/(Deficit)</b>	<b>(808)</b>	<b>1,414</b>	<b>1,919</b>	<b>1,288</b>

## Notes

<b>1. SOURCES OF REVENUE OTHER</b>				
Spectrum Licence Annual Fees	2,712	2,623	3,350	3,627
Radio Licence Annual Fees	5,343	4,900	5,008	5,237
Other Revenue	60	51	0	78
<b>Total Revenue Other</b>	<b>8,115</b>	<b>7,574</b>	<b>8,358</b>	<b>8,942</b>

<b>2. TOTAL EXPENSES</b>				
Total expenses include the following costs but exclude Policy related costs				
Radio Spectrum Planning	862	917	1,001	977
Future auction sales	592	523	412	225

## COMPARISON OF COSTS BETWEEN FINANCIAL YEAR ENDING 2013 AND 2014

### › Operating Costs – decrease by \$500K

This is mainly due to efficiencies gained and also the policy to treat some of the organisation wide common costs as Support Costs

### › IT Costs – decrease by \$400K

Consolidation of IT costs organisationwide has led to related costs being treated as Support Costs across the Ministry

### › Support Costs – increase by \$1,000K

The increase is largely due to the policy adopted in treating common operating and IT services costs as Support Costs across the Ministry.

# The Year Ahead (2014/2015)

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The RSM work programme is aligned with the *Radio Spectrum Five Year Outlook 2012–2016*.

In 2014/2015 the focus of our work programme will be:

## POLICY AND PLANNING

- › Completing consultation on the review of the Radiocommunications Act 1989 and providing recommendations to government about any changes to the Act.
- › An auction of AM/FM licences.
- › Developing an Asia-Pacific regional position on additional spectrum for cellular mobile use.
- › Providing advice on the sale of unused digital television frequencies.

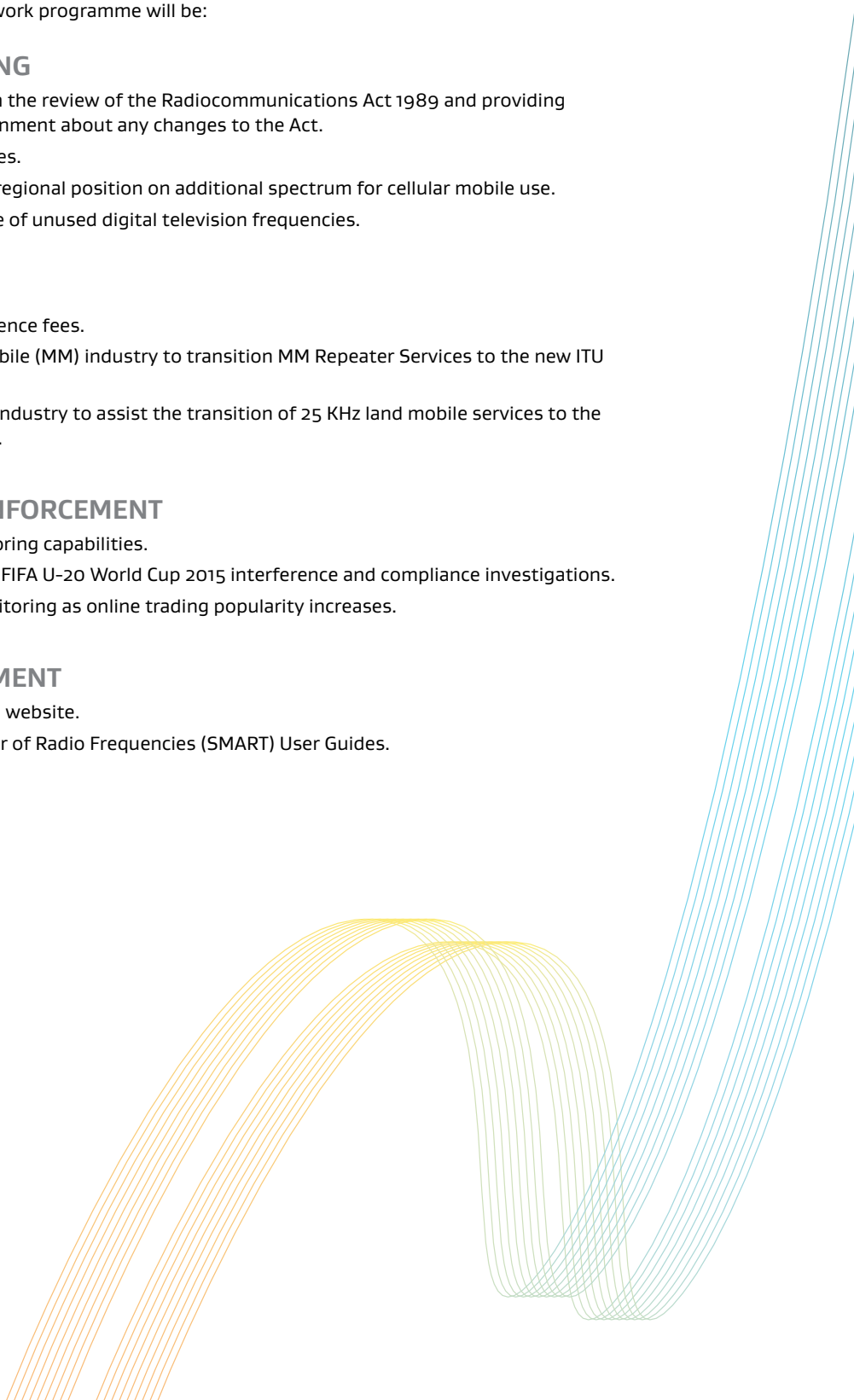
## LICENSING

- › Reviewing our costs and licence fees.
- › Work with the Maritime Mobile (MM) industry to transition MM Repeater Services to the new ITU band plan.
- › Work with the land mobile industry to assist the transition of 25 KHz land mobile services to the new 12.5 KHz channel plans.

## COMPLIANCE AND ENFORCEMENT

- › Establishing remote monitoring capabilities.
- › Cricket World Cup 2015 and FIFA U-20 World Cup 2015 interference and compliance investigations.
- › Increasing compliance monitoring as online trading popularity increases.

## BUSINESS DEVELOPMENT

- › Launching RSM's revamped website.
  - › Maintenance of the Register of Radio Frequencies (SMART) User Guides.
- 

# Acronyms and Abbreviations

ACRONYM / ABBREVIATION	
ACMA	Australian Communications and Media Authority
APEC	Asia-Pacific Economic Cooperation
APT	Asia Pacific Telecommunity
ARC	Approved radio certifier
ARE	Approved radio engineer
ARX	Approved radio examiner
ASEAN	Association of Southeast Asian Nations
Customs	New Zealand Customs Service
EMC	Electromagnetic compatibility
GUL	General User Licence
ITU	International Telecommunication Union
MBIE	Ministry of Business, Innovation & Employment
MM	Maritime Mobile
PIB	Public information brochure
RCM	Regulatory Compliance Mark
RFUANZ	Radio Frequency Users Association of New Zealand
RSM	Radio Spectrum Management
SMART	Spectrum Management and Registration Technology (SMART) allows a client to search the Register of Radio Frequencies, apply for a New Zealand radio licence, renew an existing licence or update client details.
TPP	Trans-Pacific Partnership, also known as the Trans-Pacific Strategic Economic Partnership Agreement
TTMRA	Trans-Tasman Mutual Recognition Arrangement



# Contacts

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