Welcome to our first issue for 1999 focusing on the rapidly growing area of telecommunications. On 1 July 1997 a new telecommunications regulatory framework was introduced which was designed to achieve full and open competition in the provision of both telecommunications infrastructure and services.

Since 1 July 1997 there have been many new entrants to the telecommunications industry with the removal of regulatory barriers to entry including the limit on the number of licensed carriers. At last count there were some 28 carriers which had been issued licences by the Australian Communications Authority.

The new regulatory framework was intended to bring the regulation of competition within the telecommunications industry more closely into line with general trade practices law. It provides the Australian Competition and Consumer Commission (ACCC) with the power to issue a so-called 'competition notice' to deal with anti-competitive conduct in the industry. To date the ACCC has had occasion to issue several such notices dealing with Internet access and customer churn.

In our lead article, Bernadette Jew and Rob Nicholls investigate internet interconnection within Australia and the effects of the ACCC's competition notice against Telstra last year. As the authors discuss, prior to the issue of that notice, Telstra had refused to enter into interconnection agreements with any other ISPs within Australia (including Optus) despite the fact that equivalent traffic flows and network services could be proven. Their paper in part discusses the effects of that notice, some of the issues faced in determining appropriate interconnection arrangements, and some risks involved in misunderstanding the market.

In the next paper, Kent Davey discusses the licensing of telecommunications carriers under the new regulatory framework. Kent looks at the process of applying for a carrier licence and examines the key questions which are relevant to determining whether a person is required to hold a carrier licence. Following Kent, Stephen Lance gives us a much needed refresher on the law of domain names. The last 18 months have seen a lot of activity discussing proposed domain name regulation schemes. Fundamental to that activity has been the tension between domain name seekers and trade mark holders and, in particular, the privileged position some trade mark holders consider themselves entitled to. Stephen presents a view from down under on these contentious issues.

Our last paper, by Con Zymaris, discusses the only operating system Microsoft sees as a threat – partly because it's free. Linux, the creation of pooled programming effort from around the world, has increasingly been making headlines in IT press and is seen as a viable alternative to mainstream operating systems. In his column Con provides an insight into what Linux is, with some answers for a firm's IT manager. Definitely one worth watching.

Last year we broke with tradition in publishing the president's report of the Victorian Society early (that is, not in the first edition of the new year). This year, we're breaking the tradition again, moving reports to the second journal of the year. The editors would like to thank everyone for their positive feedback about the journal. We'd also like to remind you not to be shy with your articles. If you have something of interest to your colleagues, please send it in.

Legislatively, the good news is that we now have a Commonwealth *Year 2000 Disclosure Act* as well as the *Electronic Transactions Bill* (but at least a step in the right direction).

Finally, what would the editorial be without a short polemic about something? The lay down misère for this edition would have to be the Federal Government's recent censorship initiatives for the internet. To find out why everyone loses, see our article at the end of this edition.

Government Releases

INTERNET CENSORSHIP BILL *see Brendan Scott's article on page 39*