



## **MEDIA RELEASE**

**22 February 2017**

### **Spark New Zealand welcomes Court decision to stay any Sky/Vodafone merger clearance**

Spark New Zealand (“Spark”) said today it welcomes a High Court decision to order a short-term stay in the event the New Zealand Commerce Commission (“Commission”) gives its clearance tomorrow morning to the proposed merger between Sky Network Television (“Sky”) and Vodafone NZ (“Vodafone”).

Following applications by Spark, 2 Degrees and Internet NZ, the Court has ruled that Sky and Vodafone are prohibited from completing the merger in reliance on any clearance by the Commission until midnight on the third day after the Commission has delivered the reasons for its decision to the applicants. A Court hearing on the matter was held earlier today.

“We and others believe the proposed merger will be bad for consumers – resulting in poorer choice and higher prices for consumers, especially when it comes to sports content. That was at the heart of our decision to take this Court action,” said Spark’s General Manager Regulatory Affairs, John Wesley-Smith.

“The stay is important for natural justice and fairness: as it will ensure all interested parties have a chance to properly consider the Commission’s reasoning and make informed decisions on whether to seek a judicial review if there is a clearance decision.

“Without this stay, there was a risk that Sky and Vodafone would immediately take steps to implement the merger and make it a fait accompli – which would render any future legal review a meaningless exercise.”

“We are grateful for the Court and Justice Lang for agreeing to an urgent hearing of the application and issuing a written judgment in an extremely short timeframe.

“We now await the Commission’s decision tomorrow morning (Thursday 23 February) on whether to clear the proposed merger.”



For media queries, please contact:

Richard Llewellyn

Head of Corporate Communications +64 (0) 27 523 2362

For investor relations queries, please contact:

Dean Werder

General Manager Finance and Business Performance +64 (0) 27 259 7176