



Growth and Infrastructure Act 2013

2013 CHAPTER 27

Promoting growth and facilitating provision of infrastructure, and related matters

9 Electronic communications code: the need to promote growth

- (1) In section 109(2) of the Communications Act 2003 (matters to which Secretary of State must have regard when making regulations about conditions and restrictions on application of electronic communications code), after paragraph (b) insert—

“(ba) the need to promote economic growth in the United Kingdom;”.

- (2) In section 109 of that Act (regulations specifying the restrictions and conditions subject to which the electronic communications code is to apply) after subsection (2) insert—

“(2A) Subsection (2B) applies if—

- (a) the Secretary of State has complied with subsection (2)(b) in connection with any particular exercise before 6 April 2018 of the power to make regulations under this section, and
- (b) the regulations in question are expressed to cease to have effect (other than for transitional purposes) before that date.

(2B) The Secretary of State is to be treated as also having complied with any duty imposed in connection with that exercise of that power by any of the following—

section 11A(2) of the National Parks and Access to the Countryside Act 1949;
section 85(1) of the Countryside and Rights of Way Act 2000;
section 17A(1) of the Norfolk and Suffolk Broads Act 1988;
section 14 of the National Parks (Scotland) Act 2000 (asp 10);
Article 4(1) of the Nature Conservation and Amenity Lands (Northern Ireland) Order 1985 (S.I. 1985/170 (N.I. 1)).”

- (3) For the purposes of its application to section 17A of the Norfolk and Suffolk Broads Act 1988, the definition of “statutory undertaker” in section 25(1) of that Act is until 6 April 2018 to be read as if paragraph (d) were omitted.

Changes to legislation: There are currently no known outstanding effects for the Growth and Infrastructure Act 2013, Section 9. (See end of Document for details)

- (4) Consultation undertaken for the purposes of section 109(4) of the Communications Act 2003 in anticipation of the commencement of this section (including consultation undertaken before the passing of this Act) is as effective as consultation undertaken after that commencement.

Changes to legislation:

There are currently no known outstanding effects for the Growth and Infrastructure Act 2013, Section 9.