
STATUTORY INSTRUMENTS

2016 No. 607

The Open Internet Access (EU Regulation) Regulations 2016

PART 4

INFORMATION REQUIREMENTS

Meaning of “information requirement”

16. In this Part and Part 5 “information requirement” means a requirement of OFCOM under Article 5(2) of the EU Regulation or regulation 17.

Information to be provided to OFCOM

17.—(1) OFCOM may require a person falling within paragraph (2) to provide them with such information as they consider necessary for the purpose of carrying out their functions under the EU Regulation and these Regulations.

(2) Any person who appears to OFCOM to have information required by them for the purpose of carrying out their functions under the EU Regulation and these Regulations is a person falling within this paragraph.

(3) A person required to provide information under this regulation must provide it in such manner and within such reasonable period as may be specified by OFCOM.

(4) OFCOM are not to require the provision of information under this regulation except—

- (a) by a demand for the information that describes the required information and sets out OFCOM’s reasons for requiring it; and
- (b) where the making of a demand for the information is proportionate to the use to which the information is to be put in carrying out OFCOM’s functions.

(5) A demand for information required under this regulation must be contained in a notice served on the person from whom the information is required.