
STATUTORY INSTRUMENTS

2023 No. 214

The Trade (Mobile Roaming) Regulations 2023

PART 3

Enforcement and information

Enforcement

Power of Ofcom to enforce maximum rates

7.—(1) Ofcom may enforce a requirement under Part 2.

(2) Sections 96A to 97 and 104 of the 2003 Act⁽¹⁾ apply for the enforcement of a requirement under Part 2 as they apply for the enforcement of an access-related condition.

Information

Power of Ofcom to require information for enforcement purposes

8.—(1) Ofcom may require information for the purpose of ascertaining whether a contravention of a requirement under Part 2 has occurred or is occurring.

(2) Section 135 of the 2003 Act⁽²⁾ applies for the purpose mentioned in paragraph (1) as it applies for the purpose of ascertaining whether a contravention of an access-related condition has occurred or is occurring.

(3) Sections 138, 139(1) to (5) and 139A of the 2003 Act⁽³⁾ apply for the enforcement of a requirement under section 135 of the 2003 Act as applied by paragraph (2) as they apply for the enforcement of any other requirement under section 135 of that Act.

(1) Sections 96A to 96C were inserted by [S.I. 2011/1210](#). Section 96A was amended by paragraph 18 of Schedule 14 to the Enterprise and Regulatory Reform Act 2013 ([c. 24](#)) and [S.I. 2020/1419](#). Section 96C was amended by [S.I. 2020/1419](#). Sections 97 and 104 were amended by [S.I. 2011/1210](#) and [2020/1419](#).

(2) Section 135 was amended by section 1(2) and 16(2) of the Digital Economy Act 2010 ([c. 24](#)), sections 1(8), 82(4) and 85 of the Digital Economy Act 2017 ([c. 30](#)), section 18(3) of the Telecommunications (Security) Act 2021 ([c. 31](#)) and [S.I. 2011/1210](#) and [2020/1419](#).

(3) Section 138 was amended by section 86(3) of the Digital Economy Act 2017 ([c. 30](#)) and [S.I. 2011/1210](#). Section 139 was amended by [S.I. 2011/1210](#) and [1773](#). Section 139A was inserted by [S.I. 2011/1210](#).