

Status: This version of this provision is prospective.

Changes to legislation: Digital Economy Act 2010, Section 21 is up to date with all changes known to be in force on or before 23 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Digital Economy Act 2010

2010 CHAPTER 24

Powers in relation to internet domain registries

PROSPECTIVE

21 Application to court to alter constitution of internet domain registry

After section 124Q of the Communications Act 2003 insert—

“124R Application to court to alter constitution of internet domain registry

- (1) This section applies where—
 - (a) the Secretary of State has given a notification under section 124O to a qualifying internet domain registry specifying a failure,
 - (b) the period allowed for making representations has expired, and
 - (c) the Secretary of State is satisfied that the registry has not taken the steps that the Secretary of State considers appropriate for remedying the failure.
- (2) The Secretary of State may apply to the court (as defined in section 124Q) for an order under this section.
- (3) The court may make an order—
 - (a) making alterations of the registry's constitution, and
 - (b) requiring the registry not to make any alterations, or any specified alterations, of its constitution without the leave of the court.
- (4) An order under this section may contain only such provision as the court considers appropriate for securing that the registry remedies the failure specified in the notification under section 124O.
- (5) In this section—

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“constitution” means, in the case of a company, the articles of association and, in the case of a limited liability partnership, the limited liability partnership agreement;

“limited liability partnership agreement” means the agreement or agreements, whether express or implied, between the members of a limited liability partnership, and between the partnership and the members of the partnership, determining—

- (a) the mutual rights and duties of the members, and
- (b) their rights and duties in relation to the partnership.”

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Changes and effects yet to be applied to :

- s. 21 coming into force by [S.I. 2023/792 art. 3\(c\)](#)