



Telecommunications Act 1984

1984 CHAPTER 12

PART II

PROVISION OF TELECOMMUNICATION SERVICES

[^{F1} Standards of performance

[^{F1F2}27A Standards of performance in individual cases.

- [^{F3}(1) The Director may make regulations prescribing, for any designated operator, such standards of performance in connection with the provision of relevant services by that operator as, in his opinion, ought to be achieved in individual cases.
- (2) Regulations under subsection (1) above may only be made—
- (a) with the consent of the Secretary of State;
 - (b) after consulting—
 - (i) the designated operator; and
 - (ii) persons or bodies appearing to the Director to be representative of persons likely to be affected by the regulations; and
 - (c) after arranging for such research as the Director considers appropriate with a view to discovering the views of a representative sample of persons likely to be so affected and considering the results.
- (3) Regulations under this section may—
- (a) prescribe circumstances in which the designated operator is to inform persons of their rights under this section;
 - (b) prescribe such standards of performance in relation to any duty arising under paragraph (a) above as, in the Director's opinion, ought to be achieved in all cases;
 - (c) prescribe circumstances in which the designated operator is to be exempted from any requirements of the regulations or this section.

*Changes to legislation: There are currently no known outstanding effects for the
 Telecommunications Act 1984, Section 27A. (See end of Document for details)*

- (4) If the designated operator fails to meet a prescribed standard, he shall make to any person who is affected by the failure such compensation as may be determined by or under the regulations.
- (5) The making of compensation under this section in respect of any failure to meet a prescribed standard shall not prejudice any other remedy which may be available in respect of the act or omission which constituted that failure.
- (6) Any dispute arising under this section or regulations made under this section—
- (a) may be referred to the Director by either party; and
 - (b) on such a reference, shall be determined by order made—
 - (i) by the Director; or
 - (ii) by such other person as may be prescribed.
- (7) Any person making an order under subsection (6) above shall include in the order his reasons for reaching his decision with respect to the dispute.
- (8) The practice and procedure to be followed in connection with any such determination shall be such as may be prescribed.
- (9) An order under subsection (6) above shall be final and shall be enforceable—
- (a) in England and Wales and in Northern Ireland, as if it were a judgment of a county court; and
 - (b) in Scotland, as if it were an extract registered decree arbitral bearing a warrant for execution issued by the sheriff.
- (10) In this section “prescribed” means prescribed by regulations under this section.]]

Textual Amendments

- F1** Ss. 27A, 27B and cross heading inserted (1.7.1992) by [Competition and Services \(Utilities\) Act 1992 \(c. 43\), s. 1](#); Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order, art. 3, Sch.
- F2** Ss. 27A, 27B and cross heading inserted (1.7.1992) by [Competititon and Service \(Utilities\) Act 1992 \(c. 43\), s. 1](#); Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order, art. 3, Sch. Pt. I
- F3** Ss. 27A-27L repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by [Communications Act 2003 \(c. 21\), ss. 147\(e\), 406, 408, 411, Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19\(1\)](#) Notes 1, 5); S.I. 2003/1900, arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with [art. 3\(2\)](#) (as amended (8.12.2003) by S.I. 2003/3142, [art. 1\(3\)](#))); S.I. 2003/3142, [art. 3](#), [Sch. 1](#) (with [art. 11](#))

Changes to legislation:

There are currently no known outstanding effects for the Telecommunications Act 1984, Section 27A.