



Telecommunications Act 1984

1984 CHAPTER 12

PART II

PROVISION OF TELECOMMUNICATION SERVICES

[^{F1} Standards of performance]

[^{F1}27F Disputes about discrimination etc. in fixing charges.

- [^{F2}(1) Any dispute, of a kind to which this section applies, between—
- (a) a person (“the customer”) who is, or wishes to be, provided with any relevant service by a designated operator, and
 - (b) that designated operator,
- may be referred to the Director by either party.
- (2) This section applies to any dispute as to whether the designated operator—
- (a) has exercised undue discrimination against the customer in respect of charges applied, or to be applied, in connection with the provision of the service in question;
 - (b) has shown undue preference to any other person in respect of such charges, to the detriment of the customer; or
 - (c) has applied, or proposes to apply, any charge in connection with the provision of the service in question to the customer which is neither specified in, nor determined in accordance with a method specified in, a notice required by a condition of a kind mentioned in section 8(1)(e) above.
- (3) Where a dispute is referred to him under this section, the Director, or an arbitrator (or in Scotland an arbiter) appointed by him, shall determine whether the customer’s allegation is well founded and, if it is, make such order as he considers appropriate.
- (4) Any person making an order under subsection (3) above shall include in the order his reasons for reaching his decision with respect to the dispute.

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

- (5) No act or omission of a designated operator which is permitted by any condition—
- (a) relating to any of the matters referred to in section 8(1)(d) above, and
 - (b) included in the licence granted to him under section 7 above,
- shall be taken to constitute undue discrimination or undue preference for the purposes of this section.
- (6) The practice and procedure to be followed in connection with a reference under this section shall be determined by the Director.
- (7) An order under this section—
- (a) may include such incidental, supplemental and consequential provision (including provision requiring either party to pay a sum in respect of the costs or expenses incurred by the person making the order) as that person considers appropriate; and
 - (b) shall be final and—
 - (i) in England and Wales and in Northern Ireland enforceable, in so far as it includes such provision as to costs or expenses, as if it were a judgment of a county court; and
 - (ii) in Scotland, enforceable as if it were an extract registered decree arbitral bearing a warrant for execution issued by the sheriff.
- (8) In including in an order under this section any such provision as to costs or expenses, the person making the order shall have regard to the conduct and means of the parties and any other relevant circumstances.]]

Textual Amendments

- F1** S. 27F inserted (1.9.1992) by [Competition and Service \(Utilities\) Act 1992 \(c. 43\), s. 5\(1\)](#); Competition and Service (Utilities) Act 1992 (Commencement No. 1) Order 1992, art. 4, Sch. Pt.II
- F2** [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 27F.