

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: Communications Act 2003 (c. 21). (See end of Document for details)

SCHEDULES

SCHEDULE 14

REGULATORS: USE OF POWERS UNDER THE 1998 ACT

Communications Act 2003 (c. 21)

16 The Communications Act 2003 is amended as follows.

Commencement Information

II Sch. 14 para. 16 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

17 In section 94 (notification of contravention of SMP apparatus conditions), for subsection (10) substitute—

“(10) Before giving a notification under this section, OFCOM must consider whether it would be more appropriate to proceed under the Competition Act 1998.

(10A) OFCOM must not give a notification under this section if they consider that it would be more appropriate to proceed under the Competition Act 1998.

(10B) In a case where OFCOM decide that it would be more appropriate to proceed under the Competition Act 1998, they must publish a statement to that effect in such manner as they consider appropriate for bringing their decision to the attention of persons whom they consider are likely to be affected by it.”

Commencement Information

I2 Sch. 14 para. 17 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

18 In section 96A (notification of contravention of condition other than SMP apparatus condition), for subsection (5) substitute—

“(5) Before giving a notification under this section, OFCOM must consider whether it would be more appropriate to proceed under the Competition Act 1998.

(6) OFCOM must not give a notification under this section if they consider that it would be more appropriate to proceed under the Competition Act 1998.

(7) In a case where OFCOM decide that it would be more appropriate to proceed under the Competition Act 1998, they must publish a statement to that effect in such manner as they consider appropriate for bringing their decision to the attention of persons whom they consider are likely to be affected by it.”

Changes to legislation: There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Cross Heading: Communications Act 2003 (c. 21). (See end of Document for details)

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Commencement Information

I3 Sch. 14 para. 18 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

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