



Digital Economy Act 2017

CHAPTER 30

DIGITAL ECONOMY ACT 2017

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3 Limitation of code rights

4 Limitation of persons bound

5 Exclusion of assignment, upgrading and sharing provisions

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7 (1) Subject to paragraph 6, Part 5 of the new...

8 Apparatus, works etc

9 Any agreement given in accordance with paragraph 26(3) of the...

10 Any agreement that has effect under paragraph 15 of the...

11 Court applications for required rights etc

12 (1) This paragraph applies where before the time when the...

13 Temporary code rights

14 Compensation

15 Objections in relation to apparatus

16 (1) Subject to the following provisions of this paragraph, the...

17 Part 12 of the new code does not apply in...

18 Tree lopping

19 (1) This paragraph applies where before the time when the...

20 Right to require removal of apparatus

21 Undertaker's works

22 Supplementary

23 Part 15 of the new code applies in relation to...

24 Paragraphs 24 to 27 of the existing code continue to...

25 A person entitled to compensation by virtue of this Schedule...

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2 References to the code or provisions of the code

3 References to a conduit system

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4 Landlord and Tenant Act 1954 (c. 56)

5 Opencast Coal Act 1958 (c. 69)

- 6 Land Drainage (Scotland) Act 1958 (c. 24)
- 7 Pipe-lines Act 1962 (c. 58)
- 8 Harbours Act 1964 (c. 40)
- 9 Fair Trading Act 1973 (c. 41)
- 10 Highways Act 1980 (c. 66)
- 11 In section 177(12) (restriction of construction over highways:
application of...
- 12 (1) Section 334 (savings relating to electronic communications
apparatus) is...
- 13 Roads (Scotland) Act 1984 (c. 54)
- 14 (1) Section 50 (planting of trees etc by roads authority)...
- 15 (1) Section 75 (bridges over and tunnels under navigable waterways)...
- 16 (1) Section 132 (saving for operators of telecommunications code
systems)...
- 17 Housing Act 1985 (c. 68)
- 18 For the heading substitute “Electronic communications apparatus”.
- 19 In subsection (2) for “paragraph 21 of the electronic communications...
- 20 In subsection (3) for “paragraph 23” substitute “Part 10”.
- 21 Food and Environment Protection Act 1985 (c. 48)
- 22 In section 8A (electronic communications apparatus: operations in tidal
waters...
- 23 In section 9(8) (defence to operating without licence under Part...
- 24 Airports Act 1986 (c. 31)
- 25 (1) Section 62 (electronic communications apparatus) is amended as
follows....
- 26 Landlord and Tenant Act 1987 (c. 31)
- 27 Road Traffic (Driver Licensing and Information Systems) Act 1989
(c. 22)
- 28 Electricity Act 1989 (c. 29)
- 29 Town and Country Planning Act 1990 (c. 8)
- 30 Water Industry Act 1991 (c. 56)
- 31 Water Resources Act 1991 (c. 57)
- 32 Electricity (Northern Ireland) Order 1992 (S.I. 1992/231)
- 33 Cardiff Bay Barrage Act 1993 (c. 42)
- 34 Roads (Northern Ireland) Order 1993 (S.I. 1993/3160)
- 35 Airports (Northern Ireland) Order 1994 (S.I. 1994/426)
- 36 Landlord and Tenant (Covenants) Act 1995 (c. 30)
- 37 Gas Act 1995 (c. 45)
- 38 Channel Tunnel Rail Link Act 1996 (c. 61)
- 39 Gas (Northern Ireland) Order 1996 (S.I. 1996/275)
- 40 Business Tenancies (Northern Ireland) Order 1996 (SI 1996/725 (NI 5))
- 41 Town and Country Planning (Scotland) Act 1997 (c. 8)
- 42 Enterprise Act 2002 (c. 40)
- 43 In section 128(5) (mergers: references to supply of services) for...
- 44 In section 234(5) (enforcement of consumer legislation: references to
supply...
- 45 Communications Act 2003 (c. 21)
- 46 (1) Section 394 (service of notifications and other documents) is...
- 47 (1) Section 402 (power of Secretary of State to make...
- 48 Schedule 3 is repealed.
- 49 Land Reform (Scotland) Act 2003 (asp 2)
- 50 Housing and Regeneration Act 2008 (c. 17)
- 51 In section 2(3) (objects of the Homes and Communities Agency:...

- 52 In section 57(1) (interpretation of Part 1) omit the definition...
- 53 In the table in section 58 (index of defined expressions...
- 54 Crossrail Act 2008 (c. 18)
- 55 Marine (Scotland) Act 2010 (asp 5)
- 56 In section 36(1) (electronic communications apparatus) for the words
from...
- 57 (1) Section 41 (defence to offences: electronic communications:
emergency works)...

SCHEDULE 4 — Public service delivery: specified persons for the purposes of
section 35

- 1 The Secretary of State for the Home Department.
- 2 The Secretary of State for Defence.
- 3 The Lord Chancellor.
- 4 The Secretary of State for Justice.
- 5 The Secretary of State for Education.
- 6 The Secretary of State for Business, Energy and Industrial Strategy....
- 7 The Secretary of State for Work and Pensions.
- 8 The Secretary of State for Communities and Local Government.
- 9 The Secretary of State for Culture, Media and Sport.
- 10 Her Majesty's Revenue and Customs.
- 11 A county council in England.
- 12 A district council in England.
- 13 A London borough council.
- 14 A combined authority established under section 103 of the Local...
- 15 The Common Council of the City of London in its...
- 16 The Council of the Isles of Scilly.
- 17 The Greater London Authority.
- 18 A metropolitan county fire and rescue authority.
- 19 The London Fire Commissioner.
- 20 A fire and rescue authority in England constituted by a...
- 21 A fire and rescue authority created by a scheme under...
- 22 A chief officer of police for a police area in...
- 23 The proprietor of a school within the meaning of the...
- 24 The proprietor of an Academy within the meaning of that...
- 25 The responsible person in relation to an educational institution as...
- 26 The Gas and Electricity Markets Authority.
- 27 The Chief Land Registrar.
- 28 A person providing services in connection with a specified objective...

SCHEDULE 5 — Public service delivery: specified persons for the purposes of
sections 36 and 37

- 1 The Secretary of State for Business, Energy and Industrial Strategy....
- 2 The Secretary of State for Work and Pensions.
- 3 The Secretary of State for Communities and Local Government.
- 4 Her Majesty's Revenue and Customs.
- 5 A county council in England.
- 6 A district council in England.
- 7 A London borough council.
- 8 A combined authority established under section 103 of the Local...
- 9 The Common Council of the City of London in its...
- 10 The Council of the Isles of Scilly.
- 11 The Greater London Authority.

- 12 A metropolitan county fire and rescue authority.
- 13 The London Fire Commissioner.
- 14 A fire and rescue authority in England constituted by a...
- 15 A fire and rescue authority created by a scheme under...
- 16 The Gas and Electricity Markets Authority.
- 17 The Chief Land Registrar.
- 18 A person providing services in connection with a fuel poverty...

SCHEDULE 6 — Public service delivery: specified persons for the purposes of sections 38 and 39

- 1 The Secretary of State for Work and Pensions.
- 2 The Secretary of State for Communities and Local Government.
- 3 Her Majesty's Revenue and Customs.
- 4 A county council in England.
- 5 A district council in England.
- 6 A London borough council.
- 7 A combined authority established under section 103 of the Local...
- 8 The Common Council of the City of London in its...
- 9 The Council of the Isles of Scilly.
- 10 The Greater London Authority.
- 11 The Chief Land Registrar.
- 12 A person providing services in connection with a water poverty...

SCHEDULE 7 — Specified persons for the purposes of the debt provisions

- 1 The Secretary of State for the Home Department.
- 2 The Lord Chancellor.
- 3 The Secretary of State for Justice.
- 4 The Secretary of State for Education.
- 5 The Secretary of State for Business, Energy and Industrial Strategy....
- 6 The Secretary of State for Work and Pensions.
- 7 The Secretary of State for Transport.
- 8 Her Majesty's Revenue and Customs.
- 9 The Minister for the Cabinet Office.
- 10 A county council in England.
- 11 A district council in England.
- 12 A London borough council.
- 13 The Common Council of the City of London in its...
- 14 The Council of the Isles of Scilly.
- 15 The Greater London Authority.
- 16 The Student Loans Company.
- 17 A person providing services to a specified person who is...

SCHEDULE 8 — Specified persons for the purposes of the fraud provisions

- 1 The Secretary of State for the Home Department.
- 2 The Secretary of State for Defence.
- 3 The Lord Chancellor.
- 4 The Secretary of State for Justice.
- 5 The Secretary of State for Education.
- 6 The Secretary of State for Business, Energy and Industrial Strategy....
- 7 The Secretary of State for Work and Pensions.
- 8 The Secretary of State for Transport.
- 9 The Secretary of State for Communities and Local Government.
- 10 The Secretary of State for the Environment, Food and Rural...

- 11 The Secretary of State for International Development.
- 12 The Secretary of State for Culture, Media and Sport.
- 13 The Minister for the Cabinet Office.
- 14 Her Majesty's Revenue and Customs.
- 15 The Export Credits Guarantee Department.
- 16 A county council in England.
- 17 A district council in England.
- 18 A London borough council.
- 19 The Common Council of the City of London in its...
- 20 The Council of the Isles of Scilly.
- 21 The Greater London Authority.
- 22 The Chief Land Registrar.
- 23 The Big Lottery Fund.
- 24 The Nuclear Decommissioning Authority.
- 25 The Environment Agency.
- 26 The Homes and Communities Agency.
- 27 The Higher Education Funding Council for England.
- 28 The Historic Buildings and Monuments Commission for England.
- 29 The Student Loans Company.
- 30 The British Council.
- 31 The Arts Council of England.
- 32 The English Sports Council.
- 33 The Technology Strategy Board.
- 34 The Arts and Humanities Research Council.
- 35 The Medical Research Council.
- 36 The Natural Environment Research Council.
- 37 The Biotechnology and Biological Sciences Research Council.
- 38 The Economic and Social Research Council.
- 39 The Engineering and Physical Sciences Research Council.
- 40 The Science and Technology Facilities Council.
- 41 A person providing services to a specified person who is...

SCHEDULE 9 — Bank of England oversight of payment systems

PART 1 — EXTENSION OF BANK OF ENGLAND OVERSIGHT OF PAYMENT SYSTEMS

- 1 The Banking Act 2009 is amended as follows.
- 2 In the heading to Part 5 (inter-bank payment systems) omit...
- 3 In section 181 (overview) for “payments between financial institutions” substitute...
- 4 (1) Section 182 (interpretation: “inter-bank payment system”) is amended as...
- 5 In section 183 (interpretation: other expressions), in paragraph (a) for...
- 6 (1) Section 184 (recognition order) is amended as follows.
- 7 In section 185 (recognition criteria), in subsection (1) for “an...
- 8 In section 186A (amendment of recognition order), in subsections (2) (b)...
- 9 In section 187 (de-recognition), in subsections (2), (3)(b) and (5),...
- 10 In section 188 (principles), in subsection (1) omit “inter-bank”.
- 11 In section 189 (codes of practice) omit “inter-bank”.
- 12 In section 190 (system rules), in subsection (1) omit “inter-bank”....
- 13 In section 191 (directions), in subsection (1) omit “inter-bank”.
- 14 In section 192 (role of FCA and PRA), in subsections...
- 15 In section 193 (inspection), in subsections (1) and (2), omit...

- 16 In section 194 (inspection: warrant), in subsection (1)(a) omit “inter-bank”....
- 17 In section 195 (independent report), in subsection (1) omit “inter-bank”....
- 18 In section 196 (compliance failure) omit “inter-bank”.
- 19 In section 197 (publication), in subsection (1) omit “inter-bank”.
- 20 In section 198 (penalty), in subsection (1) omit “inter-bank”.
- 21 In section 199 (closure), in subsection (2) omit “inter-bank”.
- 22 In section 200 (management disqualification), in subsections (1) and (2),...
- 23 In section 201 (warning), in subsection (1) for “an inter-bank”...
- 24 In section 202A (injunctions), in subsections (2)(a) and (3)(a), omit...
- 25 In section 203 (fees), in subsection (1) omit “inter-bank”.
- 26 In section 204 (information), in subsections (1A), (2) and (4)(c),...
- 27 In section 205 (pretending to be recognised), in subsection (1)...
- 28 In section 206A (services forming part of recognised inter-bank payment...
- 29 In section 259 (statutory instruments), in the Table in subsection...
- 30 In section 261 (index of defined terms), in the Table—...
PART 2 — CONSEQUENTIAL AMENDMENTS
- 31 Financial Services Act 2012
- 32 (1) Section 68 (cases in which Treasury may arrange independent...
- 33 In section 85 (relevant functions in relation to complaints scheme),...
- 34 In section 110 (payment to Treasury of penalties received by...
- 35 Financial Services (Banking Reform) Act 2013
- 36 In section 45 (procedure), in subsection (1)(a) omit “inter-bank”.
- 37 In section 46 (amendment of designation order), in subsection (2)(a)...
- 38 In section 47 (revocation of designation orders), in subsection (3)(a)...
- 39 In section 98 (duty of regulators to ensure co-ordinated exercise...
- 40 In section 110 (interpretation), in subsection (1), in the definition...
- 41 In section 112 (interpretation: infrastructure companies), in subsections (2)(a), (4)(b)...
- 42 In section 113 (interpretation: other expressions), in subsection (1)—
- 43 In section 115 (objective of FMI administration), in subsection (1)...
- 44 In section 120 (power to direct FMI administrator), in subsection...
- 45 In section 127 (interpretation of Part 6), in subsection (1),...