

# Product Security and Telecommunications Infrastructure Act 2022

# **CHAPTER 46**

# PRODUCT SECURITY AND TELECOMMUNICATIONS INFRASTRUCTURE ACT 2022

## PART 1

## PRODUCT SECURITY

## **CHAPTER 1**

## SECURITY REQUIREMENTS

Security requirements relating to products

- 1 Power to specify security requirements
- 2 Further provision about regulations under section 1
- 3 Power to deem compliance with security requirements

## Products to which security requirements may relate

- 4 Relevant connectable products
- 5 Types of product that may be relevant connectable products
- 6 Excepted products

Persons to whom security requirements may apply

7 Relevant persons

## CHAPTER 2

#### DUTIES OF RELEVANT PERSONS, ETC

#### Duties of manufacturers

- 8 Duty to comply with security requirements
- 9 Statements of compliance
- 10 Duty to investigate potential compliance failures
- 11 Duties to take action in relation to compliance failure
- 12 Duty to maintain records

#### Duties of authorised representatives

13 Duties to take action in relation to manufacturer's compliance failure

## Duties of importers

- 14 Duty to comply with security requirements
- 15 Statements of compliance
- 16 Duty not to supply products where compliance failure by manufacturer
- 17 Duty to investigate potential compliance failures of importer or manufacturer
- 18 Duties to take action in relation to importer's compliance failure
- 19 Duties to take action in relation to manufacturer's compliance failure
- 20 Duty to maintain records of investigations

#### *Duties of distributors*

- 21 Duty to comply with security requirements
- 22 Statements of compliance
- 23 Duty not to supply products where compliance failure by manufacturer
- 24 Duties to take action in relation to distributor's compliance failures
- 25 Duties to take action in relation to manufacturer's compliance failure

## **CHAPTER 3**

#### ENFORCEMENT

#### General

- 26 Enforcement of Part 1
- 27 Delegation of enforcement functions

#### Enforcement notices

- 28 Compliance notices
- 29 Stop notices
- 30 Recall notices
- 31 Power to vary or revoke enforcement notices
- 32 Failure to comply with enforcement notice
- 33 Appeals against enforcement notices
- 34 Compensation for notices wrongly given
- 35 Appeals against decisions under section 34

to date with all changes known to be in force on or before 13 February 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

#### Monetary penalties

- 36 Monetary penalties
- 37 Determining the amount of a penalty
- 38 The relevant maximum
- 39 Penalty notices: further provision
- 40 Enforcement of penalty notices
- 41 Appeals against penalty notices

#### Forfeiture

- 42 Forfeiture
- 43 Further provision about forfeiture
- 44 Appeals against decisions under section 42

#### Other enforcement powers

- 45 Power to inform public about compliance failures
- 46 Power to publish details of enforcement action taken against relevant persons
- 47 Power to recall products

#### Disclosure of information

48 Disclosure of information

#### Miscellaneous and supplementary

- 49 Offence of purporting to act as authorised to exercise enforcement function
- 50 Means of giving notices
- 51 Liability of authorised representatives
- 52 Offences by directors, partners etc

#### CHAPTER 4

#### SUPPLEMENTARY PROVISION

#### Guidance

53 Guidance

#### *Interpretation*

- 54 Meaning of "UK consumer connectable product"
- 55 Meaning of "supply"
- 56 Meaning of other expressions used in Part 1

#### PART 2

#### TELECOMMUNICATIONS INFRASTRUCTURE

#### *Rights to upgrade and share apparatus*

- 57 Rights under the electronic communications code to share apparatus
- 58 Upgrading and sharing of apparatus: subsisting agreements
- 59 Upgrading and sharing of apparatus installed before 29 December 2003

## Power to fly lines

60 Power to fly lines from apparatus kept by another operator

### Renewal of business tenancies conferring code rights

- 61 Rent under tenancies conferring code rights: England and Wales
- 62 Rent under tenancies conferring code rights: Northern Ireland
- 63 Compensation relating to code rights: England and Wales
- 64 Compensation relating to code rights: Northern Ireland
- 65 Jurisdiction of court in relation to tenancies in England and Wales

## Refusal of code rights on grounds of national security etc

66 Refusal of application for code rights on grounds of national security etc

## Unresponsive occupiers

67 Unresponsive occupiers

## Interim arrangements

68 Arrangements pending determination of certain applications under code

## Disputes under the electronic communications code

- 69 Use of alternative dispute resolution
- 70 Complaints relating to the conduct of operators

#### Proceedings relating to code disputes

- 71 Jurisdiction of First-tier Tribunal in relation to code proceedings in Wales
- 72 Power to impose time limits on the determination of code proceedings

## Rights of network providers in relation to infrastructure

73 Rights of network providers in relation to infrastructure

#### Supplementary provision

- 74 Power to make consequential amendments
- 75 Meaning of "the electronic communications code"

## PART 3

#### FINAL PROVISIONS

- 76 Power to make transitional or saving provision
- 77 Regulations
- 78 Extent
- 79 Commencement
- 80 Short title

SCHEDULE — Unresponsive occupiers: consequential amendments 1 The Communications Act 2003 is amended as follows.

- 2 In section 402 (powers of Secretary of State to make...
- 3 (1) Schedule 3A (the electronic communications code) is amended as...

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

## Changes to legislation:

Product Security and Telecommunications Infrastructure Act 2022 is up to date with all changes known to be in force on or before 13 February 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.

View outstanding changes

## Changes and effects yet to be applied to :

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_	s. 1 coming into force by S.I. 2023/469 reg. 3
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