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STATUTORY INSTRUMENTS

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**2000 No. 1714**

**TELECOMMUNICATIONS**

**The Telecommunications (Licence Modification)  
(Mobile Data Operator Licences) Regulations 2000**

<i>Made</i>	- - - -	<i>28th June 2000</i>
<i>Laid before Parliament</i>		<i>30th June 2000</i>
<i>Coming into force</i>		<i>21st July 2000</i>

**THE TELECOMMUNICATIONS (LICENCE MODIFICATION)  
(MOBILE DATA OPERATOR LICENCES) REGULATIONS 2000**

1. Citation and commencement
  2. Interpretation
  3. Modification of the relevant licences
  4. Transitional provisions
- Signature

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SCHEDULE 1 — TABLE OF CONTENTS

THE LICENCE — **SCHEDULE 1: CONDITIONS INCLUDED UNDER SECTION 7 OF THE ACT**

SCHEDULE 2 — **SCHEDULE 1: CONDITIONS INCLUDED UNDER SECTION 7 OF THE ACT**

PART 1: — DEFINITIONS AND INTERPRETATION RELATING TO THE CONDITIONS IN SCHEDULE 1

1. In this Schedule unless the context otherwise requires: “Applicable Terminal...”
2. Expressions cognate with those referred to in this Schedule shall...
3. Any reference in any Condition in this Schedule, however expressed,...
4. Subject to paragraph 5 below, if the Director is considering...
5. Paragraph 4 does not apply in relation to any determination,...
6. Where the Director makes a determination for the purposes of...

PART 2: — **GENERAL CONDITIONS**

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Telecommunications (Licence Modification) (Mobile Data Operator Licences) Regulations 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

### **Condition 1**

- 1.1 REQUIREMENT TO PROVIDE CONNECTION SERVICES INCLUDING CO-LOCATION AND FACILITY SHARING
- 1.2 The Licensee or the Operator may at any time request...
- 1.3 The Licensee shall: (a) comply with the requirements of any...
- 1.4 Paragraph 1.1 above does not apply to the extent that...
- 1.5 So long as section 11 of the Restrictive Trade Practices...
- 1.6 The Licensee shall comply with any request by the Director...
- 1.7 Where the Director so directs the Crown shall be treated...

### **Condition 2**

- 2.1 PRIVACY, CONFIDENTIALITY AND METERING SYSTEMS
- 2.2 The Licensee shall take all reasonable steps to ensure the...

### **Condition 3**

- 3.1 ESSENTIAL INTERFACES
- 3.2 The Director may, having first notified the Licensee of his...
- 3.3 Where in pursuance of paragraph 3.2 the Director specifies an...
- 3.4 (a) For the purposes of paragraph 3.3 "Relevant Standard" means:...
- 3.5 Where the Director has been unable in accordance with paragraph...
- 3.6 The Director shall specify a Relevant Standard in pursuance of...
- 3.7 For the avoidance of doubt this Condition shall not:
- 3.8 When implementing an Essential Interface, the Licensee shall not be...
- 3.9 It is a precondition of any obligation on the Licensee...

### **Condition 4**

- 4.1 PREPARATION OF ACCOUNTS

### **Condition 5**

- 5.1 ACCOUNTING SEPARATION FOR SPECIAL OR EXCLUSIVE RIGHTS INNON-TELECOMMUNICATION SERVICES

### **Condition 6**

- 6.1 REQUIREMENT TO FURNISH INFORMATION TO THE DIRECTOR
- 6.2 In making any such request the Director shall ensure that...
- 6.3 The Licensee shall permit the Director and any person authorised...
- 6.4 The Licensee shall provide financial information to the Director promptly...
- 6.5 In this Condition "documents" includes, without prejudice to the generality...

### **Condition 7**

- 7.1 NOTIFICATION OF CHANGES IN SHAREHOLDINGS
- 7.2 Subject to paragraph 7.3, the Licensee shall notify the Secretary...
- 7.3 The Licensee shall be obliged to notify the Secretary of...
- 7.4 In any case referred to in paragraph 7.1 or 7.2,...

### **Condition 8**

- 8.1 LICENSEE'S GROUP
- 8.2 Where these Conditions apply in respect of the Applicable Systems...

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- 8.3 Where any person becomes a member of the Licensee's Group...
- 8.4 This Condition shall not apply to any particular member of...

#### **Condition 9**

- 9.1 PAYMENT OF FEES
- 9.2 The aggregate of the renewal fee and the special fee...
  - PART A: — **OPERATORS WITH SIGNIFICANT MARKET POWER FOR THE PURPOSES OF THE INTERCONNECTION DIRECTIVE**

#### **Condition 10**

- 10.1 DETERMINATION OF SIGNIFICANT MARKET POWER
- 10.2 Where this Part applies, Condition 1 shall no longer apply...
- 10.3 The Conditions in this Part apply to the Licensee only...

#### **Condition 11**

- 11.1 INTERCONNECTION AGREEMENTS WITH SCHEDULE 2 PUBLIC OPERATORS INCLUDING CO-LOCATION AND FACILITY SHARING
- 11.2 The Licensee or the Schedule 2 Public Operator may at...
- 11.3 The Licensee shall secure that the agreement or amendment referred...
- 11.4 To the extent that the terms and conditions of any...
- 11.5 The Licensee shall: (a) comply with the requirements of any...
- 11.6 So long as section 11 of the Restrictive Trade Practices...
- 11.7 Paragraph 11.1 above does not apply to the extent that...
- 11.8 For the avoidance of doubt: (a) any question as to...
- 11.9 Where the Director so directs, the Crown shall be treated...

#### **Condition 12**

- 12.1 REQUIREMENT TO MEET REQUESTS FOR ACCESS OTHER THAN FROM SCHEDULE 2 PUBLIC OPERATORS
- 12.2 An agreement to provide Interconnection to the Applicable Systems shall...
- 12.3 Where the Licensee or a member of the Licensee's Group...
- 12.4 The Licensee or the person requesting Interconnection may at any...
- 12.5 The Licensee shall: (a) comply with the requirements of any...

#### **Condition 13**

- 13.1 REQUIREMENT TO SEND INDIVIDUAL AGREEMENTS TO THE DIRECTOR AND TO PUBLISH THEM
- 13.2 Either party to an agreement or amendment referred to in...
- 13.3 A determination made in response to a requirement under paragraph...
- 13.4 The Licensee shall: (a) where no request has been made...
- 13.5 The Licensee shall send a copy of the list referred...
- 13.6 The Licensee shall, within a reasonable period following a request,...
- 13.7 Any information received by a Licensee from any person for...
- 13.8 The Licensee shall comply with any request by the Director...
  - PART B: — **UNDUE DISCRIMINATION REQUIREMENTS WHICH APPLY TO PART A**

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#### **Condition 14**

##### 14.1 PROHIBITION ON UNDUE PREFERENCE AND UNDUE DISCRIMINATION

###### PART C: — EXCEPTIONS AND LIMITATIONS ON OBLIGATIONS IN SCHEDULE 1

#### **Condition 15**

##### 15.1 EXCEPTIONS AND LIMITATIONS ON OBLIGATIONS IN SCHEDULE 1

- 15.2 The Licensee is not obliged to do anything which is...
- 15.3 The Licensee shall not be held to have failed to...
- 15.4 The Licensee shall not be obliged to connect, or to...
- 15.5 Nothing in these Conditions shall prevent the Licensee from withdrawing...
- 15.6 Nothing in these Conditions shall require the Licensee to provide...
- 15.7 This Condition shall apply without prejudice to any limitation or...
- 15.8 This Condition does not apply to: Condition 1 (Requirement to...
- 15.9 Only paragraphs 15.1, 15.2, 15.3 and 15.7 apply to: Conditions...

#### SCHEDULE 3 — SCHEDULE 2: REVOCATION

- 1. Notwithstanding paragraph 2 of the Licence the Secretary of State...
- 2. For the purposes of paragraph 1(e)(i), in applying section 123...
- 3. In this Schedule: (a) "Group" means a Parent Undertaking and...
- 4. For the purposes of this Schedule "Appeal" includes further appeal...

#### SCHEDULE 4 — SCHEDULE 3: AUTHORISATION TO CONNECT OTHER TELECOMMUNICATION SYSTEMS AND APPARATUS TO THE APPLICABLE SYSTEMS AND TO PROVIDE TELECOMMUNICATION SERVICES BY MEANS OF THE APPLICABLE SYSTEMS

- 1. Nothing in this Licence removes any need to obtain any...
- 2. Connection authorisation
- 3. Service authorisation
- 4. Definitions and Interpretation
- 5. Expressions cognate with those referred to in this Schedule shall...

#### SCHEDULE 5 — ANNEX A

- 1. THE APPLICABLE SYSTEMS
- 2. In this Annex: "Approved Apparatus" means in relation to any...

Explanatory Note

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- Regulations revoked by [2003 c. 21 Sch. 19\(2\)](#)