
STATUTORY INSTRUMENTS

2016 No. 700

The Communications (Access to Infrastructure) Regulations 2016

PART 3

Disputes

Resolution of disputes: information

17.—(1) This regulation applies where a dispute has been referred under regulation 12 to OFCOM.

(2) Subject to paragraph (8), OFCOM may require a person to provide them with specified information, in the specified manner and within the specified period.

(3) The information that may be specified is information required by OFCOM for the purpose of considering the dispute and making a determination under regulation 13.

(4) The specified period must be reasonable.

(5) In fixing that period, OFCOM must have regard, in particular, to—

- (a) the information that is required;
- (b) the nature of the dispute; and
- (c) the obligation imposed by regulation 13(2) (time limits for making a determination).

(6) Sections 138 to 139A of the 2003 Act ^{M1} apply to a requirement made under paragraph (2).

(7) The following modifications to sections 138 to 139A apply for the purposes of paragraph (6)

- (a) in section 138(1), the reference to a requirement imposed under section 135 or 136 is to a requirement imposed under paragraph (2);
- (b) in section 138(2)(d), the reference to a requirement under section 135 or 136 is to a requirement under paragraph (2); and
- (c) sections 138(2)(f) and (9A) and 139(2), (9) and (10) are omitted.

(8) The power in paragraph (2) must not be exercised by OFCOM for the purposes of obtaining information in connection with whether a request made under regulations 4 to 9 was correctly refused on national security grounds.

Marginal Citations

M1 Sections 138 and 139 were amended, and section 139A was inserted, by [S.I. 2011/1210](#). Section 139 was also amended by [S.I. 2011/1773](#).

Changes to legislation:

There are currently no known outstanding effects for the The Communications (Access to Infrastructure) Regulations 2016, Section 17.