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STATUTORY INSTRUMENTS

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**2020 No. 1245**

**The Network and Information Systems (Amendment and Transitional Provision etc.) Regulations 2020**

**Amendments to regulation 8 (identification of operators of essential services)**

**5.** In regulation 8—

(a) after paragraph (1), insert—

“(1A) Paragraph (1) does not apply to a network provider or service provider who is subject to the requirements of sections 105A to 105C of the Communications Act 2003<sup>(1)</sup> and in this paragraph “network provider” and “service provider” have the meanings given in section 105A(5) of that Act.”;

(b) in paragraph (2), after “authority” insert “in writing”;

(c) in paragraph (6), omit sub-paragraph (a) and “and” after it;

(d) after paragraph (7), insert—

“(7A) If a person has reasonable grounds to believe that they no longer fall within paragraph (1) or that the conditions for designation under paragraph (3) are no longer met in relation to them, they must as soon as practicable notify the designated competent authority in writing and provide with that notification evidence supporting that belief.

(7B) A competent authority that receives from a person a notification and supporting evidence referred to in paragraph (7A) must have regard to that notification and evidence in considering whether to revoke that person’s designation.”.