

## SCHEDULE 1

### Amendments of primary legislation

## PART 1

### Amendments of Communications Act 2003 coming into force on 21st December 2020

**11.**—(1) Section 46 (persons to whom conditions may apply) is amended as follows.

(2) After subsection (5) insert—

“(5A) A social tariff condition may be applied—

- (a) generally to every person providing a public electronic communications service;
- (b) generally to every person providing such a service of a particular description specified in the condition; or
- (c) to a particular person specified in the condition.”

(3) In subsection (6), for the “and” at the end of paragraph (a) substitute—

“(aa) in the case of a condition falling within section 74(2A), must be—

- (i) a person providing a public electronic communications network; or
- (ii) the owner of a line or associated facility;

(ab) in the case of a condition falling within section 74A, must be a person who provides an electronic communications network; and”.

(4) After subsection (8) insert—

“(8A) A person whom OFCOM have previously determined to be a person having significant market power in a services market but whom OFCOM determine no longer to be a person having significant market power in that market is to be treated as continuing to fall within subsection (8) for so long as OFCOM consider necessary to ensure a sustainable transition for those benefitting from obligations imposed on that person as a result of the previous determination.”.

#### Commencement Information

**11** Sch. 1 para. 11 in force at 21.12.2020, see reg. 1(2)

**Changes to legislation:**

There are currently no known outstanding effects for the The Electronic Communications and Wireless Telegraphy (Amendment) (European Electronic Communications Code and EU Exit) Regulations 2020, Paragraph 11.