

2023 No. 469

CONSUMER PROTECTION
TELECOMMUNICATIONS

**The Product Security and Telecommunications Infrastructure Act
2022 (Commencement No. 2) Regulations 2023**

Made - - - -

25th April 2023

The Secretary of State makes these Regulations in exercise of the power conferred by section 79(2) of the Product Security and Telecommunications Infrastructure Act 2022(a).

Citation and interpretation

1.—(1) These Regulations may be cited as the Product Security and Telecommunications Infrastructure Act 2022 (Commencement No. 2) Regulations 2023.

(2) In these Regulations “the Act” means the Product Security and Telecommunications Infrastructure Act 2022.

Provision coming into force on 26th April 2023

2. Section 66 (refusal of application for code rights on grounds of national security etc) of the Act comes into force on 26th April 2023.

Provisions coming into force on 29th April 2024

3. Part 1 of the Act comes into force on 29th April 2024, so far as not already in force.

25th April 2023

Camrose
Parliamentary Under Secretary of State
Department for Science, Innovation and Technology

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring specified provisions of the Product Security and Telecommunications Infrastructure Act 2022 (c. 46) (“the Act”) into force. They are the second commencement regulations made under the Act.

Regulation 2 brings into force on 26th April 2023 section 66 of the Act. Regulation 3 brings into force on 29th April 2024 those provisions in Part 1 of the Act which are not already in force.

Section 66 of the Act inserts into the electronic communications code (the “code”) set out in Schedule 3A to the Communications Act 2003 (c. 21) a power for the Secretary of State to give a certificate to the court in certain circumstances. These circumstances are where an operator applies to the court for an order under paragraph 20, 26 or 27 of the code which would impose an agreement between the operator and another person and where the Secretary of State is satisfied that such an order would be likely to prejudice national security, defence or law enforcement. The court must refuse the application if the Secretary of State gives such a certificate to the court.

Part 1 of the Act creates a new regulatory regime for UK consumer connectable products and imposes duties on relevant persons who make these products available to customers in the United Kingdom.

The Explanatory Notes to the Act provide further explanation of the reform to the code introduced by section 66 of the Act and of the new regulatory regime created by Part 1 of the Act and are available online (<https://www.legislation.gov.uk/ukpga/2022/46/notes/contents>) and in hard copy from TSO, PO Box 29, Norwich, NR3 1GN (telephone orders/general enquiries: 0333 202 5070).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Product Security and Telecommunications Infrastructure Act 2022 have been brought into force by commencement regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 57	7th February 2023	2023/109
Section 58	17th April 2023	2023/109
Section 59	17th April 2023	2023/109
Section 60	7th February 2023	2023/109
Section 75	7th February 2023	2023/109

© Crown Copyright 2023

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty’s Stationery Office and King’s Printer of Acts of Parliament.

£4.90

<http://www.legislation.gov.uk/id/uksi/2023/469>

ISBN 978-0-34-824754-1



9 780348 247541