

2023 No. 792 (C. 42)

ELECTRONIC COMMUNICATIONS

The Digital Economy Act 2010 (Appointed Day No. 5) Order 2023

Made - - - -

11th July 2023

The Secretary of State makes this Order in exercise of the powers conferred by section 47(3) and (4) of the Digital Economy Act 2010(a).

Citation and interpretation

1.—(1) This Order may be cited as the Digital Economy Act 2010 (Appointed Day No. 5) Order 2023.

(2) In this Order, “the Act” means the Digital Economy Act 2010.

Provisions coming into force on 17th July 2023

2. The day appointed for the coming into force of section 19 of the Act (powers in relation to internet domain registries), for the purposes of consulting on and making regulations, is 17th July 2023.

Provisions coming into force on 6th April 2024

3. The day appointed for the coming into force of the following provisions of the Act is 6th April 2024—

- (a) section 19 in so far as it is not already in force;
- (b) section 20 (appointment of manager of internet domain registry);
- (c) section 21 (application to court to alter constitution of internet domain registry).

11th July 2023

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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the fifth appointed day order made under the Digital Economy Act 2010 (c. 24) (“the Act”). Sections 19-21 of the Act amend the Communications Act 2003 (c. 21) by inserting sections 124O to 124R.

Section 124O of the Communications Act 2003 makes provision for the Secretary of State to notify qualifying internet domain registries of failures to comply with prescribed requirements relating to the misuse and abuse of UK-related internet domain names and prescribed requirements relating to complaints procedures. Sections 124P and 124Q make provision for the Secretary of State to appoint a manager of a qualifying internet domain registry where there has been a serious failure by the registry to comply with the prescribed requirements. Section 124R makes provision for the Secretary of State to be able to apply to the court to amend a qualifying internet domain registry’s articles of association, or similar documents, where there has been a serious failure by the registry to comply with the prescribed requirements.

Article 2 brings section 19 of the Act into force on 17th July 2023 for the purposes of consulting on and then making regulations under section 124O of the Communications Act 2003 to set out the prescribed requirements. Article 3 brings into force sections 19 (to the extent that it is not already in force), 20 and 21 of the Act on 6th April 2024.

An impact assessment has not been published for this Order as it has no impact on the costs to business or the voluntary sector independent of the provisions this Order brings into force.

NOTE AS TO EARLIER APPOINTED DAY ORDERS

(This note is not part of the Order)

The following provisions of the Digital Economy Act 2010 have been brought into force by appointed day orders made before the date of this Order.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 29	22nd June 2011	2011/1170
Section 40(2), (3), (5) and (6)	30th July 2012	2012/1766
Section 41(1)	1st May 2012	2012/1164
Section 41(2) (remainder)	1st May 2012	2012/1164
Section 43	30th June 2014	2014/1659
Section 45 (partially)	22nd June 2011	2011/1170
Section 45 (further purposes)	1st May 2012	2012/1164
Section 45 (further purposes)	30th July 2012	2012/1766
Section 45 (further purposes)	30th June 2014	2014/1659
Schedule 1 (remainder)	1st May 2012	2012/1164
Schedule 2 (partially)	22nd June 2011	2011/1170
Schedule 2 (further purposes)	1st May 2012	2012/1164
Schedule 2 (further purposes)	30th July 2012	2012/1766
Schedule 2 (further purposes)	30th June 2014	2014/1659

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