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**Changes to legislation:** There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Paragraph 17. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 14

#### REGULATORS: USE OF POWERS UNDER THE 1998 ACT

##### *Communications Act 2003 (c. 21)*

17 In section 94 (notification of contravention of SMP apparatus conditions), for subsection (10) substitute—

“(10) Before giving a notification under this section, OFCOM must consider whether it would be more appropriate to proceed under the Competition Act 1998.

(10A) OFCOM must not give a notification under this section if they consider that it would be more appropriate to proceed under the Competition Act 1998.

(10B) In a case where OFCOM decide that it would be more appropriate to proceed under the Competition Act 1998, they must publish a statement to that effect in such manner as they consider appropriate for bringing their decision to the attention of persons whom they consider are likely to be affected by it.”

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#### **Commencement Information**

**II** Sch. 14 para. 17 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

**Changes to legislation:**

There are currently no known outstanding effects for the Enterprise and Regulatory Reform Act 2013, Paragraph 17.