

SCHEDULES

SCHEDULE 9

PROTECTIVE PROVISIONS

PART 2

FOR THE PROTECTION OF OPERATORS OF ELECTRONIC COMMUNICATIONS CODE NETWORKS

15. In this Part of this Schedule—

“the 2003 Act” means the Communications Act 2003⁽¹⁾;

“electronic communications apparatus” has the same meaning as in the electronic communications code⁽²⁾;

“the electronic communications code” has the same meaning as in section 106(1)⁽³⁾ (application of the electronic communications code) of the 2003 Act;

“electronic communications code network” means—

- (a) so much of an electronic communications network or infrastructure system provided by an electronic communications code operator as is not excluded from the application of the electronic communications code by a direction under section 106 of the 2003 Act; and
- (b) an electronic communications network which the undertaker is providing or proposing to provide;

“electronic communications code operator” means a person in whose case the electronic communications code is applied by a direction under section 106 of the 2003 Act;

“infrastructure system” has the same meaning as in the electronic communications code and reference to providing an infrastructure system is to be construed in accordance with paragraph 7(2) of that code; and

“operator” means the operator of an electronic communications code network.

Commencement Information

II Sch. 9 para. 15 in force at 8.9.2022, see [art. 1](#)

(1) 2003 c. 21.

(2) See paragraph 5 of Schedule 3A (the electronic communications code) to the Communications Act 2003 (c. 21). Schedule 3A was inserted by Schedule 1 to the Digital Economy Act 2017 (c. 30).

(3) Section 106 was amended by section 4(3) to (9) of the Digital Economy Act 2017 (c. 30).

Changes to legislation:

There are currently no known outstanding effects for the The Manston Airport Development Consent Order 2022, Paragraph 15.