
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations implement Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018 establishing the European Electronic Communications Code (“the EECC Directive”). The EECC Directive repeals and replaces four previous directives:

[Directive 2002/19/EC](#) of the European Parliament and of the Council of 7 March 2002 on access to, and interconnection of, electronic communications networks and associated facilities (Access Directive),

[Directive 2002/20/EC](#) of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive),

[Directive 2002/21/EC](#) of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive), and

[Directive 2002/22/EC](#) of the European Parliament and of the Council of 7 March 2002 on universal service and users’ rights relating to electronic communications networks and services (Universal Service Directive).

Part 1 of Schedule 1 contains amendments of the Communications Act 2003 implementing the EECC Directive. These amendments include, in particular, amendments relating to:

- very high capacity networks;
- network access;
- end-user rights and bundled contracts;
- universal service obligations and social tariffs; and
- commitments that may be entered into by the provider of a public electronic communications network for the purpose of addressing competition problems.

Part 3 of Schedule 1 contains amendments of the Wireless Telegraphy Act 2006 implementing the EECC Directive, including amendments relating to the efficient use of the radio spectrum.

Part 1 of Schedule 2 contains related amendments of subordinate legislation. These include the omission of certain provisions of regulations previously made under section 8(1) of the European Union (Withdrawal) Act 2018 which were due to come into force on IP completion day but are superseded by the amendments made by Schedule 1.

The amendments implementing the EECC Directive come into force on 21 December 2020 (the date specified in Article 124 of the EECC Directive).

The further amendments in Parts 2 and 4 of Schedule 1, Part 2 of Schedule 2 and Schedule 3 come into force on IP completion day. They are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively (in particular under section 8(2)(a) to (c), (e) and (g)) arising from the withdrawal of the UK from the European Union.

Regulation 5 is a temporary provision implementing Article 87 of the EECC Directive until IP completion day by enabling certain universal service requirements to be reviewed.

Regulation 6 is a saving provision relating to existing universal service conditions that require social tariffs.

Status: *This is the original version (as it was originally made).*

A full impact assessment has not been produced for this instrument. An Explanatory Memorandum and a transposition note are available alongside these Regulations on <https://legislation.gov.uk>.