
STATUTORY INSTRUMENTS

2023 No. 214

The Trade (Mobile Roaming) Regulations 2023

PART 4

Dispute resolution and appeals

Dispute resolution

Power of Ofcom to resolve disputes

9.—(1) Ofcom may resolve a dispute relating to a requirement under Part 2.

(2) Sections 185 to 191(4) of the 2003 Act⁽¹⁾ apply in the case of a dispute relating to a requirement under Part 2 as they apply in the case of a dispute falling within section 185(1) of that Act.

(3) Sections 138, 139(1) to (5) and 139A of the 2003 Act apply for the enforcement of a requirement under section 191(1) of the 2003 Act as applied by paragraph (2) as they apply for the enforcement of a requirement under section 135 of that Act.

Appeals

Right of appeal to the Competition Appeal Tribunal

10.—(1) A person affected by a decision by Ofcom under the 2003 Act as applied by these Regulations may appeal against it to the Competition Appeal Tribunal.

(2) Sections 192, 194A and 196 of the 2003 Act⁽²⁾ apply in relation to a decision mentioned in paragraph (1) as they apply in relation to a decision mentioned in section 192(1)(a) of that Act.

(3) In this regulation, “Competition Appeal Tribunal” means the tribunal established under section 12(1) of the Enterprise Act 2002⁽³⁾;

(1) Section 185 was amended by [S.I. 2011/1210](#). Section 185A was inserted by [S.I. 2011/1210](#). Section 186 was amended by [S.I. 2011/1210](#) and [2020/1419](#). Section 189 was omitted by [S.I. 2019/246](#). Section 190 was amended by paragraph 27 of Schedule 7 to the Wireless Telegraphy Act 2006 (c. 36) and [S.I. 2011/1210](#). Section 191(1) was amended by [S.I. 2019/246](#).

(2) Section 192 was amended by paragraph 28 of Schedule 7 to the Wireless Telegraphy Act 2006 (c. 36) and paragraph 43 of Schedule 15 to the Enterprise and Regulatory Reform Act 2013 (c. 24). Section 194A was inserted by section 87(4) of the Digital Economy Act 2017 (c. 30).

(3) 2002 c. 40.