



# Product Security and Telecommunications Infrastructure Act 2022

## CHAPTER 46

### PRODUCT SECURITY AND TELECOMMUNICATIONS INFRASTRUCTURE ACT 2022

#### PART 1

#### PRODUCT SECURITY

#### CHAPTER 1

#### SECURITY REQUIREMENTS

##### *Security requirements relating to products*

- 1 Power to specify security requirements
- 2 Further provision about regulations under section 1
- 3 Power to deem compliance with security requirements

##### *Products to which security requirements may relate*

- 4 Relevant connectable products
- 5 Types of product that may be relevant connectable products
- 6 Excepted products

##### *Persons to whom security requirements may apply*

- 7 Relevant persons

*Status: Point in time view as at 29/04/2024.*

*Changes to legislation: There are currently no known outstanding effects for the Product Security and Telecommunications Infrastructure Act 2022. (See end of Document for details)*

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## CHAPTER 2

### DUTIES OF RELEVANT PERSONS, ETC

#### *Duties of manufacturers*

- 8 Duty to comply with security requirements
- 9 Statements of compliance
- 10 Duty to investigate potential compliance failures
- 11 Duties to take action in relation to compliance failure
- 12 Duty to maintain records

#### *Duties of authorised representatives*

- 13 Duties to take action in relation to manufacturer's compliance failure

#### *Duties of importers*

- 14 Duty to comply with security requirements
- 15 Statements of compliance
- 16 Duty not to supply products where compliance failure by manufacturer
- 17 Duty to investigate potential compliance failures of importer or manufacturer
- 18 Duties to take action in relation to importer's compliance failure
- 19 Duties to take action in relation to manufacturer's compliance failure
- 20 Duty to maintain records of investigations

#### *Duties of distributors*

- 21 Duty to comply with security requirements
- 22 Statements of compliance
- 23 Duty not to supply products where compliance failure by manufacturer
- 24 Duties to take action in relation to distributor's compliance failures
- 25 Duties to take action in relation to manufacturer's compliance failure

## CHAPTER 3

### ENFORCEMENT

#### *General*

- 26 Enforcement of Part 1
- 27 Delegation of enforcement functions

#### *Enforcement notices*

- 28 Compliance notices
- 29 Stop notices
- 30 Recall notices
- 31 Power to vary or revoke enforcement notices
- 32 Failure to comply with enforcement notice
- 33 Appeals against enforcement notices
- 34 Compensation for notices wrongly given
- 35 Appeals against decisions under section 34

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### *Monetary penalties*

- 36 Monetary penalties
- 37 Determining the amount of a penalty
- 38 The relevant maximum
- 39 Penalty notices: further provision
- 40 Enforcement of penalty notices
- 41 Appeals against penalty notices

### *Forfeiture*

- 42 Forfeiture
- 43 Further provision about forfeiture
- 44 Appeals against decisions under section 42

### *Other enforcement powers*

- 45 Power to inform public about compliance failures
- 46 Power to publish details of enforcement action taken against relevant persons
- 47 Power to recall products

### *Disclosure of information*

- 48 Disclosure of information

### *Miscellaneous and supplementary*

- 49 Offence of purporting to act as authorised to exercise enforcement function
- 50 Means of giving notices
- 51 Liability of authorised representatives
- 52 Offences by directors, partners etc

## **CHAPTER 4**

### **SUPPLEMENTARY PROVISION**

#### *Guidance*

- 53 Guidance

#### *Interpretation*

- 54 Meaning of “UK consumer connectable product”
- 55 Meaning of “supply”
- 56 Meaning of other expressions used in Part 1

## **PART 2**

### **TELECOMMUNICATIONS INFRASTRUCTURE**

#### *Rights to upgrade and share apparatus*

- 57 Rights under the electronic communications code to share apparatus
- 58 Upgrading and sharing of apparatus: subsisting agreements
- 59 Upgrading and sharing of apparatus installed before 29 December 2003

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*Power to fly lines*

60 Power to fly lines from apparatus kept by another operator

*Renewal of business tenancies conferring code rights*

61 Rent under tenancies conferring code rights: England and Wales

62 Rent under tenancies conferring code rights: Northern Ireland

63 Compensation relating to code rights: England and Wales

64 Compensation relating to code rights: Northern Ireland

65 Jurisdiction of court in relation to tenancies in England and Wales

*Refusal of code rights on grounds of national security etc*

66 Refusal of application for code rights on grounds of national security etc

*Unresponsive occupiers*

67 Unresponsive occupiers

*Interim arrangements*

68 Arrangements pending determination of certain applications under code

*Disputes under the electronic communications code*

69 Use of alternative dispute resolution

70 Complaints relating to the conduct of operators

*Proceedings relating to code disputes*

71 Jurisdiction of First-tier Tribunal in relation to code proceedings in Wales

72 Power to impose time limits on the determination of code proceedings

*Rights of network providers in relation to infrastructure*

73 Rights of network providers in relation to infrastructure

*Supplementary provision*

74 Power to make consequential amendments

75 Meaning of “the electronic communications code”

**PART 3**

FINAL PROVISIONS

76 Power to make transitional or saving provision

77 Regulations

78 Extent

79 Commencement

80 Short title

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SCHEDULE — Unresponsive occupiers: consequential amendments

1 The Communications Act 2003 is amended as follows.

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- 2 In section 402 (powers of Secretary of State to make...
- 3 (1) Schedule 3A (the electronic communications code) is amended as...

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**Changes to legislation:**

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