

2000 No. 2998

TELECOMMUNICATIONS

**The Telecommunications (Licence Modifications)
(Amendment No. 2) Regulations 2000**

Made - - - - - *9th November 2000*
Laid before Parliament *9th November 2000*
Coming into force - - *10th November 2000*

The Secretary of State, being a Minister designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in respect of measures relating to telecommunications, in the exercise of the powers conferred on him by that section, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Telecommunications (Licence Modifications) (Amendment No. 2) Regulations 2000 and shall come into force on 10th November 2000.

Regulations amended

2. The provisions specified in the Schedule hereto (which modify certain licences granted under section 7 of the Telecommunications Act 1984(c) by Regulations made under section 2(2) of the European Communities Act 1972(b)) shall have effect notwithstanding the provisions of sections 12 to 15 of the Telecommunications Act 1984 (which provide for the modification of such licences)(c).

Patricia Hewitt
Minister of State for Small
Business and E.Commerce
Department of Trade and Industry

9th November 2000

(a) S.I. 1996/266.

(b) 1972 c. 68.

(c) 1984 c. 12, as amended by the Telecommunications (Licensing) Regulations 1997 (S.I. 1997/2930). There are other amendments to 1984 c. 12 which are not relevant to these Regulations.

THE SCHEDULE

Regulations amended

- Regulation 2 of the Telecommunications (Licence Modification) (Standard Schedules) Regulations 1999**(a)**
- Regulation 3(h) of the Telecommunications (Licence Modification) (Fixed Voice Telephony and International Facilities Operator Licences) Regulations 1999**(b)**
- Regulations 3(e) and 3(f) of the Telecommunications (Licence Modification) (Mobile Public Telecommunication Operators) Regulations 1999**(c)**
- Regulation 3(c) of the Telecommunications (Licence Modification) (British Telecommunications plc) Regulations 1999**(d)**
- Regulation 3(f) of the Telecommunications (Licence Modification) (Cable and Local Delivery Operator Licences) Regulations 1999**(e)**
- Regulation 3(c) of the Telecommunications (Licence Modification) (Kingston Communications (Hull) PLC) Regulations 1999**(f)**
- Regulation 4 of the Telecommunications (Interconnection) (Carrier Pre-selection) Regulations 1999**(g)**
- Regulation 9 of the Telecommunications (Interconnection) (Number Portability, etc.) Regulations 1999**(h)**
- Regulation 17 of the Radio Equipment and Telecommunications Terminal Equipment Regulations 2000**(i)**
- Regulation 3(d) of the Telecommunications (Licence Modification) (Satellite Operator Licences) Regulations 2000**(j)**
- Regulation 3(f) of the Telecommunications (Licence Modification) (Regional Public Access Mobile Radio Operator Licences) Regulations 2000**(k)**
- Regulation 2(1)(a) and regulation 2(2) of the Telecommunications (Licence Modifications) (Amendment) Regulations 2000**(l)**
- Regulation 3(d) of the Telecommunications (Licence Modification) (Mobile Data Operator Licences) Regulations 2000**(m)**
- Regulation 3(e) of the Telecommunications (Licence Modification) (Paging Operator Licences) Regulations 2000**(n)**
- Regulation 3, regulation 4(2)(b), (c) and (d), regulation 4(3)(b) and (c) and regulation 4(4)(b) of the Telecommunications (Services for Disabled Persons) Regulations 2000**(o)**.

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- (a)** S.I. 1999/2450, as amended by S.I. 1999/3448, 1999/3449, 2000/730, 2000/1713, 2000/2410.
(b) S.I. 1999/2451. There are amendments to S.I. 1999/2451 which are not relevant to these Regulations.
(c) S.I. 1999/2452.
(d) S.I. 1999/2453, as amended by S.I. 2000/1713.
(e) S.I. 1999/2454.
(f) S.I. 1999/2455.
(g) S.I. 1999/3448.
(h) S.I. 1999/3449.
(i) S.I. 2000/730.
(j) S.I. 2000/1711.
(k) S.I. 2000/1712.
(l) S.I. 2000/1713.
(m) S.I. 2000/1714.
(n) S.I. 2000/1715.
(o) S.I. 2000/2410.

EXPLANATORY NOTE

(This note is not part of the Regulations)

The provisions of the Regulations listed in the Schedule to these Regulations (all made under section 2(2) of the European Communities Act 1972) each modified telecommunications licences granted under section 7 of the Telecommunications Act 1984. These Regulations provide that these modifications have effect notwithstanding the procedure for modifying licences contained in sections 12 to 15 of the Telecommunications Act 1984. The telecommunications licences were modified by the provisions specified in the Schedule to these Regulations as part of the implementation in the United Kingdom of the following Directives—

- (a) Directive 97/13/EC of the European Parliament and of the Council on a common framework for general authorisations and individual licences in the field of telecommunications (O.J. No. L117, 7.5.97, p.15), which requires that conditions in all telecommunications licences of a similar type should be harmonised, except where objectively justified in particular instances. This Directive was implemented by the Regulations specified in the Schedule to these Regulations other than the Telecommunications (Interconnection) (Carrier Pre-selection) Regulations 1999, the Telecommunications (Interconnection) (Number Portability, etc.) Regulations 1999, the Radio Equipment and Telecommunications Terminal Equipment Regulations 2000 and the Telecommunications (Services for Disabled Persons) Regulations 2000;
- (b) Article 8 of Directive 98/10/EC of the European Parliament and of the Council on the application of open network provision (ONP) to voice telephony and on universal service for telecommunications in a competitive environment (O.J. No. L101, 26.2.98, p.24), which was implemented by the Telecommunications (Services for Disabled Persons) Regulations 2000;
- (c) Directive 98/61/EC of the European Parliament and of the Council with regard to operator number portability and carrier pre-selection (O.J. No. L268, 3.10.98, p.37). This Directive was implemented by the telecommunications (Carrier Pre-selection) Regulations 1999 and the Telecommunications (Interconnection) (Number Portability, etc.) Regulations 1999; and
- (d) Directive 99/5/EC of the European Parliament and of the Council on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity (O.J. No. L91, 7.4.99, p.10), which was implemented by the Radio Equipment and Telecommunications Terminal Equipment Regulations 2000.

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