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STATUTORY INSTRUMENTS

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**2001 No. 2495**

**TELECOMMUNICATIONS**

**The Telecommunications (Licence Modifications)  
(Amendment) Regulations 2001**

<i>Made - - - - -</i>	<i>11th July 2001</i>
<i>Laid before Parliament</i>	<i>12th July 2001</i>
<i>Coming into force - -</i>	<i>13th August 2001</i>

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 her by that section, hereby makes the following Regulations:

**Citation, commencement and derogation**

1.—(1) These Regulations may be cited as the Telecommunications (Licence Modifications) (Amendment) Regulations 2001 and shall come into force on 13th August 2001.

(2) Regulations 2 and 3 below shall have effect notwithstanding the provisions of sections 12 to 15 of the Telecommunications Act 1984(c) (which provide for the modification of licences granted under section 7 of that Act).

**Regulations amended**

2.—(1) After condition 28.2 in Part II of Schedule 1 to the Telecommunications (Licence Modification) (Standard Schedules) Regulations 1999(d) (the “Standard Schedule Regulations”) there shall be added the following:

“and

(d) the Donor Operator shall make no specific charge based on Additional Conveyance Costs.”

(2) In any licence granted under section 7 of the Telecommunications Act 1984 which incorporates condition 28.2 set out in Part 2 of Schedule 1 to the Standard Schedules Regulations or includes a condition in substantially the same terms thereas, the same modifications shall be effected as in paragraph (1) of this regulation.

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(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.

(d) S.I. 1999/2450; the relevant amending instruments are S.I. 1999/3449 and 2000/2998.

3.—(1) Condition 11.2 of all licences modified by the Telecommunications (Licence Modification) (Satellite Operator Licences) Regulations 2000<sup>(a)</sup> (the “Satellite Operator Regulations”) shall be modified as follows:

- (a) in sub-paragraph (c), after the word “which” there shall be inserted the words “, subject to sub-paragraph 11.2(d),”; and
- (b) after sub-paragraph (c) there shall be added the following:  
“; and
- (d) the Donor Operator shall make no specific charge based on Additional Conveyance Costs.”

(2) In any licence granted under section 7 of the Telecommunications Act 1984 which incorporates condition 11.2 set out in Part 2 of Schedule 3 to the Satellite Operator Regulations or includes a condition in substantially the same terms thereof, the same modifications shall be effected as in paragraph (1) of this regulation.

*Douglas Alexander*

Minister of State for E. Commerce and Competitiveness,  
Department of Trade and Industry

11th July 2001

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#### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations correct minor errors in conditions relating to number portability contained in the Telecommunications (Interconnection) (Number Portability, etc.) Regulations 1999 (which amended the Telecommunications (Licence Modification) (Standard Schedules) Regulations 1999), in telecommunications licences modified by the Telecommunications (Licence Modification) (Satellite Operator Licences) Regulations 2000 and in licences granted under section 7 of the Telecommunications Act 1984 which incorporates the number portability conditions set out in any of those Regulations or which contain number portability conditions in substantially the same terms as those in licences modified by those Regulations. The essential change is that when a subscriber transfers from one operator to another while keeping the same number, the operator from whom the number is transferred may not charge “Additional Conveyance Costs” as defined in the licence conditions.

Conditions relating to number portability are a requirement of Directive 97/33/EC on interconnection in telecommunications (OJ L199, 26.7.97, p1), as amended by Directive 98/61/EC on number portability and carrier pre-selection (OJ L268, 3.10.98, p37).

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<sup>(a)</sup> S.I. 2000/1711, amended by S.I. 2000/2998.

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