

## SCHEDULES

### SCHEDULE 1

#### Amendments to Communications Act 2003 and related amendments

##### **Communications Act 2003**

**66.** In section 107 (procedure for directions applying the electronic communications code)—

(a) after subsection (1) insert—

“(1A) Regulation 3 of the Electronic Communications and Wireless Telegraphy Regulations 2011 makes provision about the time within which an application under subsection (1) must be determined.”, and

(b) after subsection (3) insert—

“(3A) A modification may not be made under subsection (3) unless the modification is—

(a) objectively justifiable, and

(b) proportionate to what it is intended to achieve.

(3B) Before making a modification under subsection (3), OFCOM must publish a notification of the proposed modification which contains the following—

(a) a statement of the proposal,

(b) a statement of their reasons for the proposal, and

(c) a statement of the period within which representations may be made to them about the proposal.

(3C) The period specified under subsection (3B)(c) must end no less than one month after the day of the publication of the notification.”