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STATUTORY INSTRUMENTS

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**2016 No. 607**

**The Open Internet Access (EU Regulation) Regulations 2016**

**PART 2**

**NATIONAL REGULATORY AUTHORITY**

**National Regulatory Authority**

**4.—(1)** OFCOM is the national regulatory authority for the purposes of Articles 3, 4 and 5 of the EU Regulation.

(2) References in these Regulations to OFCOM's functions under the EU Regulation should be read accordingly.

**BEREC guidelines**

**5.** In performing its functions under the EU Regulation and these Regulations, OFCOM must take due account of all applicable guidelines issued by the Body of European Regulators for Electronic Communications<sup>(1)</sup> in accordance with Article 5(3) of the EU Regulation.

**Certification of monitoring mechanisms**

**6.** OFCOM may certify one or more monitoring mechanisms to measure the performance of internet access services for the purposes of Article 4(4) of the EU Regulation.

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<sup>(1)</sup> As established by Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25th November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office. OJ No L 337, 18.12.2009, p.1.