
STATUTORY INSTRUMENTS

2016 No. 700

The Communications (Access to
Infrastructure) Regulations 2016

PART 5

General

Guidance

21. OFCOM—

- (a) must issue, and may from time to time revise, guidance for the purposes of these Regulations;
- (b) must, before issuing their guidance or revised guidance, consult such network providers, infrastructure operators and other persons as OFCOM think appropriate; and
- (c) must publish their guidance or revised guidance in such manner as they think appropriate.

Prescribed forms: requests and notices

22.—(1) OFCOM—

- (a) may prescribe, and may from time to time revise, the form in which a request or notice provided for in Part 2 is made or given;
 - (b) must, before prescribing or revising a form, consult such network providers, infrastructure operators and other persons as OFCOM think appropriate; and
 - (c) must publish any prescribed form in such manner as they think appropriate.
- (2) Where OFCOM have prescribed a form, a network provider, infrastructure operator or rights holder may not make a request or give a notice other than by way of that form.

Procedures for giving notice

23. Sections 394 and 395 of the 2003 Act (giving of notices and sending of documents)⁽¹⁾ apply for the purposes of Parts 2 and 3 as if those Parts were listed in section 394(2).

Review

24.—(1) Before the end of each review period, the Secretary of State must—

- (a) carry out a review of these Regulations;
- (b) set out the conclusions of the review in a report; and
- (c) publish the report.

⁽¹⁾ Section 394 was amended by the Wireless Telegraphy Act 2006 (c. 36), Schedule 9, Part 1 and by the Postal Services Act 2011 (c. 5), Schedule 12, Part 2, paragraph 65.

(2) In carrying out the review, the Secretary of State must have regard to how [Directive 2014/61/EU](#)(2) of the European Parliament and of the Council on measures to reduce the cost of deploying high-speed electronic communications networks is implemented in other member States.

(3) The report must in particular—

- (a) set out the objectives intended to be achieved by these Regulations;
- (b) assess the extent to which those objectives are achieved; and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved in another way which involves less onerous regulatory provision.

(4) The first review period is the period of five years beginning with the date on which these Regulations come into force.

(5) Each subsequent review period is a period of five years beginning with the date on which the preceding review was published.

(6) “Regulatory provision” has the meaning given in section 32(4) of the Small Business, Enterprise and Employment Act 2015(3).

(2) OJ No L 155, 23.5.2014, p 1.

(3) 2015 c. 26.