
STATUTORY INSTRUMENTS

2019 No. 980

**The Intra-EU Communications
(EU Regulation) Regulations 2019**

Notifications and documents in electronic form

- 16.**—(1) This regulation applies where—
- (a) regulation 15 authorises the giving or sending of a notification or other document by its delivery to a particular person (“the recipient”); and
 - (b) the notification or other document is transmitted to the recipient—
 - (i) by means of an electronic communications network; or
 - (ii) by other means but in a form that nevertheless requires the use of apparatus by the recipient to render it intelligible.
- (2) The transmission has effect for the purposes of these Regulations as a delivery of the notification or other document to the recipient, but only if the requirements imposed by or under this regulation are complied with.
- (3) Where the recipient is OFCOM—
- (a) they must have indicated their willingness to receive the notification or other document in a manner mentioned in paragraph (1)(b);
 - (b) the transmission must be made in such a manner and satisfy such other conditions as they may require; and
 - (c) the notification or other document must take such form as they may require.
- (4) Where the person making the transmission is OFCOM, they may (subject to paragraph (5)) determine—
- (a) the manner in which the transmission is made; and
 - (b) the form in which the notification or other document is transmitted.
- (5) Where the recipient is a person other than OFCOM, the recipient or the person on whose behalf the recipient receives the notification or other document must have indicated to the person making the transmission the recipient’s willingness to receive notifications or documents transmitted in the form and manner used.
- (6) An indication to any person for the purposes of paragraph (5)—
- (a) must be given to that person in such manner as he may require;
 - (b) may be a general indication or one that is limited to notifications or documents of a particular description;
 - (c) must state the address to be used and must be accompanied by such other information as that person requires for the making of the transmission; and
 - (d) may be modified or withdrawn at any time by a notice given to that person in such manner as that person may require.
- (7) An indication, requirement or determination given, imposed or made by OFCOM for the purposes of this regulation is to be given, imposed or made by being published in such manner as

they consider appropriate for bringing it to the attention of the persons who, in their opinion, are likely to be affected by it.

(8) Regulation 15(8) applies for the purposes of this regulation as it applies for the purposes of that regulation.