
STATUTORY INSTRUMENTS

2020 No. 1419

**The Electronic Communications and Wireless
Telegraphy (Amendment) (European Electronic
Communications Code and EU Exit) Regulations 2020**

Saving for existing universal service conditions relating to social tariffs

6.—(1) The amendments made by paragraphs 22(5), 24 and 29 of Schedule 1 and paragraph 1 of Schedule 2 do not affect the continuation in force of any universal service condition which—

- (a) relates to the matter mentioned in paragraph 5(2) of the Schedule to the Electronic Communications (Universal Service) Order 2003(1); and
- (b) is in force immediately before 21st December 2020.

(2) OFCOM may not, without the consent of the Secretary of State—

- (a) modify or revoke a universal service condition falling within paragraph (1)(a) and (b); or
- (b) under a power conferred by such a universal service condition, give a direction that has the effect of modifying—
 - (i) the level of a tariff (as defined by section 68(8) of the Communications Act 2003) required by the condition; or
 - (ii) the persons to whom it is to be made available.

(3) This regulation ceases to have effect when, in accordance with a direction of the Secretary of State under section 72D(7)(2) of the Communications Act 2003, a social tariff condition is set under section 45 of that Act and applied to providers of public electronic communications services who include the designated universal service providers.

(4) Expressions used in this regulation and in Chapter 1 of Part 2 of the Communications Act 2003 have the same meaning as in that Chapter.

(1) [S.I. 2003/1904](#); paragraph 5(2) of the Schedule is revoked by paragraph 1 of Schedule 2 to these Regulations.

(2) Section 72D is inserted by paragraph 29 of Schedule 1 to these Regulations.