
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of the European Union (Withdrawal) Act 2018 (“the Act”) in order to address deficiencies in retained EU law arising from the withdrawal of the United Kingdom from the European Union. The deficiencies fall within section 8(2)(a), (c) and (e) and 8(3)(a) of that Act.

Regulation 2 provides that the directly effective provision of Article 3 of [Directive 2000/31/EC](#) – known as the e-Commerce Directive - which would have continued to have effect in UK law after the end of the implementation period by virtue of section 4(1) of the Act, ceases to have effect from the end of the implementation period in relation to sections 120 to 124 (which deal with regulation of premium rate telephone services) and sections 128 to 131 (which deal with persistent misuse of telephone networks) of the Communications Act 2003.

The effect is that the “country of origin” principle established by that Article ceases to have effect and the provisions of the sections of the Communications Act 2003 referred to may be enforced by the enforcement authorities irrespective of the country in which the persons against whom enforcement is taken are established.

An impact assessment has not been published for this instrument as it has no or no significant impact on the private, public and voluntary sectors.