
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations require the providers of public electronic communications networks or public electronic communications services to take specified security measures.

Regulations 5(3) and 8(6) refer to the countries listed in the Schedule. Regulation 5(3) requires a network provider or service provider to ensure that certain tools that enable monitoring or analysis cannot be accessed from a listed country and are not stored on equipment located in a listed country. Regulation 8(6) requires a network provider or service provider to ensure that a security permission cannot be granted to, or exercised by, a person while the person is in a listed country.

Regulation 16 contains an exemption for cases where the network provider or service provider is a micro-entity as defined by that regulation.

The Regulations supplement the general duties imposed on all providers of public electronic communications networks and public electronic communications services by sections 105A and 105C of the Communications Act 2003.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from the Department for Digital, Culture, Media and Sport at 100 Parliament Street London SW1A 2BQ and is published with an Explanatory Memorandum alongside this instrument on <https://legislation.gov.uk>.

Changes to legislation:

There are currently no known outstanding effects for the The Electronic Communications (Security Measures) Regulations 2022.