

*Status: Point in time view as at 29/12/2003.*

**Changes to legislation:** Communications Act 2003, Cross Heading: Interpretation is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULES

### SCHEDULE 17

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Interpretation*

- 1 (1) In any Act or instrument amended by this Schedule—
- “communications service” means any of the following services—
- (a) an electronic communications service;
  - (b) the provision of directory information by means of an electronic communications network for the purpose of facilitating the use of an electronic communications service provided by means of that network;
  - (c) the installation, maintenance, adjustment, repair, alteration, moving, removal or replacement of apparatus which is or is to be connected to an electronic communications network;
- “electronic communications apparatus” has the same meaning as in the electronic communications code;
- “the electronic communications code” has the same meaning as in Chapter 1 of Part 2 of this Act;
- “electronic communications code network” means—
- (a) so much of an electronic communications network or conduit system provided by an electronic communications code operator as is not excluded from the application of the electronic communications code by a direction under section 106; and
  - (b) an electronic communications network which the Secretary of State or a Northern Ireland department is providing or proposing to provide;
- “electronic communications code operator” means a person in whose case the electronic communications code is applied by a direction under section 106;
- “electronic communications network” and “electronic communications service” each has the same meaning as in this Act;
- “former PTO” means a person—
- (a) who is a provider of a public electronic communications network or a public electronic communications service which, immediately before the date on which the repeal by this Act of section 7 of the Telecommunications Act 1984 (c. 12) comes into force, was designated as a public telecommunication system under section 9 of that Act; and
  - (b) who, immediately before that date, was authorised to provide that network or service by a licence to which section 8 of that Act applied;
- “operator”, in relation to an electronic communications code network, means—
- (a) the electronic communications code operator providing that network;
- or

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(b) the Secretary of State or a Northern Ireland department, to the extent that they are providing or proposing to provide that network;

“provide” and cognate expressions, in relation to an electronic communications network, an electronic communications service or associated facilities, are to be construed in accordance with section 32(4) of this Act;

“public electronic communications network” and “public electronic communications service” each has the same meaning as in Chapter 1 of Part 2 of this Act.

(2) In this paragraph—

(a) “conduit system” has the same meaning as in the electronic communications code and references to providing a conduit system shall be construed in accordance with paragraph 1(3A) of that code;

(b) “electronic communications code”, “electronic communications code network”, “electronic communications code operator”, “public electronic communications network” and “public electronic communications service” each has the meaning given in sub-paragraph (1).

#### Commencement Information

- I1** Sch. 17 para. 1 in force at 25.7.2003 for specified purposes by S.I. 2003/1900, art. 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3))
- I2** Sch. 17 para. 1 in force at 29.12.2003 in so far as not already in force by S.I. 2003/3142, art. 3(2) (with art. 11)

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