



# Digital Economy Act 2010

## 2010 CHAPTER 24

### *Powers in relation to internet domain registries*

#### **21 Application to court to alter constitution of internet domain registry**

After section 124Q of the Communications Act 2003 insert—

##### **“124R Application to court to alter constitution of internet domain registry**

- (1) This section applies where—
  - (a) the Secretary of State has given a notification under section 124O to a qualifying internet domain registry specifying a failure,
  - (b) the period allowed for making representations has expired, and
  - (c) the Secretary of State is satisfied that the registry has not taken the steps that the Secretary of State considers appropriate for remedying the failure.
- (2) The Secretary of State may apply to the court (as defined in section 124Q) for an order under this section.
- (3) The court may make an order—
  - (a) making alterations of the registry’s constitution, and
  - (b) requiring the registry not to make any alterations, or any specified alterations, of its constitution without the leave of the court.
- (4) An order under this section may contain only such provision as the court considers appropriate for securing that the registry remedies the failure specified in the notification under section 124O.
- (5) In this section—

“constitution” means, in the case of a company, the articles of association and, in the case of a limited liability partnership, the limited liability partnership agreement;

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*Status: This is the original version (as it was originally enacted).*

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“limited liability partnership agreement” means the agreement or agreements, whether express or implied, between the members of a limited liability partnership, and between the partnership and the members of the partnership, determining—

- (a) the mutual rights and duties of the members, and
- (b) their rights and duties in relation to the partnership.”