



Digital Economy Act 2017

CHAPTER 30

DIGITAL ECONOMY ACT 2017

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- 1 Interpretation
- 2 Effect of subsisting agreement
- 3 Limitation of code rights
- 4 Limitation of persons bound
- 5 Exclusion of assignment, upgrading and sharing provisions
- 6 Termination and modification of agreements
- 7 (1) Subject to paragraph 6, Part 5 of the new...
- 8 Apparatus, works etc
- 9 Any agreement given in accordance with paragraph 26(3) of the...
- 10 Any agreement that has effect under paragraph 15 of the...
- 11 Court applications for required rights etc
- 12 (1) This paragraph applies where before the time when the...
- 13 Temporary code rights
- 14 Compensation
- 15 Objections in relation to apparatus
- 16 (1) Subject to the following provisions of this paragraph, the...
- 17 Part 12 of the new code does not apply in...
- 18 Tree lopping
- 19 (1) This paragraph applies where before the time when the...
- 20 Right to require removal of apparatus
- 21 Undertaker's works
- 22 Supplementary
- 23 Part 15 of the new code applies in relation to...
- 24 Paragraphs 24 to 27 of the existing code continue to...
- 25 A person entitled to compensation by virtue of this Schedule...

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- 1 Interpretation
- 2 References to the code or provisions of the code
- 3 References to a conduit system

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- 4 Landlord and Tenant Act 1954 (c. 56)
- 5 Opencast Coal Act 1958 (c. 69)

- 6 Land Drainage (Scotland) Act 1958 (c. 24)
- 7 Pipe-lines Act 1962 (c. 58)
- 8 Harbours Act 1964 (c. 40)
- 9 Fair Trading Act 1973 (c. 41)
- 10 Highways Act 1980 (c. 66)
- 11 In section 177(12) (restriction of construction over highways: application of...
- 12 (1) Section 334 (savings relating to electronic communications apparatus) is...
- 13 Roads (Scotland) Act 1984 (c. 54)
- 14 (1) Section 50 (planting of trees etc by roads authority)...
- 15 (1) Section 75 (bridges over and tunnels under navigable waterways)...
- 16 (1) Section 132 (saving for operators of telecommunications code systems)...
- 17 Housing Act 1985 (c. 68)
- 18 For the heading substitute “Electronic communications apparatus”.
- 19 In subsection (2) for “paragraph 21 of the electronic communications...
- 20 In subsection (3) for “paragraph 23” substitute “Part 10”.
- 21 Food and Environment Protection Act 1985 (c. 48)
- 22 In section 8A (electronic communications apparatus: operations in tidal waters...
- 23 In section 9(8) (defence to operating without licence under Part...
- 24 Airports Act 1986 (c. 31)
- 25 (1) Section 62 (electronic communications apparatus) is amended as follows....
- 26 Landlord and Tenant Act 1987 (c. 31)
- 27 Road Traffic (Driver Licensing and Information Systems) Act 1989 (c. 22)
- 28 Electricity Act 1989 (c. 29)
- 29 Town and Country Planning Act 1990 (c. 8)
- 30 Water Industry Act 1991 (c. 56)
- 31 Water Resources Act 1991 (c. 57)
- 32 Electricity (Northern Ireland) Order 1992 (S.I. 1992/231)
- 33 Cardiff Bay Barrage Act 1993 (c. 42)
- 34 Roads (Northern Ireland) Order 1993 (S.I. 1993/3160)
- 35 Airports (Northern Ireland) Order 1994 (S.I. 1994/426)
- 36 Landlord and Tenant (Covenants) Act 1995 (c. 30)
- 37 Gas Act 1995 (c. 45)
- 38 Channel Tunnel Rail Link Act 1996 (c. 61)
- 39 Gas (Northern Ireland) Order 1996 (S.I. 1996/275)
- 40 Business Tenancies (Northern Ireland) Order 1996 (SI 1996/725 (NI 5))
- 41 Town and Country Planning (Scotland) Act 1997 (c. 8)
- 42 Enterprise Act 2002 (c. 40)
- 43 In section 128(5) (mergers: references to supply of services) for...
- 44 In section 234(5) (enforcement of consumer legislation: references to supply...
- 45 Communications Act 2003 (c. 21)
- 46 (1) Section 394 (service of notifications and other documents) is...
- 47 (1) Section 402 (power of Secretary of State to make...
- 48 Schedule 3 is repealed.
- 49 Land Reform (Scotland) Act 2003 (asp 2)
- 50 Housing and Regeneration Act 2008 (c. 17)
- 51 In section 2(3) (objects of the Homes and Communities Agency:...

- 52 In section 57(1) (interpretation of Part 1) omit the definition...
- 53 In the table in section 58 (index of defined expressions...
- 54 Crossrail Act 2008 (c. 18)
- 55 Marine (Scotland) Act 2010 (asp 5)
- 56 In section 36(1) (electronic communications apparatus) for the words from...
- 57 (1) Section 41 (defence to offences: electronic communications: emergency works)...

SCHEDULE 4 — Public service delivery: specified persons for the purposes of section 35

- 1 The Secretary of State for the Home Department.
- 2 The Secretary of State for Defence.
- 3 The Lord Chancellor.
- 4 The Secretary of State for Justice.
- 5 The Secretary of State for Education.
- 6 The Secretary of State for Business, Energy and Industrial Strategy....
- 7 The Secretary of State for Work and Pensions.
- 8 The Secretary of State for Communities and Local Government.
- 9 The Secretary of State for Culture, Media and Sport.
- 10 Her Majesty's Revenue and Customs.
- 11 A county council in England.
- 12 A district council in England.
- 13 A London borough council.
- 14 A combined authority established under section 103 of the Local...
- 15 The Common Council of the City of London in its...
- 16 The Council of the Isles of Scilly.
- 17 The Greater London Authority.
- 18 A metropolitan county fire and rescue authority.
- 19 The London Fire Commissioner.
- 20 A fire and rescue authority in England constituted by a...
- 21 A fire and rescue authority created by a scheme under...
- 22 A chief officer of police for a police area in...
- 23 The proprietor of a school within the meaning of the...
- 24 The proprietor of an Academy within the meaning of that...
- 25 The responsible person in relation to an educational institution as...
- 26 The Gas and Electricity Markets Authority.
- 27 The Chief Land Registrar.
- 28 A person providing services in connection with a specified objective...

SCHEDULE 5 — Public service delivery: specified persons for the purposes of sections 36 and 37

- 1 The Secretary of State for Business, Energy and Industrial Strategy....
- 2 The Secretary of State for Work and Pensions.
- 3 The Secretary of State for Communities and Local Government.
- 4 Her Majesty's Revenue and Customs.
- 5 A county council in England.
- 6 A district council in England.
- 7 A London borough council.
- 8 A combined authority established under section 103 of the Local...
- 9 The Common Council of the City of London in its...
- 10 The Council of the Isles of Scilly.
- 11 The Greater London Authority.

- 12 A metropolitan county fire and rescue authority.
- 13 The London Fire Commissioner.
- 14 A fire and rescue authority in England constituted by a...
- 15 A fire and rescue authority created by a scheme under...
- 16 The Gas and Electricity Markets Authority.
- 17 The Chief Land Registrar.
- 18 A person providing services in connection with a fuel poverty...

SCHEDULE 6 — Public service delivery: specified persons for the purposes of sections 38 and 39

- 1 The Secretary of State for Work and Pensions.
- 2 The Secretary of State for Communities and Local Government.
- 3 Her Majesty's Revenue and Customs.
- 4 A county council in England.
- 5 A district council in England.
- 6 A London borough council.
- 7 A combined authority established under section 103 of the Local...
- 8 The Common Council of the City of London in its...
- 9 The Council of the Isles of Scilly.
- 10 The Greater London Authority.
- 11 The Chief Land Registrar.
- 12 A person providing services in connection with a water poverty...

SCHEDULE 7 — Specified persons for the purposes of the debt provisions

- 1 The Secretary of State for the Home Department.
- 2 The Lord Chancellor.
- 3 The Secretary of State for Justice.
- 4 The Secretary of State for Education.
- 5 The Secretary of State for Business, Energy and Industrial Strategy...
- 6 The Secretary of State for Work and Pensions.
- 7 The Secretary of State for Transport.
- 8 Her Majesty's Revenue and Customs.
- 9 The Minister for the Cabinet Office.
- 10 A county council in England.
- 11 A district council in England.
- 12 A London borough council.
- 13 The Common Council of the City of London in its...
- 14 The Council of the Isles of Scilly.
- 15 The Greater London Authority.
- 16 The Student Loans Company.
- 17 A person providing services to a specified person who is...

SCHEDULE 8 — Specified persons for the purposes of the fraud provisions

- 1 The Secretary of State for the Home Department.
- 2 The Secretary of State for Defence.
- 3 The Lord Chancellor.
- 4 The Secretary of State for Justice.
- 5 The Secretary of State for Education.
- 6 The Secretary of State for Business, Energy and Industrial Strategy...
- 7 The Secretary of State for Work and Pensions.
- 8 The Secretary of State for Transport.
- 9 The Secretary of State for Communities and Local Government.
- 10 The Secretary of State for the Environment, Food and Rural...

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

- 11 The Secretary of State for International Development.
- 12 The Secretary of State for Culture, Media and Sport.
- 13 The Minister for the Cabinet Office.
- 14 Her Majesty's Revenue and Customs.
- 15 The Export Credits Guarantee Department.
- 16 A county council in England.
- 17 A district council in England.
- 18 A London borough council.
- 19 The Common Council of the City of London in its...
- 20 The Council of the Isles of Scilly.
- 21 The Greater London Authority.
- 22 The Chief Land Registrar.
- 23 The Big Lottery Fund.
- 24 The Nuclear Decommissioning Authority.
- 25 The Environment Agency.
- 26 The Homes and Communities Agency.
- 27 The Higher Education Funding Council for England.
- 28 The Historic Buildings and Monuments Commission for England.
- 29 The Student Loans Company.
- 30 The British Council.
- 31 The Arts Council of England.
- 32 The English Sports Council.
- 33 The Technology Strategy Board.
- 34 The Arts and Humanities Research Council.
- 35 The Medical Research Council.
- 36 The Natural Environment Research Council.
- 37 The Biotechnology and Biological Sciences Research Council.
- 38 The Economic and Social Research Council.
- 39 The Engineering and Physical Sciences Research Council.
- 40 The Science and Technology Facilities Council.
- 41 A person providing services to a specified person who is...

SCHEDULE 9 — Bank of England oversight of payment systems

PART 1 — EXTENSION OF BANK OF ENGLAND OVERSIGHT OF PAYMENT SYSTEMS

- 1 The Banking Act 2009 is amended as follows.
- 2 In the heading to Part 5 (inter-bank payment systems) omit...
- 3 In section 181 (overview) for "payments between financial institutions" substitute...
- 4 (1) Section 182 (interpretation: "inter-bank payment system") is amended as...
- 5 In section 183 (interpretation: other expressions), in paragraph (a) for...
- 6 (1) Section 184 (recognition order) is amended as follows.
- 7 In section 185 (recognition criteria), in subsection (1) for "an..."
- 8 In section 186A (amendment of recognition order), in subsections (2) (b)...
- 9 In section 187 (de-recognition), in subsections (2), (3)(b) and (5),...
- 10 In section 188 (principles), in subsection (1) omit "inter-bank".
- 11 In section 189 (codes of practice) omit "inter-bank".
- 12 In section 190 (system rules), in subsection (1) omit "inter-bank"....
- 13 In section 191 (directions), in subsection (1) omit "inter-bank".
- 14 In section 192 (role of FCA and PRA), in subsections...
- 15 In section 193 (inspection), in subsections (1) and (2), omit...

- 16 In section 194 (inspection: warrant), in subsection (1)(a) omit “inter-bank”....
- 17 In section 195 (independent report), in subsection (1) omit “inter-bank”....
- 18 In section 196 (compliance failure) omit “inter-bank”.
- 19 In section 197 (publication), in subsection (1) omit “inter-bank”.
- 20 In section 198 (penalty), in subsection (1) omit “inter-bank”.
- 21 In section 199 (closure), in subsection (2) omit “inter-bank”.
- 22 In section 200 (management disqualification), in subsections (1) and (2),...
- 23 In section 201 (warning), in subsection (1) for “an inter-bank”...
- 24 In section 202A (injunctions), in subsections (2)(a) and (3)(a), omit...
- 25 In section 203 (fees), in subsection (1) omit “inter-bank”.
- 26 In section 204 (information), in subsections (1A), (2) and (4)(c),...
- 27 In section 205 (pretending to be recognised), in subsection (1)...
- 28 In section 206A (services forming part of recognised inter-bank payment...
- 29 In section 259 (statutory instruments), in the Table in subsection...
- 30 In section 261 (index of defined terms), in the Table—...
PART 2 — CONSEQUENTIAL AMENDMENTS
- 31 Financial Services Act 2012
- 32 (1) Section 68 (cases in which Treasury may arrange independent...
- 33 In section 85 (relevant functions in relation to complaints scheme),...
- 34 In section 110 (payment to Treasury of penalties received by...
- 35 Financial Services (Banking Reform) Act 2013
- 36 In section 45 (procedure), in subsection (1)(a) omit “inter-bank”.
- 37 In section 46 (amendment of designation order), in subsection (2)(a)...
- 38 In section 47 (revocation of designation orders), in subsection (3)(a)...
- 39 In section 98 (duty of regulators to ensure co-ordinated exercise...
- 40 In section 110 (interpretation), in subsection (1), in the definition...
- 41 In section 112 (interpretation: infrastructure companies), in subsections (2)(a), (4)(b)...
- 42 In section 113 (interpretation: other expressions), in subsection (1)—
- 43 In section 115 (objective of FMI administration), in subsection (1)...
- 44 In section 120 (power to direct FMI administrator), in subsection...
- 45 In section 127 (interpretation of Part 6), in subsection (1),...