

SCHEDULES

SCHEDULE 1

Amendments to Communications Act 2003 and related amendments

Communications Act 2003

- 42.** In section 80 (proposals for identifying markets and for market power determinations)—
- (a) for subsections (1) to (6) substitute—
 - “(1) Where section 80A applies, OFCOM must comply with the applicable requirements of that section and section 80B before—
 - (a) identifying a market for the purposes of making a market power determination, or
 - (b) making a market power determination.
 - (1A) Where section 80A does not apply because of subsection (2) of that section—
 - (a) any identification of a market or market power determination must be temporary; and
 - (b) the notification published under section 79(4) containing the identification or determination must state the period for which the identification or determination is to have effect.
 - (1B) Where OFCOM propose to extend or make permanent any such temporary identification or determination—
 - (a) sections 80A and 80B(1) do not apply in relation to the proposal; and
 - (b) subsections (2) to (8) of section 80B apply in relation to the proposal as if the words from the beginning of subsection (2) to “appropriate” were omitted.”, and
 - (b) in subsection (7) for the words from “give effect” to the end substitute “identify a market or make a market power determination is subject to section 83”.