

## SCHEDULES

### SCHEDULE 1

#### Amendments to Communications Act 2003 and related amendments

##### **Communications Act 2003**

7. In section 5 (directions in respect of networks and spectrum functions)—

(a) after subsection (3) insert—

“(3A) The Secretary of State may not give a direction under this section in respect of a function that Article 3(3a) of the Framework Directive requires OFCOM to exercise without seeking or taking instructions from any other body.”, and

(b) after subsection (4) insert—

“(4A) Before giving a direction under this section, the Secretary of State must take due account of the desirability of not favouring—

(a) one form of electronic communications network, electronic communications service or associated facility, or

(b) one means of providing or making available such a network, service or facility, over another.”