

SCHEDULE 1

Amendments of primary legislation

PART 1

Amendments of Communications Act 2003

23.—(1) Section 78 (circumstances required for the setting of SMP conditions) is amended as follows.

(2) For subsection (2) substitute—

“(2) References in this section to dominance of a market are to be construed, so far as it is appropriate to do so for the purposes of this Chapter, in the same way as the reference in section 18(1) of the Competition Act 1998 to a dominant position in a market.”

^{F1}(3)

Textual Amendments

F1 Sch. 1 para. 23(3) omitted (21.12.2020) by virtue of [The Electronic Communications and Wireless Telegraphy \(Amendment\) \(European Electronic Communications Code and EU Exit\) Regulations 2020 \(S.I. 2020/1419\)](#), reg. 1(2), **Sch. 2 para. 4(2)(g)**

Commencement Information

I1 Sch. 1 para. 23 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see reg. 1(2)

Changes to legislation:

There are currently no known outstanding effects for the The Electronic Communications and Wireless Telegraphy (Amendment etc.) (EU Exit) Regulations 2019, Paragraph 23.