

SCHEDULE

Direction under section 106(3) of the Communications Act 2003 revoking a number of directions applying the electronic communications code in the case of companies listed in the Appendix to this Direction

Background

1. Ofcom has issued directions, pursuant to section 106(3) of the Act [or paragraph 17(2) of Schedule 18 of the Act], applying the Code in the case of each of the Relevant Companies.
2. Each of the Relevant Companies has since applied to Ofcom for a further direction revoking the directions referred to in paragraph 1 above, in accordance with section 115(2) of the Act.
3. Prior to making a direction under section 106(3) of the Act to revoke the directions referred to in paragraph 1 above, Ofcom must publish a notification of its proposal to give that direction and consider any representations about that proposal that are made to Ofcom within the period specified in the notification.
4. On 27 May 2016, Ofcom published, in accordance with sections 115(4) and 107(6) of the Act, a notification of its proposal to give a further direction revoking the directions referred to in paragraph 1 above for the reasons set out in the consultation document accompanying that notification. That notification invited representations to Ofcom by no later than 5pm on 27 June 2016.
5. Ofcom did not receive any representations about this proposal. For the reasons set out in the explanatory statement accompanying this proposed Direction, Ofcom has considered and acted in accordance with its general duties in section 3 of the Act and the six Community requirements in section 4 of the Act.

Decision

6. Ofcom hereby directs, in accordance with section 106 of the Act, that each direction applying the Code in the case of each Relevant Company under section 106(3) of the Act shall be revoked.
7. This Direction shall take effect on the day it is published.

Interpretation

8. In this Notification:
 - (a) “**Act**” means the Communications Act 2003;
 - (b) “**Code**” means the electronic communications code set out in Schedule 2 to the Telecommunications Act 1984 (as amended);
 - (c) “**Ofcom**” means the Office of Communications; and
 - (d) “**Relevant Companies**” means each of the companies listed in the Appendix to this Direction.

9. For the purpose of interpreting this Notification:

- (a) headings and titles shall be disregarded;
- (b) words in the singular include the plural and in the plural include the singular;
- (b) the Interpretation Act 1978 shall apply as if this Notification were an Act of Parliament.

Signed

A handwritten signature in black ink, appearing to read 'Brian Potterill', written in a cursive style.

Brian Potterill
Competition Policy Director

A person duly authorised in accordance with paragraph 18 of the Schedule to the Office of Communications Act 2002

Appendix

Company Name	Company Number
Fibernet UK Limited	2940263
RSL Cityspace Limited	3169833
Level 3 Communications Limited	3514850
allpay Limited	2933191