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STATUTORY INSTRUMENTS

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**2011 No. 1210**

**The Electronic Communications and  
Wireless Telegraphy Regulations 2011**

**Citation, commencement and extent**

1.—(1) These Regulations may be cited as the Electronic Communications and Wireless Telegraphy Regulations 2011.

(2) These Regulations come into force on 26th May 2011.

(3) Subject to paragraphs (4) and (5), these Regulations extend to England and Wales, Scotland and Northern Ireland.

(4) Paragraphs 2 and 101 of Schedule 1 extend to England and Wales only.

(5) Paragraph 102 of that Schedule extends to Scotland only.

**Implementation of Directives [2009/136/EC](#) and [2009/140/EC](#)**

2.—(1) Schedule 1 (which contains provision amending the Communications Act 2003 <sup>M1</sup> and other enactments for the purpose of implementing Directive [2009/136/EC](#) of the European Parliament and of the Council <sup>M2</sup> and Directive [2009/140/EC](#) of the European Parliament and of the Council <sup>M3</sup>) has effect.

(2) Schedule 2 (which contains provision amending the Wireless Telegraphy Act 2006 <sup>M4</sup> for the purpose of implementing Directive [2009/140/EC](#)) has effect.

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**Marginal Citations**

**M1** [2003 c. 21](#)

**M2** OJ No L 337, 25/11/2009, p11

**M3** OJ No L 337, 25/11/2009, p37

**M4** [2006 c. 36](#)

**6 month period for deciding application to install facilities**

3.—(1) This regulation applies where—

- (a) a person authorised to provide public electronic communications networks applies to a competent authority for the granting of rights to install facilities on, over or under public or private property for the purposes of such a network,
- (b) a person authorised to provide electronic communications networks other than to the public applies to a competent authority for the granting of rights to install facilities on, over or under public property for the purposes of such a network, or
- (c) a person applies to OFCOM for a direction applying the electronic communications code in the person's case.

(2) Except in cases of expropriation, the competent authority must make its decision within 6 months of receiving the completed application.

(3) In this regulation “public electronic communications network”, “electronic communications network” and “OFCOM” have the same meanings as in Chapter 1 of Part 2 of the Communications Act 2003 <sup>M5</sup>.

**Modifications etc. (not altering text)**

**C1** Reg. 3 applied by 2003 c. 21, Sch. 3A para. 97 (as inserted (28.12.2017) by [Digital Economy Act 2017](#) (c. 30), s. 118(6), **Sch. 1** (with **Sch. 2**); S.I. 2017/1286, reg. 2(b))

**Marginal Citations**

**M5** 2003 c. 21

**Transitional provisions**

4. Schedule 3 (which contains transitional and saving provisions) has effect.

**Review of implementation**

<sup>F1</sup>5. ....

**Textual Amendments**

**F1** Reg. 5 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. 2**

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**Changes to legislation:**

There are currently no known outstanding effects for the The Electronic Communications and Wireless Telegraphy Regulations 2011.