



House of Commons

Thursday 27 October 2016

PUBLIC BILL COMMITTEE PROCEEDINGS

DIGITAL ECONOMY BILL

[NINTH AND TENTH SITTINGS]

GLOSSARY

This document shows the fate of each clause, schedule, amendment and new clause.

The following terms are used:

Agreed to: agreed without a vote.

Agreed to on division: agreed following a vote.

Negatived: rejected without a vote.

Negatived on division: rejected following a vote.

Not called: debated in a group of amendments, but not put to a decision.

Not moved: not debated or put to a decision.

Withdrawn after debate: moved and debated but then withdrawn, so not put to a decision.

Not selected: not chosen for debate by the Chair.

Louise Haigh
Kevin Brennan

Withdrawn 107

- Clause 38, page 36, line 12, leave out from “that” to end of subsection and insert—
- “(a) the authority or civil registration official to whom it is disclosed (the “recipient”) requires the information to enable the recipient to exercise one or more of the recipient’s functions and,
 - (b) the data subjects whose information is being disclosed have given valid consent under data protection legislation.”

Louise Haigh
Kevin Brennan

Negatived on division 97

- Clause 38, page 36, line 15, at end insert—
- “(2A) An authority or civil registration official requiring the information must specify the reasons for requiring the information to be disclosed.

Digital Economy Bill, *continued*

(2AA) Information disclosed under this section shall not be shared with any other public or private body beyond those specified in subsection (1).”

Matt Hancock

Agreed to **119**

Clause **38**, page **37**, line **35**, at end insert—

“() The code of practice must be consistent with the code of practice issued under section 52B (data-sharing code) of the Data Protection Act 1998 (as altered or replaced from time to time).”

Clause, as amended, agreed to.

Clause 39 agreed to.

Louise Haigh
Kevin Brennan

Withdrawn **190**

Clause **40**, page **39**, line **21**, leave out “have regard, in particular, to” and insert “must comply with”

Clause agreed to.

Matt Hancock

Agreed to **120**

Clause **41**, page **40**, line **5**, at end insert—

“(ba) for the prevention or detection of crime or the prevention of anti-social behaviour,”

Matt Hancock

Agreed to **121**

Clause **41**, page **40**, line **6**, leave out “(whether or not in the United Kingdom)”

Matt Hancock

Agreed to **122**

Clause **41**, page **40**, line **8**, leave out “and whether or not in the United Kingdom”

Matt Hancock

Agreed to **123**

Clause **41**, page **40**, line **11**, at end insert—

“() In subsection (2)(ba) “anti-social behaviour” has the same meaning as in Part 1 of the Anti-social Behaviour, Crime and Policing Act 2014 (see section 2 of that Act).”

Clause, as amended, agreed to.

Digital Economy Bill, continued

Matt Hancock

Agreed to 124

Clause 42, page 41, line 4, at end insert—
“(da) for the prevention or detection of crime or the prevention of anti-social behaviour,”

Matt Hancock

Agreed to 125

Clause 42, page 41, line 5, leave out “(whether or not in the United Kingdom)”

Matt Hancock

Agreed to 126

Clause 42, page 41, line 8, leave out “and whether or not in the United Kingdom”

Matt Hancock

Agreed to 127

Clause 42, page 41, line 12, at end insert—
“() In subsection (2)(da) “anti-social behaviour” has the same meaning as in Part 1 of the Anti-social Behaviour, Crime and Policing Act 2014 (see section 2 of that Act).”

Matt Hancock

Agreed to 128

Clause 42, page 41, line 13, leave out subsections (3) and (4) insert—
“() A person commits an offence if—
(a) the person discloses personal information in contravention of subsection (1), and
(b) at the time that the person makes the disclosure, the person knows that the disclosure contravenes that subsection or is reckless as to whether the disclosure does so.”

Clause, as amended, agreed to.

Clause 43 agreed to.

Matt Hancock*Agreed to 129*

Clause 44, page 42, line 7, at end insert—
“() The code of practice must be consistent with the code of practice issued under section 52B (data-sharing code) of the Data Protection Act 1998 (as altered or replaced from time to time).”

Louise Haigh
Kevin Brennan*Not called 191*

Clause 44, page 42, line 8, leave out “have regard to” and insert “comply with”

Digital Economy Bill, *continued*

Clause, as amended, agreed to.

Matt Hancock

Withdrawn 130

Clause 45, page 43, line 10, at end insert—

- “() The relevant Minister may only make regulations under subsection (5)—
- (a) in a case where the regulations include provision relating to Scotland, with the consent of the Scottish Ministers;
 - (b) in a case where the regulations include provision relating to Wales, with the consent of the Welsh Ministers;
 - (c) in a case where the regulations include provision relating to Northern Ireland, with the consent of the Department of Finance in Northern Ireland.”

Clause agreed to.

Clauses 46 to 48 agreed to.

Matt Hancock

Agreed to 131

Clause 49, page 46, line 43, at end insert—

- “(ba) for the prevention or detection of crime or the prevention of anti-social behaviour,”

Matt Hancock

Agreed to 132

Clause 49, page 46, line 44, leave out “(whether or not in the United Kingdom)”

Matt Hancock

Agreed to 133

Clause 49, page 46, line 46, leave out “and whether or not in the United Kingdom”

Matt Hancock

Agreed to 134

Clause 49, page 47, line 6, at end insert—

- “() In subsection (2)(ba) “anti-social behaviour” has the same meaning as in Part 1 of the Anti-social Behaviour, Crime and Policing Act 2014 (see section 2 of that Act).”

Clause, as amended, agreed to.

Digital Economy Bill, continued

Matt Hancock

Agreed to 135

Clause 50, page 47, line 44, at end insert—
“(da) for the prevention or detection of crime or the prevention of anti-social behaviour,”

Matt Hancock

Agreed to 136

Clause 50, page 48, line 1, leave out “(whether or not in the United Kingdom)”

Matt Hancock

Agreed to 137

Clause 50, page 48, line 4, leave out “and whether or not in the United Kingdom”

Matt Hancock

Agreed to 138

Clause 50, page 48, line 11, at end insert—
“() In subsection (2)(da) “anti-social behaviour” has the same meaning as in Part 1 of the Anti-social Behaviour, Crime and Policing Act 2014 (see section 2 of that Act).”

Matt Hancock

Agreed to 139

Clause 50, page 48, line 12, leave out subsections (3) and (4) insert—
“() A person commits an offence if—
(a) the person discloses personal information in contravention of subsection (1), and
(b) at the time that the person makes the disclosure, the person knows that the disclosure contravenes that subsection or is reckless as to whether the disclosure does so.”

Clause, as amended, agreed to.

Clause 51 agreed to.

Matt Hancock

Agreed to 140

Clause 52, page 49, line 7, at end insert—
“() The code of practice must be consistent with the code of practice issued under section 52B (data-sharing code) of the Data Protection Act 1998 (as altered or replaced from time to time).”

Louise Haigh
Kevin Brennan*Not called 192*

Clause 52, page 49, line 8, leave out “have regard to” and insert “comply with”

Digital Economy Bill, *continued*

Clause, as amended, agreed to.

Matt Hancock

Not called 141

Clause 53, page 50, line 10, at end insert—

- “() The relevant Minister may only make regulations under subsection (5)—
- (a) in a case where the regulations include provision relating to Scotland, with the consent of the Scottish Ministers;
 - (b) in a case where the regulations include provision relating to Wales, with the consent of the Welsh Ministers;
 - (c) in a case where the regulations include provision relating to Northern Ireland, with the consent of the Department of Finance in Northern Ireland.”

Clause agreed to.

Clauses 54 and 55 agreed to.

Matt Hancock

Agreed to 142

Clause 56, page 52, line 23, at end insert—

- “(3A) For the purposes of the first condition the information may be processed by—
- (a) the public authority,
 - (b) a person other than the public authority, or
 - (c) both the public authority and a person other than the public authority, (subject to the following provisions of this Part).
- (3B) Personal information may be disclosed for the purpose of processing it for disclosure under subsection (1)—
- (a) by a public authority to a person involved in processing the information for that purpose;
 - (b) by one such person to another such person.”

Matt Hancock

Agreed to 143

Clause 56, page 52, line 31, after “person”, insert “, other than the public authority,”

Matt Hancock

Agreed to 144

Clause 56, page 52, line 32, leave out “this section” and insert “subsection (1)”

Matt Hancock

Agreed to 145

Clause 56, page 52, line 35, at end insert—

- “() the public authority, if the public authority is involved in processing the information for disclosure under subsection (1);”

Digital Economy Bill, continued

Matt Hancock

Agreed to **146**

Clause 56, page 52, line 37, leave out “this section” and insert “subsection (1)”

Matt Hancock

Agreed to **147**

Clause 56, page 52, line 38, leave out “this section” and insert “subsection (1)”

Matt Hancock

Agreed to **148**

Clause 56, page 52, line 41, leave out “this section” and insert “subsection (1)”

Matt Hancock

Agreed to **149**

Clause 56, page 53, line 1, leave out subsection (9)

Clause, as amended, agreed to.

Matt Hancock

Agreed to **150**

Clause 57, page 53, line 24, at end insert—
“() In its application to a public authority with functions relating to the provision of health services or adult social care, section 56 does not authorise the disclosure of information held by the authority in connection with such functions.”

Matt Hancock

Agreed to **151**

Clause 57, page 53, line 28, leave out “56” and insert “56(1)”

Clause, as amended, agreed to.

Matt Hancock

Agreed to **152**

Clause 58, page 53, line 38, leave out “56(9)” and insert “56(3B)”

Matt Hancock

Agreed to **153**

Clause 58, page 54, line 2, at end insert “(including section 56(3B))”

Matt Hancock

Agreed to **154**

Clause 58, page 54, line 6, at end insert—
“(da) which is made for the prevention or detection of crime or the prevention of anti-social behaviour,”

Digital Economy Bill, *continued*

Matt Hancock

Clause 58, page 54, line 7, leave out “(whether or not in the United Kingdom)” *Agreed to 155*

Matt Hancock

Clause 58, page 54, line 10, leave out “and whether or not in the United Kingdom” *Agreed to 156*

Matt Hancock

Clause 58, page 54, line 11, at end insert— *Agreed to 157*
“() In subsection (3)(da) “anti-social behaviour” has the same meaning as in Part 1 of the Anti-social Behaviour, Crime and Policing Act 2014 (see section 2 of that Act).”

Matt Hancock

Clause 58, page 54, line 21, leave out subsections (5) and (6) insert— *Agreed to 158*
“() A person commits an offence if—
(a) the person discloses personal information in contravention of subsection (2), and
(b) at the time that the person makes the disclosure, the person knows that the disclosure contravenes that subsection or is reckless as to whether the disclosure does so.

Matt Hancock

Clause 58, page 54, line 39, leave out “56(9)” and insert “56(3B)” *Agreed to 159*
Clause, as amended, agreed to.

Matt Hancock

Clause 59, page 54, line 43, leave out “56(9)” and insert “56(3B)” *Agreed to 160*
Clause, as amended, agreed to.

Matt Hancock

Clause 60, page 55, line 19, at end insert— *Agreed to 161*
“() The code of practice must be consistent with the code of practice issued under section 52B (data-sharing code) of the Data Protection Act 1998 (as altered or replaced from time to time).”

Digital Economy Bill, *continued*

Louise Haigh
Kevin Brennan

Clause 60, page 55, line 20, leave out “have regard to” and insert “comply with” *Not called* 193

Matt Hancock

Clause 60, page 55, line 24, leave out “56” and insert “56(1)” *Agreed to* 162

Clause, as amended, agreed to.

Matt Hancock

Clause 61, page 56, line 7, leave out “56” and insert “subsection (1) of section 56” *Agreed to* 163

Matt Hancock

Clause 61, page 56, line 9, leave out “section” and insert “subsection” *Agreed to* 164

Matt Hancock

Clause 61, page 56, line 11, leave out “section” and insert “subsection” *Agreed to* 165

Matt Hancock

Clause 61, page 56, line 23, leave out “56” and insert “56(1)” *Agreed to* 166

Matt Hancock

Clause 61, page 56, line 38, at end insert— *Agreed to* 167

“(6A) The Statistics Board—

(a) may from time to time revise conditions or grounds published under this section, and

(b) if it does so, must publish the conditions or grounds as revised.

(6B) Subsection (6) applies in relation to the publication of conditions or grounds under subsection (6A) as it applies in relation to the publication of conditions or grounds under subsection (2).”

Clause, as amended, agreed to.

Clause 62 agreed to.

Digital Economy Bill, *continued*

Matt Hancock

Agreed to 168

- Clause 63, page 57, line 18, leave out subsection (2) and insert—
- “(2) A person is not a public authority for the purposes of this Chapter if the person—
 - (a) only has functions relating to the provision of health services,
 - (b) only has functions relating to the provision of adult social care, or
 - (c) only has functions within paragraph (a) and paragraph (b).
 - (2A) The following are to be disregarded in determining whether subsection (2) applies to a person—
 - (a) any power (however expressed) to do things which are incidental to the carrying out of another function of that person;
 - (b) any function which the person exercises or may exercise on behalf of another person.”

Matt Hancock

Agreed to 169

- Clause 63, page 57, line 21, leave out “subsection (2)(a)” and insert “this Chapter”

Matt Hancock

Agreed to 170

- Clause 63, page 57, line 30, leave out “subsection (2)(b)” and insert “this Chapter”

Clause, as amended, agreed to.

Clauses 64 to 66 agreed to.

Matt Hancock

Agreed to 171

- Clause 67, page 60, line 37, at end insert—
- “() a subsidiary undertaking of the Bank of England within the meaning of the Companies Acts (see sections 1161 and 1162 of the Companies Act 2006),”

Matt Hancock

Agreed to 172

- Clause 67, page 61, leave out lines 39 to 43 and insert “the public authority—
- () is a part of the Scottish Administration, or
 - () is a Scottish public authority with mixed functions or no reserved functions (within the meaning of the Scotland Act 1998).”

Matt Hancock

Agreed to 173

- Clause 67, page 61, line 45, leave out from beginning to end of line 3 on page 62 and insert “the public authority is a Wales public authority as defined by section 157A of the Government of Wales Act 2006.”

Digital Economy Bill, continued

Matt Hancock

Agreed to 174

Clause 67, page 62, line 13, at end insert—

“() Until the coming into force of section 12 of the Bank of England and Financial Services Act 2016 subsection (1)(b) has effect as if the words in brackets were omitted.”

Matt Hancock

Agreed to 175

Clause 67, page 62, line 41, leave out from “authority” to end of line 3 on page 63 and insert “which is a Scottish public authority with mixed functions or no reserved functions (within the meaning of the Scotland Act 1998).”

Matt Hancock

Agreed to 176

Clause 67, page 63, line 5, leave out from “authority” to end of line 10 and insert “which is a Wales public authority as defined by section 157A of the Government of Wales Act 2006.”

Matt Hancock

Agreed to 188

Clause 67, page 65, line 3, at end insert—

“() The statement must be consistent with the code of practice issued under section 52B (data-sharing code) of the Data Protection Act 1998 (as altered or replaced from time to time).”

Louise Haigh
Kevin Brennan*Not called 194*

Clause 67, page 66, line 15, leave out “have regard to” and insert “comply with”

*Clause, as amended, agreed to.**Clauses 68 to 71 agreed to.*

Matt Hancock*Agreed to 177*

Clause 72, page 70, line 15, after “135”, insert “of the Communications Act 2003”.

*Clause, as amended, agreed to.**Clauses 73 to 75 agreed to.*

Matt Hancock*Agreed to 178*

Clause 76, page 74, line 24, at end insert—

“() In subsection (4)(a) after “concession” insert “provided for by the regulations”.”

Digital Economy Bill, *continued*

Matt Hancock

Clause 76, page 74, line 26, after “section” insert “or section 365A” *Agreed to 179*

Matt Hancock

Clause 76, page 74, leave out lines 28 and 29 and insert— *Agreed to 180*

- “(5A) Regulations under this section may not provide for a concession that requires the person to whom the TV licence is issued, or another person, to be of or above a specified age, unless—
 - (a) the age specified is below 65, and
 - (b) the requirement is not satisfied if the person concerned is 65 or over at the end of the month in which the licence is issued.
- (5B) Subsection (5A) does not apply to—
 - (a) the concession provided for by regulation 3(d) of and Schedule 4 to the Communications (Television Licensing) Regulations 2004 (S.I. 2004/692) (accommodation for residential care), or
 - (b) a concession in substantially the same form.”

Matt Hancock

Clause 76, page 74, line 33, leave out from “apply” to end of line 39 and insert— *Agreed to 181*

- “(1A) Any concession under this section must include a requirement that the person to whom the TV licence is issued, or another person, is of or above a specified age, which must be 65 or higher, at or before the end of the month in which the licence is issued.
- (1B) A determination under this section—
 - (a) may in particular provide for a concession to apply, subject to subsection (1A), in circumstances where a concession has ceased to have effect by virtue of section 365(5A), but
 - (b) may not provide for a concession to apply in the same circumstances as a concession within section 365(5B).”

Clause, as amended, agreed to.

Louise Haigh
Kevin Brennan

Clause 77, page 75, line 22, leave out “direct marketing” and insert “any form of marketing, including direct marketing, or customer engagement” *Withdrawn 195*

Louise Haigh
Kevin Brennan

Clause 77, page 75, line 27, leave out “direct marketing” and insert “marketing and customer engagement” *Not called 196*

Digital Economy Bill, continued

Louise Haigh
Kevin Brennan

Not called 197

Clause 77, page 75, line 40, leave out subsection (4) and insert—

“(4) In this section—

“customer engagement” means the interactions initiated between a business and an individual or group of individuals for marketing and other business purposes;
“direct marketing” means the processing and use of personal information for marketing purposes;

“marketing” means the business processes through which goods and services are moved from being concepts to things that customers and potential customers want.”

Clause agreed to.

Clause 78 to 81 agreed to.

Nigel Adams

Not called 64

Clause 82, page 80, line 2, at end insert—

“(a) section 28;”

Matt Hancock

Agreed to 182

Clause 82, page 80, line 3, at end insert—

“() section (*Power to apply settlement finality regime to payment institutions*);”

Matt Hancock

Agreed to 183

Clause 82, page 80, line 14, leave out “section” and insert “sections (*Suspension of radio licences for inciting crime or disorder*) and”

Kevin Brennan
Louise Haigh

Not called 94

Clause 82, page 80, line 14, at end insert—

“(h) section 28.”

Matt Hancock

Agreed to 184

Clause 82, page 80, line 14, at end insert—

“() section (*Bank of England oversight of payment systems*) and Schedule (*Bank of England oversight of payment systems*).”

Claire Perry

Not called 81

Clause 82, page 80, line 18, at end insert—

“(4A) Part 3 will come into force at the end of the period of one year beginning on the day on which the Act is passed.”

Digital Economy Bill, *continued*

Louise Haigh
Kevin Brennan

Not called 198

Clause 82, page 80, line 18, at end insert “and only after the codes of practice required under sections 35, 44, 52 and 60 have been approved by a resolution of each House of Parliament.”

Clause, as amended, agreed to.

Matt Hancock

Agreed to 185

Clause 83, page 80, line 31, at end insert—

“() Section (*Qualifications in information technology: payment of tuition fees*) extends to England and Wales only.”

Clause, as amended, agreed to.

Clause 84 agreed to.

NEW CLAUSES

Matt Hancock

Agreed to NC26

To move the following Clause—

“Qualifications in information technology: payment of tuition fees

- (1) The Apprenticeships, Skills, Children and Learning Act 2009 is amended as follows.
- (2) In section 88(1) (qualifications for persons aged 19 or over: payment of tuition fees), for “1(a) or (b)” substitute “1(a), (b) or (ba)”.
- (3) In paragraph 1 of Schedule 5 (qualifications for persons aged 19 or over), after paragraph (b) insert—
 - “(ba) a specified qualification in making use of information technology;”.
- (4) After paragraph 5 of that Schedule insert—

“Power to specify qualification in information technology

5A The level of attainment demonstrated by a specified qualification in making use of information technology must be the level which, in the opinion of the Secretary of State, is the minimum required in that respect by persons aged 19 or over in order to be able to operate effectively in day-to-day life.””

Digital Economy Bill, continued

Matt Hancock

Agreed to NC27

To move the following Clause—

“Digital additional services: seriously harmful extrinsic material

After section 24 of the Broadcasting Act 1996 (digital additional services) insert—

“24A Duty to prevent access to seriously harmful extrinsic material

- (1) In carrying out their functions, OFCOM must do all that they consider appropriate to prevent digital additional services from enabling members of the public to access seriously harmful extrinsic material.
- (2) “Seriously harmful extrinsic material”, in relation to a digital additional service, means material that—
 - (a) is not included in the service, and
 - (b) appears to OFCOM—
 - (i) to have the potential to cause serious harm, or
 - (ii) to be likely to encourage or incite the commission of crime or lead to disorder.””

Matt Hancock

Agreed to NC28

To move the following Clause—

“Suspension of radio licences for inciting crime or disorder

- (1) In Chapter 2 of Part 3 of the Broadcasting Act 1990 (sound broadcasting services), for section 111B (power to suspend licence to provide satellite service) substitute—

“111B Suspension of licences for inciting crime or disorder

- (1) OFCOM must serve a notice under subsection (2) on the holder of a licence granted under this Chapter if they are satisfied that—
 - (a) the licence holder has included in the licensed service one or more programmes containing material likely to encourage or incite the commission of crime or to lead to disorder,
 - (b) in doing so the licence holder has failed to comply with a condition included in the licence in compliance with section 263 of the Communications Act 2003, and
 - (c) the failure would justify the revocation of the licence.
- (2) A notice under this subsection must—
 - (a) state that OFCOM are satisfied as mentioned in subsection (1),
 - (b) specify the respects in which, in their opinion, the licence holder has failed to comply with the condition mentioned there,
 - (c) state that OFCOM may revoke the licence after the end of the period of 21 days beginning with the day on which the notice is served on the licence holder, and

Digital Economy Bill, *continued*

- (d) inform the licence holder of the right to make representations to OFCOM in that period about the matters that appear to OFCOM to provide grounds for revoking the licence.
- (3) The effect of a notice under subsection (2) is to suspend the licence from the time when the notice is served on the licence holder until either—
 - (a) the revocation of the licence takes effect, or
 - (b) OFCOM decide not to revoke the licence.
- (4) If, after considering any representations made to them by the licence holder in the 21 day period mentioned in subsection (2)(c), OFCOM are satisfied that it is necessary in the public interest to revoke the licence, they must serve on the licence holder a notice revoking the licence.
- (5) The revocation of a licence by a notice under subsection (4) takes effect from whatever time is specified in the notice.
- (6) That time must not be earlier than the end of the period of 28 days beginning with the day on which the notice under subsection (4) is served on the licence holder.
- (7) Section 111 does not apply to the revocation of a licence under this section.”
- (2) In section 62(10) of the Broadcasting Act 1996 (application of sections 109 and 111 of the 1990 Act to digital sound programme services) for the words from “section 109” to “1990 Act” substitute “sections 109, 111 and 111B of the 1990 Act (enforcement)”.
- (3) In section 250(3) of the Communications Act 2003 (application of sections 109 to 111A of the 1990 Act to radio licensable content services) for “111A” substitute “111B”.

Matt Hancock

Agreed to **NC29**

To move the following Clause—

“Power to apply settlement finality regime to payment institutions

In Part 24 of the Financial Services and Markets Act 2000 (insolvency) after section 379 insert—

*“Settlement finality***“379A Power to apply settlement finality regime to payment institutions**

- (1) The Treasury may by regulations made by statutory instrument provide for the application to payment institutions, as participants in payment or securities settlement systems, of provision in subordinate legislation—
 - (a) modifying the law of insolvency or related law in relation to such systems, or
 - (b) relating to the securing of rights and obligations.

Digital Economy Bill, *continued*

- (2) “Payment institution” means—
- (a) an authorised payment institution or small payment institution within the meaning of the Payment Services Regulations 2009 (S.I. 2009/209), or
 - (b) a person whose head office, registered office or place of residence, as the case may be, is outside the United Kingdom and whose functions correspond to those of an institution within paragraph (a).
- (3) “Payment or securities settlement system” means arrangements between a number of participants for or in connection with the clearing or execution of instructions by participants relating to any of the following—
- (a) the placing of money at the disposal of a recipient;
 - (b) the assumption or discharge of a payment obligation;
 - (c) the transfer of the title to, or an interest in, securities.
- (4) “Subordinate legislation” has the same meaning as in the Interpretation Act 1978.
- (5) Regulations under this section may—
- (a) make consequential, supplemental or transitional provision;
 - (b) amend subordinate legislation.
- (6) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

Matt Hancock

Agreed to NC30

To move the following Clause—

“Bank of England oversight of payment systems

Schedule (*Bank of England oversight of payment systems*) extends Part 5 of the Banking Act 2009 (Bank of England oversight of inter-bank payment systems) to other payment systems; and makes consequential provision.”

Calum Kerr
Drew Hendry

Withdrawn NC1

To move the following Clause—

“Strategic review of sharing telecommunications infrastructure

- (1) Within six months of this Act coming into force, the Secretary of State shall commission a strategic review of the sharing of telecommunications infrastructure and shall lay the report of the review before each House of Parliament.

Digital Economy Bill, continued

- (2) The review under subsection (1) shall consider measures to maximise the sharing of telecommunications infrastructure by telecommunications service providers.”

Calum Kerr
Drew Hendry

Not called NC2

To move the following Clause—

“Ability of end-user to cancel telephone contract in event of lack of signal at residence

A telecommunications service provider must allow an end-user to cancel a contract relating to a hand-held mobile telephone if, at any point during the contract term, the mobile telephone is consistently unable to obtain a signal when located at the end-user’s main residence.”

Nigel Adams
Kevin Brennan
Louise Haigh

Not called NC3

To move the following Clause—

“Power to provide for a code of practice related to copyright infringement

- (1) The Secretary of State may by regulations make provision for a search engine to be required to adopt a code of practice concerning copyright infringement that complies with criteria specified in the regulations.
- (2) The regulations may provide that if a search engine fails to adopt such a code of practice, any code of practice that is approved for the purposes of that search engine by the Secretary of State, or by a person designated by the Secretary of State, has effect as a code of practice adopted by the search engine.
- (3) The Secretary of State may by regulations make provision—
 - (a) for the investigation and determination of disputes about a search engine’s compliance with its code of practice,
 - (b) for the appointment of a regulator to review and report to the Secretary of State on—
 - (i) the codes of practice adopted by search engines, and
 - (ii) compliance with the codes of practice;
 - (c) for the consequences of a failure by a specified search engine to adopt or comply with a code of practice including financial penalties or other sanctions.
- (4) Regulations made under this section—
 - (a) may make provision that applies only in respect of search engines of a particular description, or only in respect of activities of a particular description;
 - (b) may make incidental, supplementary or consequential provision;

Digital Economy Bill, *continued*

- (c) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

[Adjourned until Tuesday 1 November at 9.25 am