

Telecommunications Infrastructure (Leasehold Property) Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

[Amendments marked ★ are new or have been altered]

Amendment
No.

Clause 1

LORD CLEMENT-JONES
LORD FOX

- 1 Page 1, line 11, after “premises” insert “(which include premises where a tenant is in exclusive possession)”

Member’s explanatory statement

This amendment would clarify that tenanted premises are included under the provisions of this bill.

LORD STEVENSON OF BALMACARA
LORD LIVERMORE
BARONESS MEACHER

- 2 Page 2, line 1, after “occupation” insert “, or a person who is a legal occupant of the property and who is in a contractual relationship with the lessee or freeholder,”

Member’s explanatory statement

This amendment expands the definition of persons who can request an operator to provide an electronic telecommunications service to include rental tenants and other occupants who legally occupy the property without owning the lease to it.

- 3 Page 2, line 1, after “provide” insert “, or the operator itself believes there is a public interest in providing,”

Member’s explanatory statement

This amendment would afford an operator the right to initiate proceedings to gain access to a leasehold property in the event of that operator believing the provision of new infrastructure on that site would be in the public interest.

LORD STEVENSON OF BALMACARA
LORD LIVERMORE

- 4 Page 2, line 2, after “premises” insert “either –
(i) via a traditional standalone connection, or
(ii) as part of a community fibre partnership”

Member’s explanatory statement

This amendment makes clear that a lessee may request a connection when acting as an individual customer or when their shared dwelling forms part of a community fibre partnership.

LORD ALTON OF LIVERPOOL
BARONESS FALKNER OF MARGRAVINE
LORD FORSYTH OF DRUMLEAN
LORD ADONIS

- 5 Page 2, line 14, at end insert –
“() there are no grounds to suspect the operator intends to use the telecommunications infrastructure, or any part of it, to breach human rights after 31 December 2023.”

Member’s explanatory statement

The amendment seeks to prevent companies from using UK telecommunications infrastructure to facilitate human rights abuse. This seeks to build on the transparency in supply chain provisions of the Modern Slavery Act 2015 by including the digital supply chain in telecommunications infrastructure.

LORD STEVENSON OF BALMACARA
LORD LIVERMORE

- 6 Page 5, line 26, at end insert –
“() In exercising a Part 4A code right, an operator must, so far as reasonably practicable, select and install apparatus that allows the lessee later to use an electronic telecommunications service from an alternative operator.”

Member’s explanatory statement

This amendment makes clear that when exercising a Part 4A code right, an operator must have regard to the interoperability of the equipment used, in order to prevent customers being locked into a single telecommunications supplier beyond the expiry of their initial service agreement.

After Clause 2

LORD STEVENSON OF BALMACARA
LORD LIVERMORE
LORD FOX
BARONESS MEACHER

7★ Insert the following new Clause—

“Review of this Act’s impact on the Electronic Communications Code

- (1) Within six months of months of the day on which this Act is passed, the Secretary of State must commission a review of the impact of this Act on the Electronic Communications Code (“the code”) contained in Schedule 3A to the Communications Act 2003.
- (2) A review under subsection (1) must include assessments of whether the code—
 - (a) is sufficient to support access to 1 gigabit per second broadband in every premises in the United Kingdom by 2025, and
 - (b) should be amended to—
 - (i) introduce rights of access to telecommunications operators akin to those available to suppliers of
 - (a) electricity,
 - (b) gas, and
 - (c) water,
 - (ii) provide additional development rights for operators to support the provision of telecommunications infrastructure,
 - (iii) encourage telecommunications operators to undertake infrastructure works alongside other works being carried out in a locality, where this is practicable.
- (3) In undertaking the review, the Secretary of State must consult—
 - (a) telecommunications operators,
 - (b) organisations that represent tenants and telecommunications consumers,
 - (c) persons appearing to the Secretary of State to represent owners of interests in land who are likely to be affected by amendments to the code, and
 - (d) any other persons the Secretary of State deems appropriate.
- (4) A review under subsection (1) must be published within 12 months of the day on which it was commissioned.
- (5) The review must make a recommendation on whether the Government should introduce legislation to amend the code in accordance with its findings under subsection (2)(b).
- (6) A Minister of the Crown must lay the review before Parliament.”

Member’s explanatory statement

This amendment would require the Secretary of State to commission a review of the impact of this Act on the Electronic Communications Code. This review, which would assess the code’s suitability to support universal access to gigabit-capable broadband by 2025, could make recommendations for future amendments to the code.

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24 June 2020
