



Article	Objective	Implementation	Responsibility
4(1), 4(2), 4(3)	<p>internet access services in relation to traffic management practices.</p> <p>Lay down requirements on transparency measures for ensuring open internet access e.g. Article 4(1) sets out what, at a minimum, providers of internet access services should include in contracts for internet access services.</p>	<p>No specific transposition necessary (as directly applicable).</p>	<p>OFCOM to monitor and ensure compliance by industry.</p>
4(4)	<p>Sets out that significant discrepancies between actual performance (in terms of internet access speeds and other quality of service parameters) and those indicated in contracts should (where the facts are established by a monitoring mechanism certified by the national regulatory authority) be deemed non-conformity of performance for the purposes of triggering consumer protection remedies in accordance with national law. This paragraph only applies to contracts concluded or renewed from 29 November 2015.</p>	<p>Regulation 6 gives OFCOM (as the national regulatory authority) the power to certify monitoring mechanisms, as envisaged by Article 4(4).</p> <p>Otherwise, Article 4(4) is directly applicable and no specific transposition is necessary.</p>	<p>OFCOM.</p>
5(1)	<p>Requires National Regulatory Authorities (NRAs) to closely monitor and ensure compliance with Articles 3 and 4, and to promote the continued availability of non-discriminatory internet access services at levels of quality that reflect advances in technology.</p>	<p>Regulation 4 designates OFCOM as the NRA for these purposes.</p> <p>Part 3 of the Regulations gives OFCOM powers to impose requirements, and set out provisions in respect of carrying out this function.</p>	<p>OFCOM.</p>

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	<p>Also provides that, for those purposes, NRAs should be able to impose requirements on providers concerning technical characteristics, minimum quality of service requirements and other appropriate and necessary measures.</p>	<p>Regulation 17 gives OFCOM power to require such information as they consider necessary for the purposes of carrying out their functions under the EU Regulation and these Regulations.</p> <p>Part 5 relates to enforcement.</p> <p>For example, Regulation 19 sets out provisions in relation to notifications where OFCOM consider there to have been a breach of the Regulations or Articles 3, 4 or 5 of the EU Regulation.</p> <p>Regulation 22 sets out provisions related to enforcement of notifications.</p> <p>Part 6 concerns appeals against decisions by OFCOM or another person (appeals to go to the Competition Appeal Tribunal).</p>	
5(2)	<p>Requires that providers should on request make available to NRAs information relevant to the obligations set out in Articles 3 and 4.</p>	<p>No specific transposition necessary (as directly applicable).</p> <p>“Information requirement” is defined in regulation 16 as meaning a requirement of OFCOM under Article 5(2) of the EU Regulation or regulation 17.</p>	<p>OFCOM.</p>
5(3)	<p>Requires BEREC (the Body of European Regulators for Electronic Communications) to issue guidelines for the implementation of the obligations of NRAs.</p>	<p>Regulation 5 requires that OFCOM must take due account of these guidelines.</p>	<p>OFCOM.</p>

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5(4)	<p>Recital (19) explains that NRAs should take utmost account of relevant guidelines from BEREC.</p> <p>Article 5 is without prejudice to other tasks assigned to NRAs or other competent authorities.</p>	No transposition required.	N/A
6	Member States shall lay down effective, proportionate and dissuasive penalties applicable to infringements of Articles 3, 4 and 5.	<p>Regulations 20 and 21 set out provisions related to penalties for breach of the EU Regulation or these Regulations.</p> <p>Regulation 23 makes provision in relation to offences in connection with information requirements and sets out the maximum penalties for such offences.</p> <p>Regulation 24 sets out how a provider's turnover is to be calculated, for the purposes of penalties under regulation 21.</p>	OFCOM.
7	Amendments to Regulation (EU) No 531/2012	Not implemented as part of these Regulations (relates to mobile roaming charges).	
8	Amendment to Directive 2002/22/EC	No specific transposition necessary.	
9	Review clause – requires the European Commission, by 30 April 2019 (and every four years thereafter) to review Articles 3, 4, 5 and 6 and submit a report to the European Parliament and to the Council.	No specific transposition necessary.	
10	Entry into force and transitional provisions	No specific transposition necessary.	