

Reference: 01702938

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

15 November 2023

### Freedom of Information request: Right to know request

Thank you for your request for information about Hutchison 3G UK Ltd's registration under the Electronic Communications Code. Your request was received on 18 October 2023 and we have considered it under the Freedom of Information Act 2000.

#### Your request & our response

1. *When was Hutchison 3G UK Ltd first placed on the register of persons with power under the Electronic Communications Code?*

Ofcom maintains [a public register](#) of companies with powers under the Electronic Communication Code which is set out in Schedule 3A of the Communications Act 2003 (the Code). This register shows that Hutchison 3G UK Ltd is currently registered with powers.

As Hutchison 3G UK Ltd held powers under the Telecommunications Code set out in Schedule 2 to the Telecommunications Act 1984 (the 1984 Act) by virtue of a license held under section 7 of the 1984 Act, it would have been placed on the above mentioned public register when it was first created in 2003.

This is because the transitional provisions under paragraph 17(2) of Schedule 18 to the Communications Act 2003 provide that operators who held code powers prior to 25 July 2003 ( i.e operators that had code powers under the Telecommunications Act 1984) shall be treated as a person in whose case the Code applies by virtue of a direction given by Ofcom.

2. *Has it remained there uninterrupted since that date?*

Hutchison 3G UK Ltd has remained on the public register of persons with powers under the Electronic Communications Code since 2003.

3. *If not, which dates was it not on the register?*

Not applicable.

If you have any further queries, then please send them to [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk) quoting the reference number above in any future communications.

Yours sincerely

## Information Requests.

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

### Timing

If you wish to exercise your right to an internal review **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Further information about this, and the internal review process can be found on the Information Commissioner's Office [here](#). Alternatively, the Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF