



STATUTORY INSTRUMENTS.

S.I. No. 303 of 2023



EUROPEAN UNION (OPEN INTERNET ACCESS) (AMENDMENT)
REGULATIONS 2023

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I, EAMON RYAN, Minister for the Environment, Climate and Communications, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving full effect to Articles 1 to 6 of Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015¹ as amended by Regulation (EU) 2018/1971 of the European Parliament and of the Council of 11 December 2018² and Directive (EU) 2018/1972 of the European Parliament and of the Council of 11 December 2018³, hereby make the following regulations:

1. (1) These Regulations may be cited as the European Union (Open Internet Access) (Amendment) Regulations 2023.

(2) These Regulations shall come into operation on 9 June 2023.

2. The European Union (Open Internet Access) Regulations 2019 (S.I. No. 343 of 2019) are amended by -

(a) the substitution of the following Regulation for Regulation 8:

“8. An undertaking shall comply with -

- (a) its obligations under Articles 3, 4 and 5 of the EU Regulation, and
- (b) a direction under Regulation 4(1) within the period specified in the direction.”,

(b) the substitution of the following Regulation for Regulation 11:

“11. (1) Where the Regulator issues a direction or notification under these Regulations, such direction or notification shall -

- (a) be in writing,
- (b) state the reasons on which it is based,
- (c) be addressed to the undertaking concerned, and
- (d) be sent or given as soon as practicable.

(2) Section 60(1) of the Act of 2002 shall apply to a direction issued by the Regulator under these Regulations as if it were a notice referred to in that section.”,

and

¹ OJ No. L310, 26.11.2015, p.1

² OJ No. L321, 17.12.2018, p.1

³ OJ No. L321, 17.12.2018, p.36

(c) the deletion of Regulation 9(4).



GIVEN under my Official Seal,
6 June, 2023.

EAMON RYAN,
Minister for the Environment, Climate and
Communications.

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