



department for
**culture, media
and sport**

Consultation Questions on Appeals

Implementing the revised EU Electronic Communications Framework - Appeals

improving
the quality
of life for all

Our aim is to improve the quality of life for all through cultural and sporting activities, support the pursuit of excellence, and champion the tourism, creative and leisure industries.

Question and Response Form

The Department may, in accordance with the Code of Practice on Access to Government Information, make available, on public request, individual responses.

The closing date for this consultation is 14th October 2011. Please provide:

Name:

Organisation (if applicable):

Address:

Please return completed forms to:

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To enable us to assess the impact of our proposals on different groups, please indicate the kind of organisation on behalf of whom you are responding:

	Business representative organisation/trade body
	Central government
	Charity or social enterprise
	Individual
	Large business (over 250 staff)
	Legal representative
	Local Government
	Medium business (50 to 250 staff)
	Micro business (up to 9 staff)
	Small business (10 to 49 staff)
	Trade union or staff association
	Other (please describe):

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Q1. The Government welcomes views on whether the specific proposal (at Annex A) to amend the Communications Act 2003 will deliver speedier more efficient appeals, whilst still guaranteeing fair, open and accessible appeals from Ofcom decisions.

Comments:

Q2 The Government also welcomes views on the proposal that the new basis for appeals should apply only to appeals against decisions made after the changes come into force.

Comments:

Q3. The Government welcomes views of stakeholders on the value of pursuing tighter evidential rules as an alternative or complement to legislative reform of the telecoms appeals framework.

Comments:

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Q3. Do consultees agree with the proposal that the changes to the basis of appeal extend to the appeals described in paragraphs 59-61?

Comments:

Q5. The Government welcomes views of stakeholders on the value of pursuing confidentiality rings as an alternative or complement to legislative reform of the telecoms appeals framework.

Comments:

Q6. The Government welcomes views of stakeholders on the value of pursuing simplification of Ofcom duties as an alternative or complement to legislative reform of the telecoms appeals framework and welcomes suggestions as to which duties should be simplified and how such changes should be made?

Comments:

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Q7. The Government welcomes views of stakeholders on the value of pursuing counter claims as an alternative or complement to legislative reform of the telecoms appeals framework.

Comments:

Q8. The Government welcomes views of stakeholders on the above suggestion on Ofcom's role in appeals of dispute determinations.

Comments:

Q9. The Government welcomes views of stakeholders on the value of pursuing changes to the award of costs as an alternative or complement to legislative reform of the telecoms appeals framework.

Comments:

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Q10. The Government welcomes views of stakeholders on changes to CAT rules as an alternative or complement to the Government's proposed legislative change. Specifically, the Government is interested in which of the suggested rule changes, either singly or jointly, would be most effective in delivering the stated aim of a speedier and more efficient appeals process.

Comments:

Q11. The Government welcomes views on the supporting economic and equalities Impact Assessments.

Comments:

Thank you for completing this questionnaire.