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All Peers

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My Lords,

### **Telecommunications Infrastructure (Leasehold Property) Bill Third Reading**

The Telecommunications Infrastructure (Leasehold Property) Bill will return to the House for its Third Reading on Thursday 28 January.

As noble Lords will recall, the Bill creates a new court process that telecoms operators (such as Openreach and Virgin Media) can use. The process can be used in situations where those operators are otherwise unable to connect a leaseholder living in a multiple dwelling building (i.e. block of flats or apartments) who is seeking a new internet service, but whose landowner repeatedly ignores the operators' requests for access.

The Bill has the potential to benefit around 10 million people living in flats, and gives the Secretary of State the power to extend the scope to include other leasehold property types such as residential homes, office blocks and business parks.

### **Modern slavery**

At Report stage, many of you contributed to the compelling debate on the amendment tabled by Lord Alton of Liverpool, concerning modern slavery in the supply chains of telecoms operators. You will remember that I committed to bringing back the issue at Third Reading. My officials and I have endeavoured to bring back a Government amendment that would address this issue in a meaningful way but regrettably it has simply not been possible.

We have discussed with the Public Bill Office two different versions of an amendment with the aim of addressing your Lordships' concerns around the use of modern slavery in the supply chains of telecoms operators. However, the House authorities consider that provisions relating to either the *type* of telecoms operator who can use the legislation or anything relating to their *supply chains* are out of scope of the Bill.

This assessment from the Public Bill Office aligns with the argument we set out to the House during the Report Stage. We recognise the strong feelings on this issue, and the leadership Lord Alton has shown in continuing to bring the issues of modern slavery and human rights to the attention of Government. However, this Bill is not the right vehicle to address the issues he has raised.

I trust that noble Lords will therefore understand why the Government is not in a position to table any amendment relevant to the Bill that addresses modern slavery in supply chains.

I would like to reassure your Lordships once more that the Government takes the issues of human rights and modern slavery very seriously. We are gravely concerned about the human rights situation in Xinjiang. On 12 January, the Foreign Secretary announced an ambitious package of targeted measures to help make sure that no British organisations are contributing to human rights violations in the region. The UK will also continue to lead international efforts to hold China to account, including at the UN. I hope that noble Lords recognise this important work to address the situation.

In addition, I would draw attention to the work which has taken place between this Bill's Report Stage and Third Reading. In December 2020, we published the *5G Supply Chain Diversification Strategy*, which will support current suppliers, attract new vendors into the market, and facilitate the development and deployment of open-interface solutions. The Government has also introduced the Telecommunications (Security) Bill, which establishes a strengthened telecommunications security framework. The Bill also introduces new national security powers for the Government to impose, monitor and enforce controls on public communications providers' use of designated vendors' goods, services and facilities within UK telecommunications networks.

In essence, this Bill is not the right vehicle and creates a level of legal uncertainty which will prevent operators from using the legislation as whole, therefore depriving those living in blocks of flats of the opportunity to get access to better broadband.

### **Market competition**

Given the level of interest in both Houses, we will be bringing back the issue of competition at Third Reading. At Report stage, we accepted in principle an amendment by Lord Stevenson which sought to ensure that individuals receiving a service as a result of this Bill's provisions do not find themselves 'locked in' to a single service provider as a result of a Part 4A order.

We continue to believe that this is an unlikely outcome, as provisions in the Bill - as drafted - do not restrict the number of Part 4A orders which can be made in respect of a property. This means that a leaseholder in a property in respect of which a Part 4A order has been made may - at any time - request a service from a new provider.

However, in order to make this completely clear, the Government has tabled an amendment which means that the terms that will accompany a Part 4A order must be aimed at ensuring that nothing done by an operator unnecessarily prevents or inhibits the provision of a service by another operator. This means that a Part 4A code right would be subject to terms intended to prevent uncompetitive behaviour.

We hope that this amendment will address the concerns which have been raised by noble Lords, and I look forward to the Third Reading debate.

I will place a copy of this letter in the library of both Houses. Please do not hesitate to contact my office at [dcmslordsminister@dcms.gov.uk](mailto:dcmslordsminister@dcms.gov.uk) if you have any questions regarding this letter.

With best wishes

A handwritten signature in cursive script, appearing to read "Diana Barran".

**Baroness Barran**  
Minister for Civil Society