



Telecommunications Act 1984

1984 CHAPTER 12

PART III

OTHER FUNCTIONS OF DIRECTOR

53 Power to require information etc.

- [^{F1}(1) The Director may, for any relevant purpose, by notice in writing signed by him—
- (a) require any person to produce, at a time and place specified in the notice, to the Director or to any person appointed by him for the purpose, any documents which are specified or described in the notice and are in that person's custody or under his control; or
 - (b) require any person carrying on any business to furnish to the Director such estimates, returns or other information as may be specified or described in the notice, and specify the time, the manner and the form in which any such estimates, returns or information are to be furnished;
- but no person shall be compelled for any such purpose to produce any documents which he could not be compelled to produce in civil proceedings before the court or, in complying with any requirement for the furnishing of information, to give any information which he could not be compelled to give in evidence in such proceedings.
- (2) A person who refuses or, without reasonable excuse, fails to do anything duly required of him by a notice under subsection (1) above shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (3) A person who—
- (a) intentionally alters, suppresses or destroys any document which he has been required by any such notice to produce; or
 - (b) in furnishing any estimate, return or other information required of him under any such notice, makes any statement which he knows to be false in a material particular, or recklessly makes any statement which is false in a material particular,
- shall be guilty of an offence.

Changes to legislation: There are currently no known outstanding effects for the Telecommunications Act 1984, Section 53. (See end of Document for details)

- (4) A person guilty of an offence under subsection (3) above shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine.
- (5) If a person makes default in complying with a notice under subsection (1) of this section, the court may, on the application of the Director, make such order as the court thinks fit for requiring the default to be made good; and any such order may provide that all the costs or expenses of and incidental to the application shall be borne by the person in default or by any officers of a company or other association who are responsible for its default.
- (6) In this section—
- “the court” has the same meaning as in section 18 above;
- “relevant purpose” means any purpose connected with—
- (a) the investigation of any offence under section 5, 28 or 29 above or any proceedings for any such offence;
 - [^{F2}(aa) the determination of any dispute referred to the Director under section 27F above;]
 - [^{F3} (ab) the determination of any dispute referred to the Director in accordance with regulations made under section 27G above;] or
 - (b) the exercise of the Director’s functions under [^{F4}section 16, 27E, 27H, 27I, 47, 49, 50, 51 or 52 above][^{F5}or under the Telecommunications (Open Network Provision) (Voice Telephony) Regulations 1998].]

Textual Amendments

- F1** S. 53 repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by [Communications Act 2003](#) (c. 21), ss. 406, 408, 411, [Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19\(1\)](#) Note 1); S.I. 2003/1900, arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with art. 3(2) (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3))); S.I. 2003/3142, [art. 3](#), [Sch. 1](#) (with art. 11)
- F2** S. 53(6): para. (aa) inserted (1.9.1992) in the definition of 'relevant purpose' by [Competition and Service \(Utilities\) Act 1992](#) (c. 43), [s. 5\(2\)](#); [Competition and Service \(Utilities\) Act 1992](#) (Commencement No. 1) Order, art. 4, [Sch. Pt. II](#)
- F3** S. 53(6): para. (ab) inserted (1.7.1992) in the definition of 'relevant purpose' by [Competition and Service \(Utilities\) Act 1992](#) (c. 43), [s. 6\(2\)](#); [Competition and Services \(Utilities\) Act 1992](#) (Commencement No. 1) Order, art. 3, [Sch. Pt. I](#)
- F4** S. 53(6): words in para. (b) substituted (31.12.1997) by S.I. 1997/2930, [reg. 3\(14\)](#)
- F5** S. 53(6): words in para. (b) added (21.7.1998) by S.I. 1998/1580, [reg. 40\(2\)](#)

Modifications etc. (not altering text)

- C1** Ss. 3-7, 12-19, Pt. III (ss. 47-55) applied (with modifications) (7.1.1997) by S.I. 1996/3151, [reg. 8\(2\)](#), [Sch. 1 para. 1](#)
- C2** S. 53 applied (24.2.2003) by [The Electronic Communications \(Market Analysis\) Regulations 2003](#) (S.I. 2003/330), [reg. 10](#)

Changes to legislation:

There are currently no known outstanding effects for the Telecommunications Act 1984, Section 53.