

*These notes refer to the Communications Act 2003
(c.21) which received Royal Assent on 17 July 2003*

COMMUNICATIONS ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2: Networks, Services and the Radio Spectrum

Chapter 2: Spectrum Use

Section 176: Amount of penalty under s. 175

387. This section provides that the maximum penalty that OFCOM may impose for a contravention of section 175 will be the greater of £250,000 and 5% of the relevant amount of gross revenue (which term is defined in section 177). *Subsection (3)* provides for the Secretary of State to amend by order the amount of £250,000. When determining the amount of a penalty to be imposed, OFCOM must have regard to their guidelines for fixing penalties published in accordance with section 392.