



# Communications Act 2003

## 2003 CHAPTER 21

### PART 2

#### NETWORKS, SERVICES AND THE RADIO SPECTRUM

### CHAPTER 1

#### ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES

##### *General conditions: customer interests*

## **52 Conditions relating to customer interests**

- (1) It shall be the duty of OFCOM to set such general conditions (if any) as they consider appropriate for securing that—
- (a) public communications providers, or
  - (b) such descriptions of them as OFCOM consider appropriate,
- establish and maintain procedures, standards and policies with respect to the matters mentioned in subsection (2).
- (2) Those matters are—
- (a) the handling of complaints made to public communications providers by any of their domestic and small business customers;
  - (b) the resolution of disputes between such providers and any of their domestic and small business customers;
  - (c) the provision of remedies and redress in respect of matters that form the subject-matter of such complaints or disputes;
  - (d) the information about service standards and about the rights of domestic and small business customers that is to be made available to those customers by public communications providers;

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- (e) any other matter appearing to OFCOM to be necessary for securing effective protection for the domestic and small business customers of such providers.
- (3) It shall be the duty of OFCOM, in setting conditions in accordance with subsection (1), to secure so far as they consider appropriate—
- (a) that the procedures established and maintained for the handling of complaints and the resolution of disputes are easy to use, transparent and effective;
  - (b) that domestic and small business customers have the right to use those procedures free of charge; and
  - (c) that where public communications providers are in contravention of conditions set in accordance with the preceding provisions of this section, the providers follow such procedures as may be required by the general conditions.
- (4) Subject to section 55, OFCOM’s duties under subsections (1) and (3) so far as relating to procedures for the handling of complaints are to be performed, to such extent as they consider appropriate, by the setting of general conditions requiring public communications providers to establish and maintain procedures that conform with a code of practice which is—
- (a) applicable to the providers to whom the conditions apply; and
  - (b) for the time being approved by OFCOM for the purposes of this subsection.
- (5) Subject to section 55, OFCOM’s duties under subsections (1) and (3) so far as relating to procedures for resolving disputes are to be performed, to such extent as they consider appropriate, by the setting of general conditions requiring public communications providers—
- (a) to establish and maintain procedures for resolving disputes; and
  - (b) to secure that those procedures are, and continue to be, approved by OFCOM.
- (6) In this section “domestic and small business customer”, in relation to a public communications provider, means a customer of that provider who is neither—
- (a) himself a communications provider; nor
  - (b) a person who is such a customer in respect of an undertaking carried on by him for which more than ten individuals work (whether as employees or volunteers or otherwise).

**Annotations:**

**Commencement Information**

- II** [S. 52](#) in force at 25.7.2003 for specified purposes by [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3))

**53 Approval of codes of practice for the purposes of s. 52**

- (1) Where a code of practice is submitted to OFCOM for approval, they shall approve that code if and only if, in their opinion, it makes all such provision as they consider necessary in relation to the matters dealt with in the code for the protection of the domestic and small business customers of the public communications providers to whom the code applies.
- (2) It shall be the duty of OFCOM to keep under review the codes of practice for the time being approved by them.

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- (3) OFCOM may at any time, by a notification given or published in such manner as they consider appropriate—
- (a) approve modifications that have been made to an approved code;
  - (b) withdraw their approval from a code; or
  - (c) give notice that the withdrawal of their approval will take effect from such time as may be specified in the notification unless such modifications of the code as are specified in the notification are made before that time.
- (4) In considering—
- (a) whether to approve a code of practice, or
  - (b) whether or in what manner to exercise their powers under subsections (2) and (3) of this section,
- OFCOM must have regard to the matters mentioned in subsection (5).
- (5) Those matters are—
- (a) the need to secure that customers are able readily to comprehend the procedures that are provided for by an approved code of practice;
  - (b) the need to secure that there is consistency between the different codes for the time being approved by OFCOM; and
  - (c) the need to secure that the number of different codes so approved is kept to a minimum.
- (6) In this section—
- “approval” means approval for the purposes of section 52(4) and “approve” and “approved” are to be construed accordingly; and
  - “domestic and small business customer” has the same meaning as in section 52.

**Annotations:**

**Commencement Information**

- I2** S. 53 in force at 25.7.2003 for specified purposes by S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3))

**54 Approval of dispute procedures for the purposes of s. 52**

- (1) Before giving their approval to any dispute procedures, OFCOM must consult the Secretary of State.
- (2) OFCOM are not to approve dispute procedures unless they are satisfied that the arrangements under which the procedures have effect—
- (a) are administered by person who is for practical purposes independent (so far as decisions in relation to disputes are concerned) of both OFCOM and the communications providers to whom the arrangements apply;
  - (b) give effect to procedures that are easy to use, transparent and effective;
  - (c) give, in the case of every communications provider to whom the arrangements apply, a right to each of his domestic and small business customers to use the procedures free of charge;
  - (d) ensure that all information necessary for giving effect to the procedures is obtained;

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- (e) ensure that disputes are effectively investigated;
  - (f) include provision conferring power to make awards of appropriate compensation; and
  - (g) are such as to enable awards of compensation to be properly enforced.
- (3) OFCOM may approve dispute procedures subject to such conditions (including conditions as to the provision of information to OFCOM) as they may think fit.
- (4) It shall be the duty of OFCOM to keep under review the dispute procedures for the time being approved by them.
- (5) OFCOM may at any time, by a notification given or published in such manner as they consider appropriate—
- (a) modify the conditions of their approval of any dispute procedures or withdraw such an approval; or
  - (b) give notice that the modification of those conditions, or the withdrawal of such an approval, will take effect from such time as may be specified in the notification unless the procedures (or the arrangements under which they have effect) are modified before that time in the manner required by the notification.
- (6) In considering—
- (a) whether to approve dispute procedures, or
  - (b) whether or in what manner to exercise their powers under subsections (3) to (5),
- OFCOM must have regard to the matters mentioned in subsection (7).
- (7) Those matters are—
- (a) the need to secure that customers are able readily to comprehend dispute procedures;
  - (b) the need to secure that there is consistency between the different procedures for the time being approved by OFCOM; and
  - (c) the need to secure that the number of different sets of procedures so approved is kept to a minimum.
- (8) In this section—
- “approval” means approval for the purposes of subsection (5) of section 52 and “approve” and “approved” are to be construed accordingly;
  - “dispute procedures” means any such procedures as may fall to be approved for the purposes of that subsection; and
  - “domestic and small business customer” has the same meaning as in section 52.

**Annotations:**

**Commencement Information**

- I3** S. 54 in force at 25.7.2003 for specified purposes by S.I. 2003/1900, arts. 1(2), 2(1), Sch. 1 (with art. 3) (as amended by S.I. 2003/3142, art. 1(3))

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## **55 Orders by OFCOM in the absence of conditions under s. 52**

- (1) OFCOM may make an order under this section if, at any time, they consider in relation to any one or more public communications providers—
  - (a) that it is not practicable, or at least not appropriate, for OFCOM’s duties under subsections (1) and (3) of section 52 to be performed in a particular respect by the setting of general conditions; and
  - (b) that it is necessary to make the order for the purpose—
    - (i) of securing the necessary protection for the customers of that provider or of those providers; or
    - (ii) of securing compliance with a Community obligation.
- (2) An order under this section may make such of the following provisions as OFCOM think fit—
  - (a) provision imposing requirements with respect to the complaints and disputes mentioned in section 52(2);
  - (b) provision for the enforcement of those requirements;
  - (c) provision making other arrangements for the purposes of those requirements.
- (3) The power to make provision by an order under this section includes, in particular—
  - (a) power to establish a body corporate with the capacity to make its own rules and to establish its own procedures;
  - (b) power to determine the jurisdiction of a body established by such an order or, for the purposes of the order, of any other person;
  - (c) power to confer jurisdiction with respect to any matter on OFCOM themselves;
  - (d) power to provide for a person on whom jurisdiction is conferred by the arrangements to make awards of compensation, to direct the reimbursement of costs or expenses, or to do both;
  - (e) power to provide for such a person to enforce, or to participate in the enforcement of, any awards or directions made under such an order; and
  - (f) power to make such other provision as OFCOM think fit for the enforcement of such awards and directions.
- (4) An order under this section may require such public communications providers as may be determined by or under the order to make payments to OFCOM in respect of expenditure incurred by OFCOM in connection with—
  - (a) the establishment and maintenance, in accordance with such an order, of a body corporate or of a procedure; or
  - (b) the making of any other arrangements for the purposes of the requirements of such an order.
- (5) The consent of the Secretary of State is required for the making by OFCOM of an order under this section.
- (6) Section 403 applies to the power of OFCOM to make an order under this section.
- (7) A statutory instrument containing an order made by OFCOM under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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**Annotations:**

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**Commencement Information**

- I4** [S. 55](#) in force at 25.7.2003 for specified purposes by [S.I. 2003/1900](#), arts. 1(2), 2(1), [Sch. 1](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3))

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2003/1900, art. 3(2) by [S.I. 2003/3142 art. 1\(3\)](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/1492 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/697 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 art. 4 Sch. 2 by [S.I. 2004/545 art. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act amendment to earlier affecting provision SI 2003/3195 by [S.I. 2004/715 art. 3 Sch.](#)
- Act amendment to earlier affecting provision SI 2003/3195 art. 6 Sch. 2 by [S.I. 2004/1116 art. 2](#)
- Act amendment to earlier affecting provision SI 2003/3195 art. 6 Sch. 2 by [S.I. 2005/856 art. 2](#)
- Act amendment to earlier affecting provision SI 2003/3197 by [S.I. 2004/308 art. 6\(3\) Sch. 2](#)
- Act amendment to earlier affecting provision SI 2003/3197 by [S.I. 2004/716 art. 3](#)
- Act amendment to earlier affecting provision SI 2003/3197 art. 6 Sch. 2 by [S.I. 2004/1114 art. 2](#)
- Act amendment to earlier affecting provision SI 2003/3197 art. 6 Sch. 2 by [S.I. 2005/855 art. 2](#)
- Act amendment to earlier affecting provision SI 2003/3198 by [S.I. 2004/309 art. 2\(2\) Sch. Pt. 2](#)
- Act amendment to earlier affecting provision SI 2003/3198 by [S.I. 2004/718 art. 2](#)
- Act amendment to earlier affecting provision SI 2003/3198 art. 6 Sch. 2 by [S.I. 2007/278 art. 3 Sch. 2 Pt. 1](#)
- Act amendment to earlier affecting provision SI 2003/3198 art. 6(1) by [S.I. 2004/1115 art. 2](#)
- Act amendment to earlier affecting provision SI 2004/1944 art. 4 Sch. by [S.I. 2010/118 art. 1 2-5](#)
- Act amendment to earlier affecting provision SI 2004/1944 art. 4 Sch. by [S.I. 2015/1000 art. 3 8](#)
- Act amendment to earlier affecting provision. SI 2003/3195 Sch. 2 by [S.I. 2012/2688 arts. 2 3](#)
- Act applied (with modifications) by [S.I. 2004/1944 art. 4 Sch.](#)
- Act applied (with modifications) by [S.I. 2012/2690 art. 4 Sch.](#)
- Act applied by S.I. 1991/1220 (N.I. 11), art. 104(5) (as substituted) by [S.I. 2017/1285 Sch. 1 para. 28\(2\)\(c\)](#) (This amendment comes into force on the day that Digital Economy Act 2017 (c. 30), s. 4, Schs. 1, 3 come fully into force. Those provisions are commenced on 28.12.2017 by S.I. 2017/1286, reg. 2)
- Act modified by [S.I. 2007/1118 art. 7](#)
- Act modified (Guernsey) by [S.I. 2013/243 art. 5 Sch. Pt. 2](#)
- Act power to extend conferred by [2017 c. 30 s. 119\(7\)s. 119\(8\)\(d\)](#)
- Act specified provisions extended (Guernsey) (with modifications) by [S.I. 2003/3195 art. 6 Sch. 2](#) (This SI is amended by SI 2004/307, 2004/715, 2004/1116, 2005/856)

- Act specified provisions extended (Guernsey) (with modifications) by [S.I. 2004/307 art. 4 Sch.](#)
- Act specified provisions extended (Isle of Man) (with modifications) by [S.I. 2003/3198 art. 6 Sch. 2](#) (This SI is amended by SI 2004/309, 2004/718, 2004/1115, 2007/278)
- Act specified provisions extended (Jersey) (with modifications) by [S.I. 2003/3197 art. 6 Sch. 2](#) (This SI is amended by SI 2004/308, 2004/716, 2004/1114, 2005/855)
- Blanket amendment words substituted by [S.I. 2011/1043 art. 3 4](#)
- Blanket amendment words substituted by [S.I. 2011/1043 art. 3 6](#)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- Pt. 4A inserted by [S.I. 2009/2979 reg. 2](#)
- s. 2A-2C and cross-heading inserted by [2017 c. 30 s. 98\(1\)](#)
- s. 3(6A) inserted by [2011 c. 5 Sch. 12 para. 57](#)
- s. 4(6A) inserted by [S.I. 2011/1210 Sch. 1 para. 5\(a\)](#)
- s. 4(8)(aa) inserted by [S.I. 2011/1210 Sch. 1 para. 5\(b\)\(ii\)](#)
- s. 4(10)(c)(iia) inserted by [S.I. 2011/1210 Sch. 1 para. 5\(c\)\(ii\)](#)
- s. 4(13) inserted by [S.I. 2011/1210 Sch. 1 para. 5\(e\)](#)
- s. 4A and cross-heading inserted by [S.I. 2011/1210 Sch. 1 para. 6](#)
- s. 5(3A) inserted by [S.I. 2011/1210 Sch. 1 para. 7\(a\)](#)
- s. 5(4A) inserted by [S.I. 2011/1210 Sch. 1 para. 7\(b\)](#)
- s. 14(6A) inserted by [2011 c. 5 Sch. 12 para. 58](#)
- s. 16(4)(f) inserted by [2011 c. 5 Sch. 12 para. 59\(4\)\(b\)](#)
- s. 17(4A)-(4C) inserted by [2007 c. 17 s. 40\(a\)](#)
- s. 17(4A)(a)(b) substituted by [S.I. 2014/631 Sch. 1 para. 11\(2\)\(a\)](#)
- s. 17(4B) words substituted by [S.I. 2014/631 Sch. 1 para. 11\(2\)\(b\)](#)
- s. 17(4C) substituted by [S.I. 2014/631 Sch. 1 para. 11\(2\)\(d\)](#)
- s. 17(4BA)(4BB) inserted by [S.I. 2014/631 Sch. 1 para. 11\(2\)\(c\)](#)
- s. 24A 24B inserted by [2017 c. 30 s. 98\(2\)](#)
- s. 26(2)(e) inserted by [2011 c. 5 Sch. 12 para. 61\(2\)\(b\)](#)
- s. 26(2)(ba) inserted by [S.I. 2011/1210 Sch. 1 para. 8\(b\)](#)
- s. 26(2A) inserted by [2011 c. 5 Sch. 12 para. 61\(3\)](#)
- s. 28A inserted by [2017 c. 30 s. 101\(2\)](#)
- s. 32(1)(b)(iv) and word inserted by [S.I. 2011/1210 Sch. 1 para. 9\(a\)\(ii\)](#)
- s. 35(2)(b)-(e) substituted for s. 35(b) by [S.I. 2011/1210 Sch. 1 para. 10\(a\)](#)
- s. 35A inserted by [S.I. 2011/1210 Sch. 1 para. 11](#)
- s. 36(7) inserted by [S.I. 2011/1210 Sch. 1 para. 12\(d\)](#)
- s. 38(11A) inserted by [2017 c. 30 s. 101\(3\)](#)
- s. 42(1)(ba) inserted by [S.I. 2011/1210 Sch. 1 para. 17\(a\)\(ii\)](#)
- s. 47(3) inserted by [S.I. 2011/1210 Sch. 1 para. 21\(b\)](#)
- s. 48(2)(2A)(2B) substituted for s. 48(2)(3) by [S.I. 2011/1210 Sch. 1 para. 22\(a\)](#)
- s. 48A-48C inserted by [S.I. 2011/1210 Sch. 1 para. 23](#)
- s. 49(2A) inserted by [S.I. 2011/1210 Sch. 1 para. 24\(c\)](#)
- s. 49(4)(4A)-(4D) substituted for s. 49(4)-(10) by [S.I. 2011/1210 Sch. 1 para. 24\(e\)](#)
- s. 49A-49C inserted by [S.I. 2011/1210 Sch. 1 para. 25](#)
- s. 51(2)(c)-(h) inserted by [S.I. 2011/1210 Sch. 1 para. 27\(b\)\(ii\)](#)
- s. 51(2)(i) inserted by [2017 c. 30 s. 2\(3\)](#)
- s. 51(2)(da) inserted by [2017 c. 30 s. 3](#)
- s. 51(2A) inserted by [S.I. 2011/1210 Sch. 1 para. 27\(c\)](#)
- s. 52(2)(ca) inserted by [S.I. 2011/1210 Sch. 1 para. 28\(c\)](#)
- s. 56(1)(ba) inserted by [S.I. 2011/1210 Sch. 1 para. 30](#)
- s. 56A and cross-heading inserted by [S.I. 2011/1210 Sch. 1 para. 31](#)
- s. 58(1)(aa) inserted by [S.I. 2011/1210 Sch. 1 para. 32](#)
- s. 58(2A) inserted by [2017 c. 30 s. 84](#)
- s. 65(2A)-(2C) inserted by [2017 c. 30 s. 1\(4\)](#)
- s. 65(5) inserted by [S.I. 2011/1210 Sch. 1 para. 35](#)
- s. 66(9A) inserted by [2017 c. 30 s. 1\(5\)](#)



- s. 67(1A)(1B) inserted by S.I. 2011/1210 Sch. 1 para. 36
- s. 72A 72B inserted by 2017 c. 30 s. 1(7)
- s. 73(2)(ba) inserted by S.I. 2011/1210 Sch. 1 para. 38(a)(iii)
- s. 73(3A) inserted by S.I. 2011/1210 Sch. 1 para. 38(c)
- s. 74(1A) inserted by S.I. 2011/1210 Sch. 1 para. 39
- s. 76A inserted by S.I. 2011/1210 Sch. 1 para. 41
- s. 80(1)(1A)(1B) substituted for s. 80(1)-(6) by S.I. 2011/1210 Sch. 1 para. 42(a)
- s. 80A 80B inserted by S.I. 2011/1210 Sch. 1 para. 43
- s. 84A inserted by S.I. 2011/1210 Sch. 1 para. 47
- s. 87(5A)(5B)(5C) inserted by S.I. 2011/1210 Sch. 1 para. 49(d)
- s. 89A-89C inserted by S.I. 2011/1210 Sch. 1 para. 50
- s. 94(10)-(10B) substituted for s. 94(10) by 2013 c. 24 Sch. 14 para. 17
- s. 96A-96C and cross-heading inserted by S.I. 2011/1210 Sch. 1 para. 55
- s. 96A(5)-(7) substituted for s. 96A(5) by 2013 c. 24 Sch. 14 para. 18
- s. 97(5)(a) words inserted by S.I. 2011/1210 Sch. 1 para. 56(d)
- s. 99(2A) inserted by S.I. 2011/1210 Sch. 1 para. 58(b)
- s. 100(1)(1A)-(1D) substituted for s. 100(1) by S.I. 2011/1210 Sch. 1 para. 59(a)
- s. 100A and cross-heading inserted by S.I. 2011/1210 Sch. 1 para. 60
- s. 102(3A)(3B) inserted by S.I. 2011/1210 Sch. 1 para. 61(c)
- s. 103(4)(5) substituted for s. 103(4) by S.I. 2011/1210 Sch. 1 para. 62(b)
- s. 104(1)(ba) inserted by S.I. 2011/1210 Sch. 1 para. 63(a)
- s. 105A-105D and cross-heading inserted by S.I. 2011/1210 Sch. 1 para. 65
- s. 107(1A) inserted by S.I. 2011/1210 Sch. 1 para. 66(a)
- s. 107(3A)-(3C) inserted by S.I. 2011/1210 Sch. 1 para. 66(b)
- s. 109(2)(ba) inserted by 2013 c. 27 s. 9(1)
- s. 109(2)(da) inserted by S.I. 2011/1210 Sch. 1 para. 67
- s. 109(2A) (2B) inserted by 2013 c. 27 s. 9(2)
- s. 109(2A) substituted by 2017 c. 30 s. 7
- s. 110(2)(c)-(f) substituted for s. 110(2)(c) by S.I. 2011/1210 Sch. 1 para. 68(b)
- s. 110A inserted by S.I. 2011/1210 Sch. 1 para. 69
- s. 111(7) inserted by S.I. 2011/1210 Sch. 1 para. 70(d)
- s. 111A 111B inserted by S.I. 2011/1210 Sch. 1 para. 71
- s. 113(1)(aa) inserted by S.I. 2011/1210 Sch. 1 para. 73(a)(ii)
- s. 113(13) inserted by S.I. 2011/1210 Sch. 1 para. 73(d)
- s. 114(3A)-(3D) inserted by S.I. 2011/1210 Sch. 1 para. 74(c)
- s. 115(4A) inserted by S.I. 2011/1210 Sch. 1 para. 75
- s. 120(3)(za) inserted by 2015 c. 15 s. 80(1)
- s. 120A inserted by S.I. 2011/1210 Sch. 1 para. 77
- s. 121(5)(aa) inserted by 2015 c. 15 s. 80(2)
- s. 123(1A)(1B) inserted by 2015 c. 15 s. 80(4)
- s. 124A and cross-heading inserted by 2010 c. 24 s. 3
- s. 124B inserted by 2010 c. 24 s. 4
- s. 124C inserted by 2010 c. 24 s. 5
- s. 124D inserted by 2010 c. 24 s. 6
- s. 124E inserted by 2010 c. 24 s. 7
- s. 124F inserted by 2010 c. 24 s. 8
- s. 124G inserted by 2010 c. 24 s. 9
- s. 124H inserted by 2010 c. 24 s. 10
- s. 124I inserted by 2010 c. 24 s. 11
- s. 124J inserted by 2010 c. 24 s. 12
- s. 124K inserted by 2010 c. 24 s. 13
- s. 124L inserted by 2010 c. 24 s. 14
- s. 124M inserted by 2010 c. 24 s. 15
- s. 124N inserted by 2010 c. 24 s. 16(1)
- s. 124O and cross-heading inserted by 2010 c. 24 s. 19
- s. 124P 124Q inserted by 2010 c. 24 s. 20(1)
- s. 124Q(7)(a) words substituted by 2013 c. 22 Sch. 9 para. 52
- s. 124R inserted by 2010 c. 24 s. 21

- s. 124S 124T and cross-heading inserted by 2017 c. 30 s. 102
- s. 127(5)-(7) inserted by 2015 c. 2 s. 51(1)
- s. 134A-134C and cross-heading inserted by 2010 c. 24 s. 1(1)
- s. 134B(1)(2) words substituted by 2017 c. 30 s. 82(3)(a)
- s. 134B(4) words inserted by 2017 c. 30 s. 82(3)(b)
- s. 134D and cross-heading inserted by 2017 c. 30 s. 83(2)
- s. 134AA 134AB inserted by 2017 c. 30 s. 82(2)
- s. 135(3)(ica) inserted by 2017 c. 30 s. 82(4)
- s. 135(3)(ia) (ib) inserted by 2010 c. 24 s. 16(2)
- s. 135(3)(ic) (id) inserted by 2010 c. 24 s. 1(2)
- s. 135(3)(ie)-(ig) inserted by S.I. 2011/1210 Sch. 1 para. 79(a)(ii)
- s. 135(3A) inserted by S.I. 2011/1210 Sch. 1 para. 79(b)
- s. 137(2)(e) and word inserted by S.I. 2011/1210 Sch. 1 para. 80(a)(ii)
- s. 137(2A) inserted by S.I. 2011/1210 Sch. 1 para. 80(b)
- s. 137A 137B inserted by 2017 c. 30 s. 86(2)
- s. 138-139A applied (with modifications) by S.I. 2016/700 reg. 17(6)(7)
- s. 138(2)(c)-(f) substituted for s. 138(c) by S.I. 2011/1210 Sch. 1 para. 81(a)
- s. 138(2)(d) substituted by 2017 c. 30 s. 86(3)(b)
- s. 138(9A) inserted by S.I. 2011/1210 Sch. 1 para. 81(c)
- s. 139(4A)(4B) inserted by S.I. 2011/1210 Sch. 1 para. 82(e)
- s. 139A-139C inserted by S.I. 2011/1210 Sch. 1 para. 83
- s. 142(2A) substituted by S.I. 2011/1210 Sch. 1 para. 85(b)
- s. 142(3A)(3B) inserted by S.I. 2011/1210 Sch. 1 para. 85(c)
- s. 143(4)(5) substituted for s.143(4) by S.I. 2011/1210 Sch. 1 para. 86
- s. 146A inserted by S.I. 2011/1210 Sch. 1 para. 88
- s. 150A and cross-heading inserted by S.I. 2011/1210 Sch. 1 para. 89
- s. 151(3)(ba) inserted by S.I. 2011/1210 Sch. 1 para. 90(c)
- s. 151(4A)(4B) inserted by S.I. 2011/1210 Sch. 1 para. 90(d)
- s. 185(1A) inserted by S.I. 2011/1210 Sch. 1 para. 91(b)
- s. 185A inserted by S.I. 2011/1210 Sch. 1 para. 92
- s. 186(2A) inserted by S.I. 2011/1210 Sch. 1 para. 93(a)
- s. 189(4)(a)(b)(c) substituted for words by S.I. 2011/1210 Sch. 1 para. 94(b)
- s. 189(5A) inserted by S.I. 2011/1210 Sch. 1 para. 94(c)
- s. 189(7) inserted by S.I. 2011/1210 Sch. 1 para. 94(d)
- s. 190(2A) inserted by S.I. 2011/1210 Sch. 1 para. 95(a)
- s. 190(6A)(6B) inserted by S.I. 2011/1210 Sch. 1 para. 95(c)
- s. 192(1)(d) (ia) inserted by 2010 c. 24 s. 20(2)
- s. 192(1)(e) inserted by 2013 c. 24 Sch. 15 para. 43(2)
- s. 193A inserted by 2013 c. 24 s. 54
- s. 194A inserted by 2017 c. 30 s. 87(4)
- s. 198(2A) inserted by 2017 c. 30 s. 88(4)
- s. 198(3)(aa) inserted by S.I. 2009/2979 reg. 3(1)(a)
- s. 198A inserted by 2010 c. 24 s. 22(1)
- s. 198B-198D inserted by 2010 c. 24 s. 23(1)
- s. 198ZA inserted by 2017 c. 30 s. 88(6)
- s. 216(4) (4A) substituted for s. 216(4) by 2010 c. 24 s. 24(3)
- s. 216(6A) inserted by 2010 c. 24 s. 24(4)
- s. 216A inserted by 2010 c. 24 s. 24(7)
- s. 218A inserted by 2010 c. 24 s. 27
- s. 229(4A) inserted by 2010 c. 24 s. 26(10)
- s. 229(6)(a) words inserted by 2010 c. 24 s. 26(12)(b)
- s. 229(6)(b) words inserted by 2010 c. 24 s. 26(12)(c)
- s. 232(1)(aa) inserted by S.I. 2006/2131 art. 2(1)(c)
- s. 235(7) inserted by S.I. 2006/2131 art. 3
- s. 258A inserted by 2017 c. 12 s. 1
- s. 263(4) (4A) substituted for s. 263(4) by 2010 c. 24 s. 37
- s. 264A inserted by 2010 c. 24 s. 2
- s. 271A inserted by 2010 c. 24 s. 23(2)

- s. 281(3) added by S.I. 2003/3299 art. 13(1)
- s. 289A and cross-heading inserted by 2017 c. 30 s. 90
- s. 310(4)(g)(h) inserted by S.I. 2011/3003 art. 2(a)
- s. 310(9)-(11) inserted by S.I. 2011/3003 art. 2(b)
- s. 311A inserted by 2017 c. 30 s. 95(1)
- s. 314(1A) inserted by 2010 c. 24 s. 34(4)
- s. 314(9)-(11) inserted by 2010 c. 24 s. 34(6)
- s. 319(2)(fa) inserted by S.I. 2010/831 reg. 2(2)
- s. 319(9) inserted by S.I. 2010/831 reg. 2(3)
- s. 319(9) words inserted by S.I. 2016/507 reg. 45(1)(a)
- s. 319(10) inserted by S.I. 2016/507 reg. 45(1)(b)
- s. 321(1)(c) and word inserted by S.I. 2010/831 reg. 3(3)(d)
- s. 321(3A) inserted by S.I. 2010/831 reg. 3(4)
- s. 321(4)(a)(ii) inserted by S.I. 2010/831 reg. 3(5)(b)
- s. 321(5)(c) and word inserted by S.I. 2010/831 reg. 3(6)(b)
- s. 324(11A) inserted by S.I. 2010/831 reg. 4(3)
- s. 325(5)(d) and word inserted by S.I. 2010/831 reg. 5(3)(b)
- s. 335A and cross-heading inserted by S.I. 2009/2979 reg. 7
- s. 335A(1)(a) word substituted by S.I. 2010/1883 reg. 4
- s. 341(1)(ja)(jb) inserted by S.I. 2009/2979 reg. 5
- s. 341(1)(jb) words inserted by S.I. 2010/419 reg. 14(7)
- s. 365(1A) inserted by 2017 c. 30 s. 89(3)
- s. 365(5A)(5B) inserted by 2017 c. 30 s. 89(6)
- s. 365A inserted by 2017 c. 30 s. 89(7)
- s. 368B(1) word substituted by S.I. 2010/419 reg. 3(1)
- s. 368B(6) word substituted by S.I. 2010/419 reg. 3(2)
- s. 368B(10)(d)(e) inserted by S.I. 2014/2916 reg. 3
- s. 368C(2) omitted by 2017 c. 30 s. 93(3)
- s. 368D(3)(za)(zb) inserted by S.I. 2010/419 reg. 5(1)
- s. 368D(3A) inserted by S.I. 2010/419 reg. 5(2)
- s. 368E(2)-(7) substituted for s. 368E(2) by S.I. 2014/2916 reg. 2
- s. 368E(5) word omitted by 2017 c. 30 s. 94(2)
- s. 368E(5)(d)(e) inserted by 2017 c. 30 s. 94(3)
- s. 368E(6) words inserted by 2017 c. 30 s. 94(4)
- s. 368E(7) words inserted by 2017 c. 30 s. 94(5)
- s. 368F(1)(aa) inserted by S.I. 2016/507 reg. 46(2)
- s. 368G(1A) inserted by S.I. 2016/507 reg. 46(3)
- s. 368G(2) word substituted by S.I. 2010/419 reg. 6
- s. 368H(4)(b) word omitted by S.I. 2016/507 reg. 46(4)(a)
- s. 368H(4)(ba) inserted by S.I. 2016/507 reg. 46(4)(b)
- s. 368H(15) words inserted by S.I. 2016/507 reg. 46(4)(c)
- s. 368H(15A) inserted by S.I. 2016/507 reg. 46(4)(d)
- s. 368H(16) words inserted by S.I. 2010/831 reg. 7
- s. 368J(1) word inserted by 2017 c. 30 s. 93(5)
- s. 368J(1) words inserted by S.I. 2010/419 reg. 7
- s. 368K(1)(a) words inserted by 2017 c. 30 s. 93(6)(a)
- s. 368K(1)(a) words inserted by S.I. 2010/419 reg. 8(2)
- s. 368K(1)(b) words inserted by 2017 c. 30 s. 93(6)(b)(i)
- s. 368K(1)(b) words inserted by S.I. 2010/419 reg. 8(3)(a)
- s. 368K(1)(b) words inserted by S.I. 2010/419 reg. 8(3)(b)
- s. 368K(1)(b) words inserted by S.I. 2010/419 reg. 8(3)(c)
- s. 368K(1)(b) words substituted by 2017 c. 30 s. 93(6)(b)(ii)
- s. 368O(2)(a) words inserted by 2017 c. 30 s. 93(7)
- s. 368O(2)(a) words inserted by S.I. 2010/419 reg. 10
- s. 368P(A1) inserted by S.I. 2010/419 reg. 11(a)
- s. 368P(1) substituted by S.I. 2010/419 reg. 11(b)
- s. 368P(2)(b)(c) omitted by S.I. 2010/419 reg. 11(c)
- s. 368Q(A1) inserted by S.I. 2010/419 reg. 12(1)

- s. 368Q(4) words substituted by S.I. 2010/419 reg. 12(2)
- s. 368Q(5) words inserted by S.I. 2010/419 reg. 12(3)
- s. 368R(1) words inserted by S.I. 2016/507 reg. 46(5)
- s. 368R(1) words substituted by S.I. 2010/831 reg. 8
- s. 368R(1) words substituted by S.I. 2012/1916 Sch. 34 para. 44
- s. 368BA 368BB and cross-heading inserted by S.I. 2010/419 reg. 4
- s. 368BC 368BD and cross-heading inserted by 2017 c. 30 s. 93(2)
- s. 368CA inserted by 2017 c. 30 s. 93(4)
- s. 368NA and cross-heading inserted by S.I. 2010/419 reg. 9
- s. 369(1)(f) inserted by 2011 c. 5 Sch. 12 para. 62
- s. 370(3A) inserted by S.I. 2014/892 Sch. 1 para. 161(5)
- s. 370(7A) inserted by S.I. 2014/892 Sch. 1 para. 161(9)
- s. 371(2)(c) words substituted by S.I. 2012/1809 Sch. Pt. 1
- s. 371(2)(d) words substituted by S.I. 2012/1809 Sch. Pt. 1
- s. 393(5)(p)(q) substituted for s. 393(5)(p) by S.I. 2008/1277 Sch. 2 para. 72
- s. 393(5)(r) inserted by S.I. 2014/892 Sch. 1 para. 164(1)(b)
- s. 393(5)(na) inserted by 2006 c. 36 Sch. 7 para. 31
- s. 393(6)(aza) inserted by 2017 c. 30 s. 98(4)
- s. 393(6)(aa) inserted by S.I. 2011/1210 Sch. 1 para. 97(a)
- s. 393(6)(ba) inserted by 2017 c. 30 s. 83(4)
- s. 394(2)(g) inserted by 2011 c. 5 Sch. 12 para. 65(b)
- s. 394(11) inserted by 2017 c. 30 Sch. 3 para. 46(3)
- s. 395(6A) inserted by S.I. 2011/1210 Sch. 1 para. 98
- s. 400(1)(i) inserted by 2011 c. 5 Sch. 12 para. 66
- s. 400(1)(da) inserted by 2017 c. 30 s. 8(4)(b)
- s. 402(2)(aa) inserted by 2017 c. 30 Sch. 3 para. 47(2)
- s. 402(2A) inserted by 2017 c. 30 Sch. 3 para. 47(3)
- s. 402(4) inserted by 2017 c. 30 Sch. 3 para. 47(4)
- s. 404(4)(f) and word inserted by 2011 c. 5 Sch. 12 para. 67(b)
- s. 405(5A) inserted by 2011 c. 5 Sch. 12 para. 68(3)
- s. 1401(1)(a) words substituted by 2017 c. 30 s. 86(4)
- s. 1401(7) words substituted by 2017 c. 30 s. 86(4)
- Sch. 2 para. 5A and heading(s) inserted by S.I. 2003/2867 Sch. para. 33
- Sch. 3A Pt. 10 applied by 1958 c. 24, s. 17 (as amended) by 2017 c. 30 Sch. 3 para. 6
- Sch. 3A Pt. 10 applied by 1958 c. 69 s. 45(2) (as amended) by 2017 c. 30 Sch. 3 para. 5(2)
- Sch. 3A Pt. 10 applied by 1962 c. 58, s. 40(2) (as amended) by 2017 c. 30 Sch. 3 para. 7
- Sch. 3A Pt. 10 applied by 1964 c. 40, s. 53 (as amended) by 2017 c. 30 Sch. 3 para. 8
- Sch. 3A Pt. 10 applied by 1980 c. 66, s. 177(12) (as amended) by 2017 c. 30 Sch. 3 para. 11
- Sch. 3A Pt. 10 applied by 1980 c. 66, s. 334(8) (as amended) by 2017 c. 30 Sch. 3 para. 12(2)
- Sch. 3A para. 103(2) applied by 1984 c. 54, s. 132(4) (as amended) by 2017 c. 30 Sch. 3 para. 16(3)
- Sch. 3A Pt. 10 applied by 1984 c. 54, s. 50(3) (as amended) by 2017 c. 30 Sch. 3 para. 14(2)
- Sch. 3A Pt. 10 applied by 1984 c. 54, s. 75(9) (as amended) by 2017 c. 30 Sch. 3 para. 15(2)
- Sch. 3A Pt. 6 applied by 1985 c. 68, s. 298(2) (as amended) by 2017 c. 30 Sch. 3 para. 19
- Sch. 3A Pt. 10 applied by 1986 c. 31, s. 62(1) (as amended) by 2017 c. 30 Sch. 3 para. 25(2)
- Sch. 3A Pt. 10 applied by 1989 c. 22, Sch. 4 para. 4 (as amended) by 2017 c. 30 Sch. 3 para. 27
- Sch. 3A Pt. 10 applied by 1989 c. 29, Sch. 16 para. 1(6) (as amended) by 2017 c. 30 Sch. 3 para. 28

- Sch. 3A para. 103(2) applied by 1990 c. 8, s. 256(5) (as amended) by 2017 c. 30 Sch. 3 para. 29(2)
- Sch. 3A Pt. 10 applied by 1991 c. 56, Sch. 13 para. 4 (as amended) by 2017 c. 30 Sch. 3 para. 30(a)(b)
- Sch. 3A Pt. 10 applied by 1991 c. 57, Sch. 22 para. 5 (as amended) by 2017 c. 30 Sch. 3 para. 31(a)
- Sch. 3A Pt. 10 applied by 1993 c. 42, Sch. 2 para. 16 (as amended) by 2017 c. 30 Sch. 3 para. 33
- Sch. 3A Pt. 10 applied by 1995 c. 45, Sch. 4 para. 2(7) (as amended) by 2017 c. 30 Sch. 3 para. 37
- Sch. 3A para. 103(2) applied by 1997 c. 8, s. 212(7) (as amended) by 2017 c. 30 Sch. 3 para. 41(2)
- Sch. 3A para. 103(2) applied by 2003 asp 2, Sch. 1 para. 12 (as amended) by 2017 c. 30 Sch. 3 para. 49(2)
- Sch. 3A Pt. 9 applied by 2010 asp 5, s. 36(1) (as amended) by 2017 c. 30 Sch. 3 para. 56
- Sch. 3A applied by S.I. 1991/1220 (N.I. 11), art. 104(5) (as substituted) by S.I. 2017/1285 Sch. 1 para. 28(2)(c) (This amendment comes into force on the day that Digital Economy Act 2017 (c. 30), s. 4, Schs. 1, 3 come fully into force. Those provisions are commenced on 28.12.2017 by S.I. 2017/1286, reg. 2)
- Sch. 3A Pt. 10 applied by S.I. 1992/231 N.I. 1), Sch. 4 para. 3(2) (as amended) by 2017 c. 30 Sch. 3 para. 32
- Sch. 3A para. 103(2) applied by S.I. 1993/3160 (N.I. 15), Sch. 9 para. 2(2) (as amended) by 2017 c. 30 Sch. 3 para. 34(2)
- Sch. 3A Pt. 10 applied by S.I. 1994/426 (N.I. 1), art. 12(1) (as amended) by 2017 c. 30 Sch. 3 para. 35(2)
- Sch. 3A Pt. 10 applied by S.I. 1996/275 (N.I. 2), Sch. 3 para. 3(2) (as amended) by 2017 c. 30 Sch. 3 para. 39(3)
- Sch. 3A Pt. 9 excluded by 1985 c. 48 s. 8A (as amended) by 2017 c. 30 Sch. 3 para. 22
- Sch. 3A Pt. 6 excluded by 1996 c. 61, Sch. 15 Pt. 4 para. 2(1) (as amended) by 2017 c. 30 Sch. 3 para. 38(3)
- Sch. 3A inserted by 2017 c. 30 Sch. 1
- Sch. 8 para. 37-46 and cross-heading inserted by 2006 c. 36 Sch. 7 para. 36
- Sch. 8 para. 9A inserted by 2010 c. 24 s. 16(3)
- Sch. 8 para. 43(c) and word inserted by 2017 c. 30 s. 8(5)(c)
- Sch. 8 para. 43 word omitted by 2017 c. 30 s. 8(5)(c)
- Sch. 8 para. 40(a) words inserted by 2017 c. 30 s. 8(5)(a)
- Sch. 8 para. 44 words inserted by 2017 c. 30 s. 9(11)
- Sch. 8 para. 41 words substituted by 2017 c. 30 s. 8(5)(b)
- Sch. 9 para. 1(1)(aa) inserted by 2010 c. 24 s. 22(3)(a)
- Sch. 11A inserted by S.I. 2010/831 reg. 9
- Sch. 11A para. 4(ba) inserted by S.I. 2016/507 reg. 45(2)(b)
- Sch. 11A para. 4(b) word omitted by S.I. 2016/507 reg. 45(2)(a)
- Sch. 11A para. 9 words inserted by S.I. 2016/507 reg. 45(2)(d)
- Sch. 11A para. 6(2)(a) words omitted by S.I. 2016/507 reg. 45(2)(c)
- Sch. 12 para. 23A and cross-heading inserted by S.I. 2009/2979 reg. 4(4)
- Sch. 12 para. 19(3) inserted by S.I. 2010/419 reg. 14(5)
- Sch. 12 para. 23A(2) words inserted by S.I. 2010/419 reg. 14(6)
- Sch. 14 Pt. 2 para. 8(6)(7) added by S.I. 2003/3299 art. 14(4)
- Sch. 17 para. 1(2)(c) inserted by S.I. 2017/1285 Sch. 1 para. 8(2)(b)(ii) (This amendment comes into force on the day that Digital Economy Act 2017 (c. 30), s. 4, Schs. 1, 3 come fully into force. Those provisions are commenced on 28.12.2017 by S.I. 2017/1286, reg. 2)
- Sch. 18 para. 9(14A) inserted by S.I. 2011/1210 Sch. 1 para. 100(a)
- Sch. 19(1) coming into force by S.I. 2003/1900 art. 1(2) 2(2) Sch. 2
- Sch. 19(1) coming into force by S.I. 2003/3142 art. 3(1) Sch. 1
- Sch. 19(1) Note 3 coming into force by S.I. 2003/3142 art. 3(1) Sch. 1



- Sch. 19(1) coming into force by [S.I. 2003/3142 art. 3\(2\)](#) (This provision is brought into force, so far as not already in force, in relation to the repeals specified in S.I. 2003/1900, Schs. 1, 2, on the expiry of the 'transitional period' by virtue of: s. 408(6) of the Act; arts. 1(2), 2, 3(1) of S.I. 2003/1900; and art. 3(2) of this commencing S.I.)
- Sch. 19(1) Note 1 coming into force by [S.I. 2003/3142 art. 3\(2\)](#) (This provision is brought into force, so far as not already in force, on the expiry of the 'transitional period' by virtue of: s. 408(6) of the Act; arts. 1(2), 2, 3(1) of S.I. 2003/1900; and art. 3(2) of this commencing S.I.)
- Sch. 19(1) Note 2 coming into force by [S.I. 2003/3142 art. 3\(2\)](#) (This provision is brought into force, so far as not already in force, on the expiry of the 'transitional period' by virtue of: s. 408(6) of the Act; arts. 1(2), 2, 3(1) of S.I. 2003/1900; and art. 3(2) of this commencing S.I.)
- Sch. 19(1) Note 4 coming into force by [S.I. 2003/3142 art. 3\(2\)](#) (This provision is brought into force, so far as not already in force, on the expiry of the 'transitional period' by virtue of: s. 408(6) of the Act; arts. 1(2), 2, 3(1) of S.I. 2003/1900; and art. 3(2) of this commencing S.I.)
- Sch. 19(1) Note 5 coming into force by [S.I. 2003/3142 art. 3\(2\)](#) (This provision is brought into force, so far as not already in force, on the expiry of the 'transitional period' by virtue of: s. 408(6) of the Act; arts. 1(2), 2, 3(1) of S.I. 2003/1900; and art. 3(2) of this commencing S.I.)
- Sch. 19(1) coming into force by [S.I. 2003/3142 art. 4\(2\)](#) [Sch. 2](#)
- Sch. 19(2) coming into force by [S.I. 2003/3142 art. 3\(1\)\(2\)](#) [Sch. 1](#) (This provision is brought into force, so far as not already in force, in relation to all the entries other than the entry for the Race Relations (Northern Ireland) Order 1997 on the expiry of the 'transitional period' by virtue of: s. 408(6) of the Act; arts. 1(2), 2, 3(1) of S.I. 2003/1900; and art. 3(2) of this commencing S.I.; and is brought into force in relation to that exception by art. 3(1), Sch. 1 of this commencing S.I.)

### **Commencement Orders yet to be applied to the Communications Act 2003**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2004/2575 art. 2](#) [Sch. 1 2](#) commences (2004 c. 20)
- [S.I. 2005/3495 art. 2](#) commences (2005 c. 15)
- [S.I. 2007/2584 art. 2](#) commences (2006 c. 26)
- [S.I. 2008/3068 art. 2-5](#) commences (2008 c. 17)
- [S.I. 2009/803 art. 2-10](#) commences (2008 c. 17)
- [S.I. 2009/812 art. 3](#) commences (2006 c. 52)
- [S.I. 2009/1167 art. 3 4](#) commences (2006 c. 52)
- [S.I. 2010/862 art. 2 3](#) commences (2008 c. 17)
- [S.I. 2010/2317 art. 2 3](#) commences (2010 c. 15)
- [S.I. 2011/2329 art. 2 3](#) commences (2011 c. 5)