

Changes to legislation: Communications Act 2003, SCHEDULE 8 is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 8

Section 192

DECISIONS NOT SUBJECT TO APPEAL

Prosecutions and civil proceedings

1 A decision to institute, bring or carry on any criminal or civil proceedings.

Commencement Information

- I1** Sch. 8 para. 1 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))
- I2** Sch. 8 para. 1 in force at 29.12.2003 in so far as not already in force by [S.I. 2003/3142](#), **art. 3(2)** (with [art. 11](#))

2 A decision (other than one under section 119) to take preliminary steps for the purpose of enabling any such proceedings to be instituted.

Commencement Information

- I3** Sch. 8 para. 2 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))
- I4** Sch. 8 para. 2 in force at 29.12.2003 in so far as not already in force by [S.I. 2003/3142](#), **art. 3(2)** (with [art. 11](#))

This Act

3 A decision relating to the making or revision of a statement under section 38.

Commencement Information

- I5** Sch. 8 para. 3 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))
- I6** Sch. 8 para. 3 in force at 29.12.2003 in so far as not already in force by [S.I. 2003/3142](#), **art. 3(2)** (with [art. 11](#))

4 A decision required to be published in a notification under section 44(4).

Commencement Information

- I7** Sch. 8 para. 4 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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I8 Sch. 8 para. 4 in force at 29.12.2003 in so far as not already in force by [S.I. 2003/3142](#), **art. 3(2)** (with [art. 11](#))

5 A decision given effect to by an order under section 55.

Commencement Information

I9 Sch. 8 para. 5 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\(3\)](#))

I10 Sch. 8 para. 5 in force at 29.12.2003 in so far as not already in force by [S.I. 2003/3142](#), **art. 3(2)** (with [art. 11](#))

6 A decision given effect to by regulations under section 66.

Commencement Information

I11 Sch. 8 para. 6 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\(3\)](#))

I12 Sch. 8 para. 6 in force at 29.12.2003 in so far as not already in force by [S.I. 2003/3142](#), **art. 3(2)** (with [art. 11](#))

7 A decision given effect to by regulations under section 71 [^{F1}or under section 71(4) to (7) as applied by section 72H(4)].

Textual Amendments

F1 Words in [Sch. 8 para. 7](#) inserted (21.12.2020) by [The Electronic Communications and Wireless Telegraphy \(Amendment\) \(European Electronic Communications Code and EU Exit\) Regulations 2020](#) ([S.I. 2020/1419](#)), [reg. 1\(2\)](#), **Sch. 1 para. 65**

Commencement Information

I13 Sch. 8 para. 7 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\(3\)](#))

I14 Sch. 8 para. 7 in force at 29.12.2003 in so far as not already in force by [S.I. 2003/3142](#), **art. 3(2)** (with [art. 11](#))

[^{F2}7A A decision to include a statement under section 105P(1)(b) in an assessment notice under section 105O.]

Textual Amendments

F2 [Sch. 8 para. 7A](#) inserted (1.10.2022) by [Telecommunications \(Security\) Act 2021](#) (c. 31), **ss. 6(4), 28(2)** (b); [S.I. 2022/931](#), [reg. 2\(b\)](#)

[^{F3}7B A decision relating to the making or revision of a statement under section 105Y.]

Textual Amendments

F3 [Sch. 8 para. 7B](#) inserted (1.10.2022) by [Telecommunications \(Security\) Act 2021](#) (c. 31), **ss. 10(3), 28(2)** (b); [S.I. 2022/931](#), [reg. 2\(b\)](#)

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[^{F4}7C A decision relating to the making of a report under section 105Z.]

Textual Amendments

F4 Sch. 8 para. 7C inserted (1.10.2022) by Telecommunications (Security) Act 2021 (c. 31), ss. 11(6), 28(2)(b); S.I. 2022/931, reg. 2(b)

[^{F5}7D A decision to impose a duty under section 105Z14.]

Textual Amendments

F5 Sch. 8 para. 7D inserted (17.11.2021) by Telecommunications (Security) Act 2021 (c. 31), ss. 19(5), 28(1)(c)

8 A decision required to be published in a notification under section 108(4).

Commencement Information

- I15** Sch. 8 para. 8 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))
- I16** Sch. 8 para. 8 in force at 29.12.2003 in so far as not already in force by S.I. 2003/3142, art. 3(2) (with art. 11)

9 A decision given effect to by an order under section 122.

Commencement Information

- I17** Sch. 8 para. 9 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))
- I18** Sch. 8 para. 9 in force at 29.12.2003 in so far as not already in force by S.I. 2003/3142, art. 3(2) (with art. 11)

[^{F6}9A A decision relating to any of sections 124A to 124N or to anything done under them.]

Textual Amendments

F6 Sch. 8 para. 9A inserted (8.6.2010) by Digital Economy Act 2010 (c. 24), ss. 16(3), 47(1)

10 A decision relating to the making or revision of a statement under section 131.

Commencement Information

- I19** Sch. 8 para. 10 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))
- I20** Sch. 8 para. 10 in force at 29.12.2003 in so far as not already in force by S.I. 2003/3142, art. 3(2) (with art. 11)

11 A decision given effect to by an order under section 134(6).

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Commencement Information

- I21** Sch. 8 para. 11 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))
- I22** Sch. 8 para. 11 in force at 29.12.2003 in so far as not already in force by S.I. 2003/3142, **art. 3(2)** (with **art. 11**)

[^{F7}11A A decision to require information under section 135, so far as the information is required for the purpose of preparing a report under section 105Z12.]

Textual Amendments

- F7** Sch. 8 para. 11A inserted (17.11.2021) by Telecommunications (Security) Act 2021 (c. 31), **ss. 18(6), 28(1)(c)**

12 A decision relating to the making or revision of a statement under section 145.

Commencement Information

- I23** Sch. 8 para. 12 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))
- I24** Sch. 8 para. 12 in force at 29.12.2003 in so far as not already in force by S.I. 2003/3142, **art. 3(2)** (with **art. 11**)

^{F8}13

Textual Amendments

- F8** Sch. 8 paras. 13-36 repealed (8.2.2007) by Wireless Telegraphy Act 2006 (c. 36), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with **Sch. 8 Pt. 1**)

^{F8}14

Textual Amendments

- F8** Sch. 8 paras. 13-36 repealed (8.2.2007) by Wireless Telegraphy Act 2006 (c. 36), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with **Sch. 8 Pt. 1**)

^{F8}15

Textual Amendments

- F8** Sch. 8 paras. 13-36 repealed (8.2.2007) by Wireless Telegraphy Act 2006 (c. 36), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with **Sch. 8 Pt. 1**)

^{F8}16

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Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F817

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Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F818

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Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F819

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Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F820

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Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F821

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Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F822

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Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F823

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Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F824

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F825

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F826

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Wireless Telegraphy Act 1949

F827

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F828

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F829

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

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F830

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F831

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F832

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Wireless Telegraphy Act 1998

F833

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F834

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F835

Textual Amendments

F8 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F836

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Textual Amendments

- F8** Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

[^{F9}Wireless Telegraphy Act 2006

Textual Amendments

- F9** Sch. 8 paras. 37-46 and cross-heading inserted (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 7 para. 36](#)

- 37 A decision relating to the publication of the United Kingdom Plan for Frequency Authorisation.
- 38 A decision in exercise of the functions conferred on OFCOM by section 1 as to—
- (a) the services, records and advice to be provided, maintained or given by them;
 - (b) the research to be carried out or the arrangements made for carrying it out; or
 - (c) the making or terms of any grant.
- 39 A decision under section 4 or 7.
- 40 A decision given effect to—
- (a) by regulations under section 8(3), 12, 14, 18, 21, 23, 27, 30, 45 [^{F10}, 53A(7), 53D] or 54 or paragraph 1 of Schedule 1 or paragraph 1 of Schedule 2;
 - (b) by an order under section 29 or 62.

Textual Amendments

- F10** Words in [Sch. 8 para. 40\(a\)](#) inserted (31.7.2017) by [Digital Economy Act 2017 \(c. 30\)](#), [ss. 8\(5\)\(a\)](#), 118(6); [S.I. 2017/765](#), [reg. 2\(c\)](#)

- 41 A decision relating to the recovery of a sum payable to OFCOM under section 15 [^{F11}, 24 or 53D(6)].

Textual Amendments

- F11** Words in [Sch. 8 para. 41](#) substituted (31.7.2017) by [Digital Economy Act 2017 \(c. 30\)](#), [ss. 8\(5\)\(b\)](#), 118(6); [S.I. 2017/765](#), [reg. 2\(c\)](#)

- 42 A decision given effect to by regulations under section 31 and any decision under any such regulations.
- 43 A decision relating to the making or revision of a statement under—
- (a) section 34, ^{F12}...
 - (b) section 44 [^{F13}, or
 - (c) section 53H.]

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Textual Amendments

- F12** Word in Sch. 8 para. 43 omitted (31.7.2017) by virtue of [Digital Economy Act 2017 \(c. 30\)](#), [ss. 8\(5\)\(c\)](#), [118\(6\)](#); [S.I. 2017/765](#), [reg. 2\(c\)](#)
- F13** Sch. 8 para. 43(c) and word inserted (31.7.2017) by [Digital Economy Act 2017 \(c. 30\)](#), [ss. 8\(5\)\(c\)](#), [118\(6\)](#); [S.I. 2017/765](#), [reg. 2\(c\)](#)

44 A decision to impose a penalty under section 42(1) [^{F14}for a relevant multiplex contravention].

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Textual Amendments

- F14** Words in Sch. 8 para. 44 inserted (27.6.2017) by [Digital Economy Act 2017 \(c. 30\)](#), [ss. 9\(11\)](#), [118\(2\)](#) (with [s. 9\(13\)](#))

45 A decision for the purposes of section 59.

46 A decision relating to an authority under section 62(5).]

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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:

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

- s. 124Q(7)(a) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 148A and cross-heading inserted by [2022 c. 46 s. 73\(2\)](#)
- s. 368E(5)(d)(e) inserted by [2017 c. 30 s. 94\(3\)](#)
- s. 402(2A)(za)(zb) inserted by [2022 c. 46 Sch. para. 2](#)
- Sch. 3A para. 21(6) inserted by [2022 c. 46 Sch. para. 3\(5\)\(b\)](#)
- Sch. 3A para. 37(3)(aza) inserted by [2022 c. 46 Sch. para. 3\(9\)](#)
- Sch. 3A para. 84(1)(aza) inserted by [2022 c. 46 Sch. para. 3\(10\)](#)
- Sch. 3A para. 103(1)(ca) inserted by [2022 c. 46 s. 70](#)
- Sch. 3A para. 119A inserted by [2022 c. 46 s. 72](#)
- Sch. 3A Pt. 4ZA inserted by [2022 c. 46 s. 67\(1\)](#)