



Communications Act 2003

2003 CHAPTER 21

PART 1

FUNCTIONS OF OFCOM

General duties in carrying out functions

6 Duties to review regulatory burdens

- (1) OFCOM must keep the carrying out of their functions under review with a view to securing that regulation by OFCOM does not involve—
 - (a) the imposition of burdens which are unnecessary; or
 - (b) the maintenance of burdens which have become unnecessary.
- (2) In reviewing their functions under this section [^{F1}(except their online safety functions)] it shall be the duty of OFCOM—
 - (a) to have regard to the extent to which the matters which they are required under section 3 to further or to secure are already furthered or secured, or are likely to be furthered or secured, by effective self-regulation; and
 - (b) in the light of that, to consider to what extent it would be appropriate to remove or reduce regulatory burdens imposed by OFCOM.
- (3) In determining for the purposes of this section whether procedures for self-regulation are effective OFCOM must consider, in particular—
 - (a) whether those procedures are administered by a person who is sufficiently independent of the persons who may be subjected to the procedures; and
 - (b) whether adequate arrangements are in force for funding the activities of that person in relation to those procedures.
- (4) OFCOM must, from time to time, publish a statement setting out how they propose, during the period for which the statement is made, to secure that regulation by OFCOM does not involve the imposition or maintenance of unnecessary burdens.
- (5) The first statement to be published under this section—

Changes to legislation: Communications Act 2003, Section 6 is up to date with all changes known to be in force on or before 17 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

- (a) must be published as soon as practicable after the commencement of this section; and
 - (b) shall be a statement for the period of twelve months beginning with the day of its publication.
- (6) A subsequent statement—
- (a) must be published during the period to which the previous statement related; and
 - (b) must be a statement for the period of twelve months beginning with the end of the previous period.
- (7) It shall be the duty of OFCOM, in carrying out their functions at times during a period for which a statement is in force under this section, to have regard to that statement.
- (8) OFCOM may, if they think fit, revise a statement under this section at any time before or during the period for which it is made.
- (9) Where OFCOM revise a statement, they must publish the revision as soon as practicable.
- (10) The publication under this section of a statement, or of a revision of a statement, must be in such manner as OFCOM consider appropriate for bringing it to the attention of the persons who, in their opinion, are likely to be affected by the matters to which it relates.

[^{F2}(11) In this section “online safety functions” has the same meaning as in section 3.]

Textual Amendments

- F1** Words in s. 6(2) inserted (26.10.2023) by [Online Safety Act 2023 \(c. 50\)](#), **ss. 91(9)(a)**, 240(4)
- F2** [S. 6\(11\)](#) inserted (26.10.2023) by [Online Safety Act 2023 \(c. 50\)](#), **ss. 91(9)(b)**, 240(4)
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Commencement Information

- I1** S. 6 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), **Sch. 1** (with art. 11)

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:

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\(1\)](#)