



Wireless Telegraphy Act 2006

2006 CHAPTER 36

[^{F1}PART 2A

REGULATION OF DYNAMIC SPECTRUM ACCESS SERVICES

Enforcement

[^{F1}53E Notification of contravention of registration restrictions or conditions

- (1) Where OFCOM determine that there are reasonable grounds for believing that a person registered under section 53A is contravening, or has contravened, the restrictions or conditions subject to which the person is registered they may give that person a notification under this section.
- (2) A notification under this section is one which—
 - (a) sets out the determination made by OFCOM,
 - (b) specifies the restriction or condition and contravention in respect of which that determination has been made,
 - (c) specifies the period during which the person notified has an opportunity to make representations,
 - (d) specifies the steps that OFCOM think should be taken by the person in order to—
 - (i) comply with the restriction or condition;
 - (ii) remedy the consequences of the contravention,
 - (e) if OFCOM are minded to suspend or revoke the person's registration, contains a statement to that effect, and
 - (f) specifies any penalty which OFCOM are minded to impose in accordance with section 53F.
- (3) A notification under this section—
 - (a) may be given in respect of more than one contravention, and
 - (b) if it is given in respect of a continuing contravention, may be given in respect of any period during which the contravention has continued.

Changes to legislation: There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 53E. (See end of Document for details)

- (4) Where a notification under this section has been given to a person in respect of a contravention of a restriction or condition, OFCOM may give a further notification in respect of the same contravention of that restriction or condition if, and only if—
- (a) the contravention is one occurring after the time of the giving of the earlier notification,
 - (b) the contravention is a continuing contravention and the subsequent notification is in respect of so much of a period as falls after a period to which the earlier notification relates, or
 - (c) the earlier notification has been withdrawn without a penalty having been imposed, or other action taken, in respect of the notified contravention.]

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Textual Amendments

F1 Pt. 2A inserted (31.7.2017) by [Digital Economy Act 2017 \(c. 30\)](#), ss. **8(1)**, 118(6); S.I. 2017/765, reg. 2(c)

Changes to legislation:

There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 53E.