
Changes to legislation: There are currently no known outstanding effects for the Postal Services Act 2011, Paragraph 2. (See end of Document for details)

SCHEDULES

SCHEDULE 7

ENFORCEMENT OF REGULATORY REQUIREMENTS

Notification of contravention of regulatory requirements

- 2 (1) OFCOM may give a person a notification under this paragraph if they determine that there are reasonable grounds for believing that the person is contravening, or has contravened, a regulatory requirement.
- (2) A notification under this paragraph must—
- (a) set out the determination made by OFCOM, and
 - (b) specify the requirement and contravention in respect of which that determination has been made.
- (3) A notification under this paragraph must also specify the period during which the person notified has an opportunity—
- (a) to make representations about the notified determination,
 - (b) to comply with notified requirements of which the person remains in contravention, and
 - (c) to remedy the consequences of notified contraventions.
- (4) The specified period must be at least one month beginning with the day after the day the notification is given unless—
- (a) OFCOM and the person notified agree a shorter period,
 - (b) OFCOM have reasonable grounds for believing that the contravention is a repeated contravention and, in those circumstances, consider a shorter period would be appropriate, or
 - (c) OFCOM specify a shorter period under paragraph 8(3) (power to deal with urgent cases).
- (5) A contravention is a repeated contravention, in relation to a notification with respect to the contravention, if—
- (a) a previous notification has been given in respect of the same contravention or in respect of another contravention of the same regulatory requirement, and
 - (b) the subsequent notification is given no more than 12 months after the day on which OFCOM determine for the purposes of paragraph 5(2) or 6(2) that the contravention to which the previous notification related did occur.
- (6) OFCOM may (on one or more occasions) extend the specified period.

Commencement Information

II Sch. 7 para. 2 in force at 1.10.2011 by S.I. 2011/2329, art. 3

Changes to legislation:

There are currently no known outstanding effects for the Postal Services Act 2011, Paragraph 2.