
STATUTORY INSTRUMENTS

2003 No. 3142

**The Office of Communications Act 2002
(Commencement No. 3) and Communications
Act 2003 (Commencement No. 2) Order 2003**

**Transitional provisions: Independent Television Commission, Radio Authority and
Broadcasting Standards Commission**

6.—(1) In any period between the repeal of section 1 of and Schedule 1 to the 1990 Act on 29th December 2003 and the day on which the ITC ceases to exist by virtue of an order under section 31(4) of the principal Act—

- (a) the ITC—
 - (i) shall continue in existence only for one or more of the purposes specified in this paragraph or for any purpose connected with the making or coming into force of a scheme under section 30 of the principal Act, and
 - (ii) in that period shall consist of a chairman appointed by the Secretary of State and, if the Secretary of State thinks fit, such one or more other persons as he may appoint as members of the ITC;
- (b) the said section 1 (except for subsection (2)(b)) and, subject to the following subparagraphs, Schedule 1 (except for paragraph 2(3) and in paragraph 9(1) the words “shall appoint a secretary and” and “other”) and any definitions relevant to their interpretation the repeal of which is brought into force on 29th December 2003 shall continue to have effect during that period for those purposes;
- (c) the ITC shall prepare a statement of accounts and annual report for the period beginning on 1st January 2003 and ending with 28th December 2003;
- (d) Schedule 1 to the 1990 Act shall have effect for the purposes of the accounts and report referred to in subparagraph (c) above as if any reference to “financial year” or “year” were a reference to the period referred to in that subparagraph;
- (e) the ITC shall prepare a statement of accounts in respect of the period of twelve months beginning on 29th December in any year; and
- (f) Schedule 1 to the 1990 Act shall have effect for the purposes of any accounts referred to in subparagraph (e) above as if any reference to the “financial year” or “year” were a reference to the period referred to in that subparagraph.

(2) In any period between the repeal of section 83 of and Schedule 8 to the 1990 Act on 29th December 2003 and the day on which the Radio Authority ceases to exist by virtue of an order under section 31(4) of the principal Act—

- (a) the Authority—
 - (i) shall continue in existence only for one or more of the purposes specified in this paragraph or for any purpose connected with the making or coming into force of a scheme under section 30 of the principal Act, and

- (ii) in that period shall consist of a chairman appointed by the Secretary of State and, if the Secretary of State thinks fit, such one or more other persons as he may appoint as members of the Authority;
 - (b) the said section 83 (except for subsection (2)(b)) and, subject to the following subparagraphs, Schedule 8 (except for the words “shall appoint a secretary and” and “other” in paragraph 9(1)) and any definitions relevant to their interpretation the repeal of which is brought into force on 29th December 2003 shall continue to have effect during that period for those purposes;
 - (c) the Authority shall prepare a statement of accounts and annual report for the period beginning on 1st January 2003 and ending with 28th December 2003;
 - (d) Schedule 8 to the 1990 Act shall have effect for the purposes of the accounts and report referred to in subparagraph (c) above as if any reference to “financial year” or “year” were a reference to the period referred to in that subparagraph;
 - (e) the Authority shall prepare a statement of accounts in respect of the period of twelve months beginning on 29th December in any year; and
 - (f) Schedule 8 to the 1990 Act shall have effect for the purposes of any accounts referred to in subparagraph (e) above as if any reference to the “financial year” or “year” were a reference to the period referred to in that subparagraph.
- (3) In any period between the repeal of sections 106, 121 and 125 of and Schedule 3 to the 1996 Act on 29th December 2003 and the day on which the BSC ceases to exist by virtue of an order under section 31(4) of the principal Act—
- (a) the BSC—
 - (i) shall continue in existence only for one or more of the purposes specified in this paragraph or for any purpose connected with the making or coming into force of a scheme under section 30 of the principal Act, and
 - (ii) in that period shall consist of a chairman appointed by the Secretary of State and, if the Secretary of State thinks fit, such one or more other persons as he may appoint as members of the BSC;
 - (b) the said sections 106 (except for the words from “or” in subsection (2)(b) to the end of subsection (2)), 121 and, subject to the following subparagraphs, 125 and Schedule 3 and any definitions relevant to their interpretation the repeal of which is brought into force on 29th December 2003 shall continue to have effect during that period for those purposes;
 - (c) the BSC shall prepare a statement of accounts and annual report for the period beginning on 1st April 2003 and ending with 28th December 2003;
 - (d) section 125 of and Schedule 3 to the 1996 Act shall have effect for the purposes of the accounts and report referred to in subparagraph (c) above as if—
 - (i) any reference to “financial year” or “year” were a reference to the period referred to in that subparagraph, and
 - (ii) any reference to a person providing a licensed service were a reference to a person providing such a service immediately before 29th December 2003;
 - (e) the BSC shall prepare a statement of accounts in respect of the period of twelve months beginning on 29th December in any year; and
 - (f) section 125 of and Schedule 3 to the 1996 Act shall have effect for the purposes of any accounts referred to in subparagraph (e) above as if—
 - (i) any reference to the “financial year” or “year” were a reference to the period referred to in that subparagraph, and

- (ii) any reference to a person providing a licensed service were a reference to a person providing such a service immediately before 29th December 2003.