



Communications Act 2003

2003 CHAPTER 21

PART 2

NETWORKS, SERVICES AND THE RADIO SPECTRUM

CHAPTER 1

ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES

Administrative charges imposed on providers

38 Fixing of charges

- (1) A person who, at any time in a charging year, is a person to whom this section applies shall—
- (a) in respect of the network, service or facility provided or made available by him,
 - (b) in respect of the application to him of a universal service condition relating to matters mentioned in section 66(3),
 - (c) in respect of the application to him of an SMP apparatus condition, or
 - (d) in respect of the application of the electronic communications code in his case,
- pay to OFCOM the administrative charge (if any) that is fixed by them for the case that is applicable to him.
- (2) This section applies to a person at a time if, at that time, he is—
- (a) providing an electronic communications network of a description which is, at that time, designated for the purposes of this section;
 - (b) providing an electronic communications service of a description which is, at that time, so designated;
 - (c) making available an associated facility of a description which is, at that time, so designated;

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- (d) a person who without being a communications provider is designated in accordance with regulations under section 66;
 - (e) a supplier of apparatus to whom an SMP apparatus condition applies; or
 - (f) a person in whose case the electronic communications code applies by virtue of a direction given under section 106 otherwise than for the purposes of the provision by him of an electronic communications network of a designated description.
- (3) OFCOM are not to fix the administrative charge for a charging year unless—
- (a) at the time the charge is fixed there is in force a statement by OFCOM of the principles that OFCOM are proposing to apply in fixing charges under this section for that year; and
 - (b) the charge is fixed in accordance with those charging principles.
- (4) Those principles must be such as appear to OFCOM to be likely to secure, on the basis of such estimates of the likely costs as it is practicable for them to make—
- (a) that, on a year by year basis, the aggregate amount of the charges payable to OFCOM is sufficient to meet, but does not exceed, the annual cost to OFCOM of carrying out the functions mentioned in subsection (5);
 - (b) that the cost of carrying out those functions is met by the imposition of charges that are objectively justifiable and proportionate to the matters in respect of which they are imposed;
 - (c) that the relationship between meeting the cost of carrying out those functions and the amounts of the charges is transparent;
 - (d) that the charges fixed for persons who are liable to charges by reason only of being persons to whom SMP apparatus conditions apply are referable only to things done in, or in connection with, the setting, modification or enforcement of SMP apparatus conditions or the carrying out of the functions mentioned in subsection (6)(l); and
 - (e) that the charges fixed for persons who are liable to charges by reason only of being persons falling within subsection (2)(f), are referable only to costs incurred in, or in connection with, the carrying out of the functions mentioned in subsection (6)(g) and (l).
- (5) Those functions are—
- (a) the relevant Chapter 1 functions;
 - (b) the carrying out for a Chapter 1 purpose of any research by OFCOM or the Consumer Panel into any of the matters mentioned in section 14(1)(c) to (f);
 - (c) the publication under section 26 of any information or advice that it appears to OFCOM to be appropriate to make available to the persons mentioned in subsection (2)(a) to (c) of that section; and
 - (d) the function of taking any steps that OFCOM consider it necessary to take—
 - (i) in preparation for the carrying out of any of the functions mentioned in paragraphs (a) to (c) of this subsection; or
 - (ii) for the purpose of facilitating the carrying out of those functions or otherwise in connection with carrying them out.
- (6) The relevant Chapter 1 functions are—
- (a) OFCOM's functions under sections 33 to 37 and 44;
 - (b) the setting, modification and enforcement of conditions under section 45;

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- (c) the supervision, as respects the requirements of sections 33 to 37 and of any such conditions, of communications providers and of persons who make associated facilities available;
 - (d) the monitoring of compliance with those requirements and with any such conditions;
 - (e) the functions conferred on OFCOM by or under section 55;
 - [^{F1}(ea) their functions under sections 93A to 93D;
 - (eb) the monitoring of compliance with commitments that are made binding by a commitments decision;
 - ^{F2}(ec)]
 - ^{F3}(f)
 - (g) their functions under sections 106 to 119;
 - (h) their functions under sections 185 to 191;
 - (i) securing international co-operation in relation to the regulation of electronic communications networks, electronic communications services and associated facilities;
 - (j) securing the harmonisation and standardisation of the regulation of electronic communications networks, electronic communications services and associated facilities;
 - (k) market analysis and any monitoring of the controls operating in the markets for electronic communications networks, electronic communications services and associated facilities;
 - (l) OFCOM's functions under this section and sections 39 to 43.
- (7) A purpose is a Chapter 1 purpose for the purposes of subsection (5)(b) if it is the purpose of ascertaining the effectiveness of one or more of the following—
- (a) the regulation of the provision of electronic communications networks or electronic communications services;
 - (b) the regulation of the making available of associated facilities;
 - (c) the mechanisms in place for the handling, by communications providers and by persons making such facilities available, of complaints made to them by consumers in markets for such services or facilities;
 - (d) the mechanisms in place for resolving disputes between such consumers and communications providers or persons who make such facilities available.
- (8) OFCOM's power to fix charges for a particular case includes—
- (a) power to provide that the charges in that case are to be equal to the amounts produced by a computation made in the manner, and by reference to the factors, specified by them;
 - (b) power to provide for different charges to be imposed in that case on different descriptions of persons; and
 - (c) power to provide for particular descriptions of persons falling within subsection (2)(d) to (f) to be excluded from the liability to pay charges in that case.
- (9) As soon as reasonably practicable after the end of each charging year, OFCOM must publish a statement setting out, in respect of that year—
- (a) the aggregate amounts of the administrative charges for that year that have been received by OFCOM;

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- (b) the aggregate amount of the administrative charges for that year that remain outstanding and are likely to be paid or recovered; and
 - (c) the cost to OFCOM of carrying out the functions mentioned in subsection (5).
- (10) Any deficit or surplus shown (after applying this subsection for all previous years) by a statement under subsection (9) shall be carried forward and taken into account in determining what is required to satisfy the requirement imposed by virtue of subsection (4)(a) in relation to the following year.
- (11) Section 34 applies in relation to the making and withdrawal of a designation for the purposes of this section as it applies to the making and withdrawal of a designation for the purposes of section 33.
- [^{F4}(11A) For the purposes of this section, the cost to OFCOM of carrying out the functions mentioned in subsection (5) does not include the cost to OFCOM of doing anything for which they charge a fee under section 28A.]
- (12) In this section “charging year” means—
- (a) the period beginning with the commencement of this section and ending with the next 31st March; or
 - (b) any subsequent period of twelve months beginning with 1st April.

Textual Amendments

- F1** S. 38(6)(ea)-(ec) 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. 9**
- F2** S. 38(6)(ec) omitted (1.10.2022) by virtue of [Telecommunications \(Security\) Act 2021 \(c. 31\)](#), **ss. 25(2)**, 28(2)(d); S.I. 2022/931, reg. 2(d)
- F3** S. 38(6)(f) omitted (26.5.2011) by virtue of [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 14** (with Sch. 3 para. 2)
- F4** S. 38(11A) inserted (31.7.2017) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 101(3)**, 118(6); S.I. 2017/765, reg. 2(cc)

Commencement Information

- I1** S. 38 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** S. 38 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)

39 Supplemental provision about fixing charges

- (1) OFCOM’s power to fix a charge under section 38—
- (a) is to be exercisable only by the publication or giving of such notification as they consider appropriate for bringing the charge to the attention of the persons who, in their opinion, are likely to be affected by it; and
 - (b) includes power, by setting it out in that notification, to fix the time at which the charge is to become due to OFCOM.
- (2) A charge fixed under section 38 for a charging year may be fixed in terms providing for a deduction from the charge on a proportionate basis to be made for a part of the year during which—

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- (a) the network, service or facility in respect of which it is fixed is not provided or made available by the person otherwise liable to the charge;
 - (b) the universal service condition in respect of which it is fixed does not apply in that person's case;
 - (c) the SMP apparatus condition in respect of which it is fixed does not apply in that person's case; or
 - (d) the electronic communications code does not apply in that person's case.
- (3) Such a charge may also be fixed (subject to subsection (4)) so that it is referable, in whole or in part—
 - (a) to the provision or making available of a network, service or facility during a part of the year falling before the fixing of the charge;
 - (b) to the application of a universal service condition to a person for a part of the year so falling;
 - (c) to a person's being a person to whom an SMP apparatus condition applies for a part of the year so falling; or
 - (d) to the application of the electronic communications code in a person's case during a part of the year so falling.
- (4) A charge may be fixed so as to be referable to a time before it is fixed to the extent only that both—
 - (a) the imposition of the charge, and
 - (b) the amount of the charge,are required by, and consistent with, the statement of charging principles in force at the beginning of the charging year.
- (5) Before making or revising a statement of charging principles, OFCOM must consult such of the persons who, in OFCOM's opinion, are likely to be affected by those principles as they think fit.
- (6) The way in which a statement of charging principles must be made or may be revised is by the publication of the statement or revised statement 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 it.
- (7) References in this section to a statement of charging principles are references to a statement by OFCOM of the principles that they are proposing to apply in fixing charges under section 38 for a charging year.
- (8) In this section "charging year" has the same meaning as in section 38.

Commencement Information

- I3** S. 39 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** S. 39 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)

40 Notification of non-payment of charges

- (1) OFCOM are not entitled to bring proceedings for the recovery from a person of an administrative charge fixed for any year under section 38 unless they have given that

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person a notification under this section with respect to the amount they are seeking to recover.

- (2) Where OFCOM determine that there are reasonable grounds for believing that a person is in contravention (whether in respect of the whole or a part of a charge) of a requirement to pay such an administrative charge, they may give him a notification under this section.
- (3) A notification under this section is one which—
- (a) sets out the determination made by OFCOM; and
 - (b) specifies the period during which the person notified has an opportunity of ^{F5}making representations about the notified determination].
- ^{F6}(4)
- ^{F6}(5)
- ^{F6}(6)
- ^{F6}(7)
- ^{F6}(8)
- (9) A notification under this section—
- (a) may be given in respect of contraventions of more than one requirement to pay an administrative charge; 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.
- (10) Where a notification under this section has been given to a person in respect of an amount outstanding, OFCOM may give a further notification in respect of the whole or a part of that amount if, and only if—
- (a) the subsequent notification is in respect of so much of a period during which that amount was outstanding as falls after a period to which the earlier notification relates; or
 - (b) the earlier notification has been withdrawn without a penalty having been imposed in respect of the matters notified.
- ^{F7}(11)

Textual Amendments

- F5** Words in s. 40(3)(b) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 15(a)** (with Sch. 3 paras. 2, 4)
- F6** S. 40(4)-(8) omitted (26.5.2011) by virtue of [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 15(b)** (with Sch. 3 paras. 2, 4)
- F7** S. 40(11) omitted (26.5.2011) by virtue of [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 15(b)** (with Sch. 3 paras. 2, 4)

Commencement Information

- I5** S. 40 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** S. 40 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)

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41 Penalties for non-payment of charges

- (1) This section applies where—
 - (a) a person (“the notified charge payer”) has been given a notification under section 40;
 - (b) OFCOM have allowed the notified charge payer an opportunity of making representations about the notified determination; and
 - (c) the period allowed for the making of the representations has expired.
- (2) OFCOM may impose a penalty on the notified charge payer if he—
 - (a) has, in one or more of the respects notified, been in contravention of a requirement to pay an administrative charge fixed under section 38; ^{F8}...
 - ^{F8}(b)
- (3) Where a notification under section 40 relates to more than one contravention, a separate penalty may be imposed in respect of each contravention.
- (4) Where such a notification relates to a continuing contravention, no more than one penalty may be imposed in respect of the period of contravention specified in the notification.
- (5) The amount of a penalty imposed under this section is to be such amount, not exceeding twice the amount of the charge fixed for the relevant year, as OFCOM determine to be—
 - (a) appropriate; and
 - (b) proportionate to the contravention in respect of which it is imposed.
- (6) In making that determination OFCOM must have regard to—
 - (a) any representations made to them by the notified charge payer; and
 - (b) any steps taken by him towards paying the amounts that he was notified under section 40 were outstanding.
- (7) Where OFCOM impose a penalty on a person under this section, they shall—
 - (a) [^{F9}without delay,] notify that person of that decision and of their reasons for that decision; and
 - (b) in that notification, fix a reasonable period after it is given as the period within which the penalty is to be paid.
- (8) A penalty imposed under this section—
 - (a) must be paid to OFCOM; and
 - (b) if not paid within the period fixed by them, is to be recoverable by them accordingly.
- (9) In this section “the relevant year”, in relation to a contravention of a requirement to pay the whole or a part of the administrative charge fixed for any year, means that year.
- (10) The provisions of this section do not affect OFCOM’s power, apart from those provisions, to bring proceedings (whether before or after the imposition of a penalty under this section) for the recovery of the whole or part of an amount due to them under section 38(1).

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Textual Amendments

- F8** S. 41(2)(b) and preceding word omitted (26.5.2011) by virtue of [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 16(a)** (with Sch. 3 paras. 2, 4)
- F9** Words in s. 41(7)(a) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 16(b)** (with Sch. 3 paras. 2, 4)

Commencement Information

- I7** S. 41 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))
- I8** S. 41 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)

42 Suspending service provision for non-payment

- (1) OFCOM may give a direction under this section to a person who is a communications provider or who makes associated facilities available (“the contravening provider”) if they are satisfied—
- (a) that he is or has been in [^{F10}serious or repeated] contravention of requirements to pay administrative charges fixed under section 38 (whether in respect of the whole or a part of the charges);
 - (b) that the contraventions are not contraventions relating only to charges in respect of the application to the contravening provider of SMP apparatus conditions;
 - [^{F11}(ba) that, in the case of a single serious contravention, a notification has been given to the contravening provider under section 40 and the period for making representations under that section has expired;]
 - (c) that [^{F12}, in the case of a repeated contravention,] the bringing of proceedings for the recovery of the amounts outstanding has failed to secure complete compliance by the contravening provider with the requirements to pay the charges fixed in his case, or has no reasonable prospect of securing such compliance;
 - (d) that [^{F13}, in the case of a repeated contravention,] an attempt, by the imposition of penalties under section 41, to secure such compliance has failed; and
 - [^{F14}(e) that the giving of the direction is appropriate and proportionate to the contravention in respect of which it is given.]
- (2) A direction under this section is—
- (a) a direction that the entitlement of the contravening provider to provide electronic communications networks or electronic communications services, or to make associated facilities available, is suspended (either generally or in relation to particular networks, services or facilities); or
 - (b) a direction that that entitlement is restricted in the respects set out in the direction.
- (3) A direction under this section—
- (a) must specify the networks, services and facilities to which it relates; and
 - (b) except so far as it otherwise provides, takes effect for an indefinite period beginning with the time at which it is notified to the person to whom it is given.
- (4) A direction under this section—

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- (a) in providing for the effect of a suspension or restriction to be postponed may provide for it to take effect only at a time determined by or in accordance with the terms of the direction; and
 - (b) in connection with the suspension or restriction contained in the direction or with the postponement of its effect, may impose such conditions on the contravening provider as appear to OFCOM to be appropriate for the purpose of protecting that provider's customers.
- (5) Those conditions may include a condition requiring the making of payments—
- (a) by way of compensation for loss or damage suffered by the contravening provider's customers as a result of the direction; or
 - (b) in respect of annoyance, inconvenience or anxiety to which they have been put in consequence of the direction.
- (6) OFCOM are not to give a direction under this section unless they have—
- (a) notified the contravening provider of the proposed direction and of the conditions (if any) which they are proposing to impose by that direction;
 - (b) provided him with an opportunity of making representations about the proposals and of proposing steps for remedying the situation; and
 - (c) considered every representation and proposal made to them during the period allowed by them for the contravening provider to take advantage of that opportunity.
- [^{F15}(7) That period is such reasonable period as OFCOM may specify, beginning with the day of the giving of the notification.]
- (8) If OFCOM consider it appropriate to do so (whether or not in consequence of any representations or proposals made to them), they may revoke a direction under this section, or modify its conditions—
- (a) with effect from such time as they may direct;
 - (b) subject to compliance with such requirements as they may specify; and
 - (c) to such extent and in relation to such networks, services or facilities, or parts of a network, service or facility, as they may determine.
- (9) For the purposes of this section there are repeated contraventions by a person of requirements to pay administrative charges to the extent that—
- (a) in the case of a previous notification given to that person under section 40, OFCOM have determined for the purposes of section 41(2) that such a contravention did occur; and
 - (b) in the period of [^{F16}24] months following the day of the making of that determination, one or more further notifications have been given to that person in respect of the same or different failures to pay administrative charges.

Textual Amendments

- F10** Words in s. 42(1)(a) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 17(a)(i)** (with Sch. 3 paras. 2, 4)
- F11** S. 42(1)(ba) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 17(a)(ii)** (with Sch. 3 paras. 2, 4)
- F12** Words in s. 42(1)(c) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 17(a)(iii)** (with Sch. 3 paras. 2, 4)

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- F13** Words in s. 42(1)(d) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 17(a)(iv)** (with Sch. 3 paras. 2, 4)
- F14** S. 42(1)(e) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 17(a)(v)** (with Sch. 3 paras. 2, 4)
- F15** S. 42(7) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 17(b)** (with Sch. 3 paras. 2, 4)
- F16** Word in s. 42(9)(b) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 17(c)** (with Sch. 3 paras. 2, 4, 5)

Commencement Information

- I9** S. 42 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** S. 42 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)

43 Enforcement of directions under s. 42

- (1) A person is guilty of an offence if he provides an electronic communications network or electronic communications service, or makes available any associated facility—
 - (a) while his entitlement to do so is suspended by a direction under section 42; or
 - (b) in contravention of a restriction contained in such a direction.
- (2) A person guilty of an offence under subsection (1) shall be liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine.
- (3) The duty of a person to comply with a condition of a direction under section 42 shall be a duty owed to every person who may be affected by a contravention of the condition.
- (4) Where a duty is owed by virtue of subsection (3) to a person—
 - (a) a breach of the duty that causes that person to sustain loss or damage, and
 - (b) an act which—
 - (i) by inducing a breach of the duty or interfering with its performance, causes that person to sustain loss or damage, and
 - (ii) is done wholly or partly for achieving that result,
 shall be actionable at the suit or instance of that person.
- (5) In proceedings brought against a person by virtue of subsection (4)(a) it shall be a defence for that person to show that he took all reasonable steps and exercised all due diligence to avoid contravening the condition in question.
- (6) Sections ^[F1796A] to 99 apply in relation to a contravention of conditions imposed by a direction under section 42 as they apply in relation to a contravention of conditions set under section 45.

Textual Amendments

- F17** Word in s. 43(6) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 18** (with Sch. 3 paras. 2, 4)

Commencement Information

- I11** S. 43 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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I12 S. 43 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](#))

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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\(1\)](#)