



Telecommunications Act 1984

1984 CHAPTER 12

PART II

PROVISION OF TELECOMMUNICATION SERVICES

Enforcement of licences

17 Procedural requirements.

[^{F1}(1) Before making a final order or confirming a provisional order, the Director shall give notice—

- (a) stating that he proposes to make or confirm the order and setting out its effect;
- (b) stating the relevant condition of the licence and the acts or omissions which, in his opinion, constitute or would constitute contraventions of it; and
- (c) specifying the time (not being less than 28 days from the date of publication of the notice) within which representations or objections to the proposed order or confirmation of the order may be made,

and shall consider any representations or objections which are duly made and not withdrawn.

(2) The Director shall not make a final order, or confirm a provisional order, ^{F2} . . . except with the consent of the telecommunications operator or after complying with the requirements of [^{F3} subsections (3) and (3A)] below.

(3) The said requirements are that the Director shall—

- (a) give to the telecommunications operator such notice as appears to him requisite of his proposal to make or confirm the order ^{F4} . . . ;
- (b) specify the time (not being less than 28 days from the date of the service of the notice) within which representations or objections to the [^{F5} proposal] may be made; and
- (c) consider any representations or objections which are duly made and not withdrawn.

Changes to legislation: There are currently no known outstanding effects for the Telecommunications Act 1984, Section 17. (See end of Document for details)

- [^{F6}(3A) If the Director makes a final order, such order shall be made within two months of the notice given under subsection (3)(a) above.]
- (4) Before revoking a final order or a provisional order which has been confirmed, the Director shall give notice—
- (a) stating that he proposes to revoke the order and setting out its effect; and
 - (b) specifying the time (not being less than 28 days) from the date of publication of the notice within which representations or objections to the proposed revocation may be made,
- and shall consider any representations or objections which are duly made and not withdrawn.
- (5) A notice under subsection (1) or (4) above shall be given by publication in such manner as the Director considers appropriate for the purpose of bringing the matters to which the notice relates to the attention of persons likely to be affected by them and by sending a copy of the notice to the telecommunications operator.
- (6) As soon as practicable after a final order is made or a provisional order is made or confirmed, the Director shall—
- (a) publish the order in such manner as he considers appropriate for the purpose of bringing the order to the attention of persons likely to be affected by it; and
 - [^{F7}(b) serve a copy of the order on the telecommunications operator within one week of the order being made or confirmed with a statement of the reasons for his decision.]]

Textual Amendments

- F1** Ss. 16-19 repealed (25.7.2003 for specified purposes, 29.12.2003 otherwise) by [Communications Act 2003 \(c. 21\)](#), ss. 147(d), 406, 408, 411, [Sch. 19\(1\)](#) (with [Sch. 18](#), [Sch. 19\(1\)](#) Note 1); S.I. 2003/1900, arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with art. 3(2)) (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, [art. 3](#), [Sch. 1](#) (with art. 11)
- F2** Words in s. 17(2) omitted (31.12.1997) by virtue of S.I. 1997/2930, [reg. 3\(10\)\(a\)](#)
- F3** Words in s. 17(2) substituted (31.12.1997) by S.I. 1997/2930, [reg. 3\(10\)\(b\)](#)
- F4** Words in s. 17(3) omitted (31.12.1997) by virtue of S.I. 1997/2930, [reg. 3\(11\)\(a\)](#)
- F5** Words in s. 17(3)(b) substituted (31.12.1997) by S.I. 1997/2930, [reg. 3\(11\)\(b\)](#)
- F6** S. 17(3A) inserted (31.12.1997) by S.I. 1997/2930, [reg. 3\(12\)](#)
- F7** S. 17(6)(b) substituted (31.12.1997) by S.I. 1997/2930, [reg. 3\(13\)](#)

Modifications etc. (not altering text)

- C1** Ss. 3-7, 12-19, Pt. III (ss. 47-55) applied (with modifications) (7.1.1997) by S.I. 1996/3151, [reg. 8\(2\)](#), [Sch. 1 para. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the Telecommunications Act 1984, Section 17.