

*These notes refer to the Communications Act 2003  
(c.21) which received Royal Assent on 17 July 2003*

# COMMUNICATIONS ACT 2003

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 1: Functions of Ofcom**

#### ***Section 29: Secretary of State guarantees for OFCOM borrowing***

77. This section allows the Secretary of State to guarantee, in such manner and on such conditions as she thinks fit, the repayment of the principal of any borrowing by OFCOM, the payment of any interest on such borrowing or the discharge of any other financial obligation incurred by OFCOM connected with such borrowing. *Subsection (3)* limits the total amount payable by the Secretary of State in fulfilling any guarantees she may give to a sum not exceeding £5 million. *Subsection (4)* enables the Secretary of State to substitute a different total amount, subject to a draft order to that effect being laid before Parliament and approved by the House of Commons (*subsection (5)*). Where OFCOM give a guarantee under this section, they must lay a statement of the guarantee before each House of Parliament. *Subsections (8) and (9)* provide that any sums paid by the Secretary of State in fulfilling any guarantee she has given must be repaid by OFCOM as the Secretary of State directs and that payments are to be made with such interest, at such times and in such manner as she may determine.