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SCHEDULES

SCHEDULE 8 U.K.

Section 192

DECISIONS NOT SUBJECT TO APPEAL

Prosecutions and civil proceedings

1 A decision to institute, bring or carry on any criminal or civil proceedings.

Commencement Information

- I1** Sch. 8 para. 1 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** Sch. 8 para. 1 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](#))

2 A decision (other than one under section 119) to take preliminary steps for the purpose of enabling any such proceedings to be instituted.

Commencement Information

- I3** Sch. 8 para. 2 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** Sch. 8 para. 2 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](#))

This Act

3 A decision relating to the making or revision of a statement under section 38.

Commencement Information

- I5** Sch. 8 para. 3 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** Sch. 8 para. 3 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](#))

4 A decision required to be published in a notification under section 44(4).

Commencement Information

- I7** Sch. 8 para. 4 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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- I8** Sch. 8 para. 4 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](#))

5 A decision given effect to by an order under section 55.

Commencement Information

- I9** Sch. 8 para. 5 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** Sch. 8 para. 5 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](#))

6 A decision given effect to by regulations under section 66.

Commencement Information

- I11** Sch. 8 para. 6 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\(3\)](#))
- I12** Sch. 8 para. 6 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](#))

7 A decision given effect to by regulations under section 71 [^{F1}or under section 71(4) to (7) as applied by section 72H(4)].

Textual Amendments

- F1** Words in [Sch. 8 para. 7](#) 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. 65**

Commencement Information

- I13** Sch. 8 para. 7 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\(3\)](#))
- I14** Sch. 8 para. 7 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](#))

[^{F2}7D A decision to impose a duty under section [105Z14](#).]

Textual Amendments

- F2** [Sch. 8 para. 7D](#) inserted (17.11.2021) by [Telecommunications \(Security\) Act 2021 \(c. 31\)](#), **ss. 19(5), 28(1)(c)**

8 A decision required to be published in a notification under section 108(4).

Commencement Information

- I15** Sch. 8 para. 8 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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I16 Sch. 8 para. 8 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](#))

9 A decision given effect to by an order under section 122.

Commencement Information

I17 Sch. 8 para. 9 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\(3\)](#))

I18 Sch. 8 para. 9 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](#))

[^{F3}9A A decision relating to any of sections 124A to 124N or to anything done under them.]

Textual Amendments

F3 Sch. 8 para. 9A inserted (8.6.2010) by [Digital Economy Act 2010 \(c. 24\)](#), **ss. 16(3)**, 47(1)

10 A decision relating to the making or revision of a statement under section 131.

Commencement Information

I19 Sch. 8 para. 10 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\(3\)](#))

I20 Sch. 8 para. 10 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](#))

11 A decision given effect to by an order under section 134(6).

Commencement Information

I21 Sch. 8 para. 11 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\(3\)](#))

I22 Sch. 8 para. 11 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](#))

[^{F4}11A A decision to require information under section 135, so far as the information is required for the purpose of preparing a report under section [105Z12](#).]

Textual Amendments

F4 [Sch. 8 para. 11A](#) inserted (17.11.2021) by [Telecommunications \(Security\) Act 2021 \(c. 31\)](#), **ss. 18(6)**, 28(1)(c)

12 A decision relating to the making or revision of a statement under section 145.

Commencement Information

I23 Sch. 8 para. 12 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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I24 Sch. 8 para. 12 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](#))

^{F5}13

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

^{F5}14

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

^{F5}15

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

^{F5}16

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

^{F5}17

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

^{F5}18

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

^{F5}19

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Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F520

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F521

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F522

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F523

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F524

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F525

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

F526

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Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

Wireless Telegraphy Act 1949

F527

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F528

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F529

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F530

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F531

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

F532

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

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Wireless Telegraphy Act 1998

^{F5}33

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

^{F5}34

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

^{F5}35

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

^{F5}36

Textual Amendments

F5 Sch. 8 paras. 13-36 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), Sch. 7 para. 36, [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

^{F6}Wireless Telegraphy Act 2006

Textual Amendments

F6 Sch. 8 paras. 37-46 and cross-heading inserted (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 7 para. 36](#)

37 A decision relating to the publication of the United Kingdom Plan for Frequency Authorisation.

38 A decision in exercise of the functions conferred on OFCOM by section 1 as to—
(a) the services, records and advice to be provided, maintained or given by them;
(b) the research to be carried out or the arrangements made for carrying it out; or
(c) the making or terms of any grant.

39 A decision under section 4 or 7.

40 A decision given effect to—

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- (a) by regulations under section 8(3), 12, 14, 18, 21, 23, 27, 30, 45 ^{F7}, 53A(7), 53D] or 54 or paragraph 1 of Schedule 1 or paragraph 1 of Schedule 2;
- (b) by an order under section 29 or 62.

Textual Amendments

F7 Words in Sch. 8 para. 40(a) inserted (31.7.2017) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 8(5)(a)**, 118(6); S.I. 2017/765, reg. 2(c)

- 41 A decision relating to the recovery of a sum payable to OFCOM under section 15^{F8}, 24 or 53D(6)].

Textual Amendments

F8 Words in Sch. 8 para. 41 substituted (31.7.2017) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 8(5)(b)**, 118(6); S.I. 2017/765, reg. 2(c)

- 42 A decision given effect to by regulations under section 31 and any decision under any such regulations.
- 43 A decision relating to the making or revision of a statement under—
- (a) section 34, ^{F9}...
 - (b) section 44^{F10}, or
 - (c) section 53H.]

Textual Amendments

F9 Word in Sch. 8 para. 43 omitted (31.7.2017) by virtue of [Digital Economy Act 2017 \(c. 30\)](#), **ss. 8(5)(c)**, 118(6); S.I. 2017/765, reg. 2(c)

F10 Sch. 8 para. 43(c) and word inserted (31.7.2017) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 8(5)(c)**, 118(6); S.I. 2017/765, reg. 2(c)

- 44 A decision to impose a penalty under section 42(1) [^{F11}for a relevant multiplex contravention].

Textual Amendments

F11 Words in Sch. 8 para. 44 inserted (27.6.2017) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 9(11)**, 118(2) (with s. 9(13))

- 45 A decision for the purposes of section 59.
- 46 A decision relating to an authority under section 62(5).]

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