



Communications Act 2003

2003 CHAPTER 21

PART 2

NETWORKS, SERVICES AND THE RADIO SPECTRUM

CHAPTER 1

ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES

Electronic communications code

111 Enforcement notification for contravention of code restrictions

- (1) This section applies where—
- (a) a person (“the notified provider”) has been given a notification under section 110;
 - (b) OFCOM have allowed the notified provider an opportunity of making representations about the matters notified; and
 - (c) the period allowed for the making of the representations has expired.
- (2) OFCOM may give the notified provider an enforcement notification if they are satisfied—
- (a) that he has been in contravention, in one or more of the respects notified, of a requirement specified in the notification under section 110; and
 - (b) that he has not, during the period allowed under section 110, taken all such steps as they consider appropriate—
 - (i) for complying with that requirement; and
 - (ii) for remedying the consequences of the notified contravention of that requirement.
- (3) An enforcement notification is a notification which imposes one or both of the following requirements on the notified provider—

Status: Point in time view as at 18/09/2003. This version of this provision has been superseded.

Changes to legislation: Communications Act 2003, Section 111 is up to date with all changes known to be in force on or before 05 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) a requirement to take such steps for complying with the notified requirement as may be specified in the notification;
 - (b) a requirement to take such steps for remedying the consequences of the notified contravention as may be so specified.
- (4) A decision of OFCOM to give an enforcement notification to a person—
- (a) must be notified by them to that person, together with the reasons for the decision, no later than one week after the day on which it is taken; and
 - (b) must fix a reasonable period for the taking of the steps required by the notification.
- (5) It shall be the duty of a person to whom an enforcement notification has been given to comply with it.
- (6) That duty shall be enforceable in civil proceedings by OFCOM—
- (a) for an injunction;
 - (b) for specific performance of a statutory duty under section 45 of the Court of Session Act 1988 (c. 36); or
 - (c) for any other appropriate remedy or relief.

Commencement Information

- II** S. 111 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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