



Communications Act 2003

2003 CHAPTER 21

PART 2

NETWORKS, SERVICES AND THE RADIO SPECTRUM

CHAPTER 1

ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES

Information provisions

[^{F1}139C. Confirmation of direction under section 139B

- (1) As soon as reasonably practicable after giving a direction under section 139B(3), OFCOM must give the person to whom it is given—
 - (a) an opportunity to make representations to them about the grounds on which it was given and its effect; and
 - (b) an opportunity to propose steps to remedy the situation.
- (2) As soon as practicable after the period allowed by OFCOM for making those representations has ended (and in any event within 3 months beginning with the day on which the direction was given), they must determine—
 - (a) whether the contravention providing the grounds for the giving of the direction did occur; and
 - (b) whether the circumstances made it an urgent case justifying the giving of the direction.
- (3) The period of 3 months mentioned in subsection (2) may be extended by up to 3 months if OFCOM—
 - (a) require additional time to consider representations received; or
 - (b) decide that it is necessary to obtain additional information from the person in order to make a determination under subsection (2).

Status: Point in time view as at 15/06/2011.

Changes to legislation: Communications Act 2003, Section 139C is up to date with all changes known to be in force on or before 25 May 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)

- (4) If OFCOM decide that the contravention did occur and that the direction was justified, they may confirm the direction.
- (5) If not, they must exercise their power to revoke it.
- (6) As soon as reasonably practicable after deciding whether to confirm the direction, OFCOM must notify the person to whom it was given of their decision.]

Textual Amendments

- F1** Ss. 139A-139C inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 83** (with Sch. 3 paras. 2, 18)

Status:

Point in time view as at 15/06/2011.

Changes to legislation:

Communications Act 2003, Section 139C is up to date with all changes known to be in force on or before 25 May 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.