



# Communications Act 2003

## 2003 CHAPTER 21

### PART 2

#### NETWORKS, SERVICES AND THE RADIO SPECTRUM

### CHAPTER 3

#### DISPUTES AND APPEALS

##### *Disputes*

#### **191 OFCOM's power to require information in connection with dispute**

- (1) Where a dispute has been referred or referred back to OFCOM under this Chapter, they may require any person to whom subsection (2) applies to provide them with all such information as they may require for the purpose of—
  - (a) deciding whether it is appropriate for them to handle the dispute; [<sup>F1</sup>or
  - <sup>F2</sup>(b) .....
  - (c) considering the dispute and making a determination for resolving it.
- (2) This subsection applies to—
  - (a) a party to the dispute; and
  - (b) a person who is not a party to the dispute but appears to OFCOM to have information that is relevant to the matters mentioned in subsection (1)(a) to (c).
- (3) A person required to provide information under this section must provide it in such manner and within such reasonable period as may be specified by OFCOM.
- (4) In fixing the period within which information is to be provided in accordance with a requirement under this section OFCOM must have regard, in particular, to—
  - (a) their obligation to make a determination for resolving the dispute within the period specified in section 188;

*Status: Point in time view as at 31/12/2020. This version of this provision has been superseded.*

*Changes to legislation: Communications Act 2003, Section 191 is up to date with all changes known to be in force on or before 22 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)*

- (b) the nature of the dispute; and
- (c) the information that is required.

(5) Sections 138 to 144 apply for the enforcement of a requirement under this section as they apply for the enforcement of requirements under section 135 or 136.

<sup>F3</sup>(6) .....

#### Textual Amendments

- F1** Word in s. 191(1)(a) inserted (31.12.2020) by [The Electronic Communications and Wireless Telegraphy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/246\)](#), reg. 1(2), **Sch. 1 para. 39(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** S. 191(1)(b) omitted (31.12.2020) by virtue of [The Electronic Communications and Wireless Telegraphy \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/246\)](#), reg. 1(2), **Sch. 1 para. 39(b)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** S. 191(6) omitted (26.5.2011) by virtue of [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 96** (with Sch. 3 para. 2)

#### Commencement Information

- I1** S. 191 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** S. 191 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)

**Status:**

Point in time view as at 31/12/2020. This version of this provision has been superseded.

**Changes to legislation:**

Communications Act 2003, Section 191 is up to date with all changes known to be in force on or before 22 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.