



# Communications Act 2003

## 2003 CHAPTER 21

### PART 3

#### TELEVISION AND RADIO SERVICES [F1ETC]

#### <sup>F1F1</sup>CHAPTER 4

#### REGULATORY PROVISIONS

#### *The public service remit for television*

#### **268 Statements of service policy by the public teletext provider**

- (1) The regulatory regime for the public teletext service includes a condition requiring the public teletext provider—
  - (a) as soon as practicable after the coming into force of this section and subsequently at annual intervals, to prepare a statement of service policy; and
  - (b) to monitor his own performance in the carrying out of the proposals contained in statements made in pursuance of the condition.
- (2) The condition must require every statement of service policy prepared in accordance with the condition to set out the proposals of the public teletext provider for securing that, during the following year, the public service remit for the public teletext service will be fulfilled.
- (3) The condition must also require every such statement to contain a report on the performance of the public teletext provider in the carrying out, during the period since the previous statement, of the proposals contained in that statement.
- (4) The condition must provide that the proposals or report for a period in the course of which the public teletext service will comprise or has comprised both—
  - (a) an analogue teletext service, and
  - (b) a teletext service provided in digital form,

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*Changes to legislation: Communications Act 2003, Section 268 is up to date with all changes known to be in force on or before 13 April 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) View outstanding changes*

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must deal separately with each of those services.

- (5) The condition must also provide that every statement in pursuance of the condition—
- (a) must be prepared having regard to guidance given by OFCOM;
  - (b) must be prepared taking account of the reports previously published by OFCOM under sections 264 and 358;
  - (c) must take special account of the most recent such reports;
  - (d) must be published by the public teletext provider as soon as practicable after its preparation is complete; and
  - (e) must be published in such manner as, having regard to any guidance given by OFCOM, that provider considers appropriate.
- (6) In preparing guidance about the preparation of such a statement, OFCOM must have regard, in particular, to the matters which, in the light of the provisions of section 264(4) and (6), they consider should be included in statements of service policy by the public teletext provider.
- (7) It shall be the duty of OFCOM—
- (a) from time to time to review the guidance for the time being in force for the purposes of this section; and
  - (b) to make such revisions of that guidance as they think fit.
- (8) The conditions of the licence to provide the public teletext service may provide that a previous statement of policy made by the public teletext provider is to be treated for the purposes of this Part—
- (a) as if it were a statement made in relation to such period as may be so specified; and
  - (b) were a statement of service policy for the purposes of a condition imposed under this section.
- (9) The reference in subsection (8) to a previous statement of policy is a reference to any statement made by the public teletext provider—
- (a) whether before or after the commencement of this section, for the purposes of his application for a Broadcasting Act licence for the public teletext service or for the existing service (within the meaning of section 221); or
  - (b) at any time before the commencement of this section, for any other purpose.
- (10) A condition under subsection (8) cannot contain provision the effect of which is to postpone the time at which a licence holder is required to make the first statement of service policy which (apart from that subsection) he is required to make in pursuance of a condition imposed under this section.

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**Commencement Information**

**II** S. 268 in force at 28.12.2004 by [S.I. 2004/3309](#), [art. 3](#)

**Changes to legislation:**

Communications Act 2003, Section 268 is up to date with all changes known to be in force on or before 13 April 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.

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2003/1900, art. 3(2) by [S.I. 2003/3142 art. 1\(3\)](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/1492 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/697 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 art. 4 Sch. 2 by [S.I. 2004/545 art. 2](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 124Q(7)(a) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 148A and cross-heading inserted by [2022 c. 46 s. 73\(2\)](#)
- s. 368E(5)(d)(e) inserted by [2017 c. 30 s. 94\(3\)](#)
- s. 402(2A)(za)(zb) inserted by [2022 c. 46 Sch. para. 2](#)
- Sch. 3A para. 21(6) inserted by [2022 c. 46 Sch. para. 3\(5\)\(b\)](#)
- Sch. 3A para. 37(3)(aza) inserted by [2022 c. 46 Sch. para. 3\(9\)](#)
- Sch. 3A para. 84(1)(aza) inserted by [2022 c. 46 Sch. para. 3\(10\)](#)
- Sch. 3A para. 103(1)(ca) inserted by [2022 c. 46 s. 70](#)
- Sch. 3A para. 119A inserted by [2022 c. 46 s. 72](#)
- Sch. 3A Pt. 4ZA inserted by [2022 c. 46 s. 67\(1\)](#)