



Communications Act 2003

2003 CHAPTER 21

PART 2

NETWORKS, SERVICES AND THE RADIO SPECTRUM

CHAPTER 1

ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES

General conditions: customer interests

53 Approval of codes of practice for the purposes of s. 52

- (1) Where a code of practice is submitted to OFCOM for approval, they shall approve that code if and only if, in their opinion, it makes all such provision as they consider necessary in relation to the matters dealt with in the code for the protection of the domestic and small business customers of the public communications providers to whom the code applies.
- (2) It shall be the duty of OFCOM to keep under review the codes of practice for the time being approved by them.
- (3) OFCOM may at any time, by a notification given or published in such manner as they consider appropriate—
 - (a) approve modifications that have been made to an approved code;
 - (b) withdraw their approval from a code; or
 - (c) give notice that the withdrawal of their approval will take effect from such time as may be specified in the notification unless such modifications of the code as are specified in the notification are made before that time.
- (4) In considering—
 - (a) whether to approve a code of practice, or

Status: This is the original version (as it was originally enacted).

- (b) whether or in what manner to exercise their powers under subsections (2) and (3) of this section,

OFCOM must have regard to the matters mentioned in subsection (5).

(5) Those matters are—

- (a) the need to secure that customers are able readily to comprehend the procedures that are provided for by an approved code of practice;
- (b) the need to secure that there is consistency between the different codes for the time being approved by OFCOM; and
- (c) the need to secure that the number of different codes so approved is kept to a minimum.

(6) In this section—

“approval” means approval for the purposes of section 52(4) and “approve” and “approved” are to be construed accordingly; and

“domestic and small business customer” has the same meaning as in section 52.