



Communications Act 2003

2003 CHAPTER 21

PART 2

NETWORKS, SERVICES AND THE RADIO SPECTRUM

CHAPTER 1

ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES

Access-related conditions

75 Conditional access systems and access to digital services

^{F1}(1)

(2) It shall be the duty of OFCOM to ensure—

- (a) that access-related conditions are applied to every person who provides a conditional access system in relation to a protected programme service; and
- (b) that those conditions make all such provision as is required by the provision contained from time to time in Part I of [^{F2}Annex 2 to the EECC Directive] (conditions relating to access to digital programme services).

[^{F3}(2B) OFCOM may also apply access-related conditions to any person who provides a conditional access system in relation to services which are not protected programme services but appear to OFCOM to be complementary to protected programme services; and those conditions may contain any provision of the kind mentioned in subsection (2)(b).]

(3) In this section—

“conditional access system” means any system, facility, arrangements or technical measure under or by means of which access to programme services requires—

- (a) a subscription to the service or to a service that includes that service; or

Status: Point in time view as at 21/12/2020. This version of this provision has been superseded.

Changes to legislation: Communications Act 2003, Section 75 is up to date with all changes known to be in force on or before 11 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)

- (b) an authorisation to view it, or to listen to it, on a particular occasion;
 “protected programme service” means a programme service the programmes included in which cannot be viewed or listened to in an intelligible form except by the use of a conditional access system.

Textual Amendments

- F1** S. 75(1) 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. 40** (with Sch. 3 para. 2)
- F2** Words in s. 75(2)(b) substituted (21.12.2020) by [The Electronic Communications and Wireless Telegraphy \(Amendment\) \(European Electronic Communications Code and EU Exit\) Regulations 2020 \(S.I. 2020/1419\)](#), reg. 1(2), **Sch. 1 para. 33(2)**
- F3** S. 75(2B) inserted (21.12.2020) by [The Electronic Communications and Wireless Telegraphy \(Amendment\) \(European Electronic Communications Code and EU Exit\) Regulations 2020 \(S.I. 2020/1419\)](#), reg. 1(2), **Sch. 1 para. 33(3)**
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Commencement Information

- I1** S. 75 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. 75 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 21/12/2020. This version of this provision has been superseded.

Changes to legislation:

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