

*These notes refer to the Digital Economy Act 2010
(c.24) which received Royal Assent on 8 April 2010*

DIGITAL ECONOMY ACT 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Topic 2: Online infringement of copyright

Section 11: Code by OFCOM about obligations to limit internet access

67. If the Secretary of State makes an order under new section 124H of the 2003 Act requiring ISPs to take technical measures against subscribers, OFCOM is under an obligation to adopt (by order) a code underpinning the technical obligations. This is provided for in new section 124I of the 2003 Act, inserted by section 11.
68. Section 124I sets out the procedure for the making by OFCOM of the code on technical obligations. It also provides that the Secretary of State's approval of the code is required before it can be made, and specifies that the statutory instrument containing the OFCOM order is requires the approval of both Houses of Parliament.