



Communications Act 2003

CHAPTER 21

COMMUNICATIONS ACT 2003

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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- 2 Duty to publicise complaints procedures etc.
 - Part 2 — THE WELSH AUTHORITY
- 3 Public service remits of the Welsh Authority services
- 4 Statements of programme policy
- 5 Must-offer obligations in relation to networks and satellite services
- 6 Supply of services by satellite in certain areas
- 7 Programming quotas for independent productions
- 8 Programme quotas for original productions
- 9 News and current affairs programmes
- 10 Code relating to programme commissioning
- 11 Co-operation with the public teletext provider
- 12 Programme standards
- 13 It shall be the duty of the Welsh Authority to...
- 14 (1) It shall be the duty of the Welsh Authority...
- 15 (1) This paragraph applies if OFCOM are satisfied—
- 16 Directions with respect to advertising
- 17 Fairness standards

Status: This is the original version (as it was originally enacted).

- 18 Party political broadcasts
- 19 Duty to publicise complaints procedures etc.
- 20 Monitoring of programmes
- 21 Compliance with international obligations
- 22 Services for the deaf and visually impaired
- 23 Equality of opportunity
- 24 Meaning of Welsh Authority's public services

SCHEDULE 13 — Financial penalties under the Broadcasting Acts

Part 1 — BROADCASTING ACT 1990

- 1 Preliminary
- 2 Revocation of television services licence
- 3 Licences for Channel 3 services and for Channels 4 and 5
- 4 Restricted services licences
- 5 Additional television services licences
- 6 Revocation of national sound broadcasting licence
- 7 Licences for analogue sound services
- 8 Additional radio services licences
- 9 Power to amend penalties under the 1990 Act

Part 2 — BROADCASTING ACT 1996

- 10 Preliminary
- 11 Revocation of television multiplex licences
- 12 Attribution of television multiplex revenue
- 13 Multiplex licences
- 14 Digital television programme licences
- 15 Digital additional television services licences
- 16 Power to amend digital television penalties
- 17 Revocation of radio multiplex licences
- 18 Attribution of radio multiplex revenue
- 19 Contraventions of conditions of radio multiplex licences
- 20 Digital sound programme licences
- 21 Licences for digital additional sound services
- 22 Power to amend digital television penalties

SCHEDULE 14 — Media ownership rules

Part 1 — CHANNEL 3 SERVICES

- 1 Ban on newspaper proprietors holding Channel 3 licences
- 2 Restrictions on participation
- 3 National and local newspapers and their respective national and local market shares
- 4 Construction of references to running a newspaper
- 5 Coverage area for a Channel 3 service
- 6 Power to amend Part 1 of Schedule

Part 2 — RADIO MULTIPLEX SERVICES

- 7 Restriction on holding of national radio multiplex licences
- 8 Restriction on holding of local radio multiplex licences
- 9 Connected persons rules etc.
- 10 Power to amend Part 2 of Schedule

Part 3 — LOCAL SOUND PROGRAMME SERVICES

- 11 Restriction on holding of local sound broadcasting licences
- 12 Restriction applying to local digital sound programme services
- 13 Powers supplemental to powers under paragraphs 11 and 12
- 14 Transitional provision for orders under paragraphs 11 and 12

Part 4 — RELIGIOUS BODIES ETC.

15 Approval required for religious bodies etc. to hold licences

16 Power to amend Part 4 of Schedule

Part 5 — SUPPLEMENTAL PROVISIONS OF SCHEDULE

17 Procedure for orders

18 Interpretation of Schedule

SCHEDULE 15 — Amendments of Broadcasting Acts

Part 1 — AMENDMENTS OF THE 1990 ACT

1 Licences under Part 1

2 General licence conditions

3 Restrictions on licence holding

4 Repeal of previous regulatory regime

5 Prohibition on providing television services without a licence

6 Television broadcasting on Channel 3

7 Applications for Channel 3 licences

8 Procedure on consideration of applications for Channel 3 licences

9 Television broadcasting on Channel 3

10 Financial conditions of licence and failures to begin a service

11 Changes of control in period after award of licence

12 Temporary provision of Channel 3 service for an additional area

13 Appointment of members of C4 Corporation

14 Channel 4 licence

15 Channel 5

16 Application to Channel 5 of Channel 3 provisions

17 Announcement of programme Schedules

18 Enforcement of conditions of Channel 3, Channel 4 and Channel 5 licences

19 Restricted services

20 Additional television services

21 Licensing of additional television services

22 Applications for additional services licences

23 Procedure on application etc. for additional television services licences

24 Additional payments in respect of additional television services licences

25 Duration of additional television services licences

26 Additional television services not to interfere with other transmissions

27 Enforcement of additional television services licences

28 The Welsh Authority

29 Distribution of licensed public service channels

30 Enforcement of licences held by BBC companies

31 Interpretation of Part 1

32 Licensing functions of OFCOM

33 Licences under Part 3 of the 1990 Act

34 General licence conditions

35 Restrictions on holding licences

36 Disqualification of persons convicted of transmission offences

37 Offence of providing regulated radio services

38 Applications for national licences

39 Consideration of applications for a national licence

40 Award of national licences

41 Failure to begin providing licensed service

42 Additional payments in respect of national licences

43 Restrictions affecting change in control of holder of national licence

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

- 44 Renewal of national licences
- 45 Applications for local licences
- 46 Renewal of local licences
- 47 Special procedure for applications for local licences
- 48 Special requirements relating to grant of local licences
- 49 Requirements as to character and coverage of services
- 50 Enforcement of licences
- 51 Power to suspend licences to provide radio licensable content services from a satellite
- 52 Additional radio services
- 53 Licensing of additional radio services
- 54 Applications for additional radio services licences
- 55 Procedure for awarding additional radio services licences
- 56 Additional payments in respect of additional radio services licences
- 57 Additional radio services not to interfere with other transmissions
- 58 Enforcement of additional radio services licences
- 59 Interpretation
- 60 Duty to provide advance information about programmes
- 61 Proscription of foreign satellite services
- 62 Financing of Gaelic Broadcasting
- 63 Gaelic Broadcasting in Scotland
- 64 Maintenance of the national television archive
- 65 Modification of networking arrangements
- 66 Search warrants
- 67 Notices
- 68 Interpretation
- 69 Disqualified persons
- 70 C4C
- 71 The Welsh Authority
- 72 Computation of qualifying revenue
- 73 The Gaelic Television Committee
- Part 2 — AMENDMENTS OF THE 1996 ACT
- 74 Multiplex services and digital programme services
- 75 Meaning of qualifying service
- 76 Licences under Part 1
- 77 Licence conditions
- 78 Restrictions on digital licence holding
- 79 Multiplex licences
- 80 Award of multiplex licences
- 81 Power to require two or more multiplex licences to be granted to one person
- 82 Award of multiplex licences subject to conditions
- 83 Failure to provide licensed service and revocation
- 84 Conditions attached to multiplex licences
- 85 Additional payments in respect of multiplex licences
- 86 Multiplex revenue
- 87 Attribution of multiplex revenue to multiplex providers
- 88 Duration of multiplex licences
- 89 Enforcement of multiplex licences
- 90 Licensing of digital programme services
- 91 Conditions of licences for digital programme services
- 92 Duration and enforcement of multiplex licenses
- 93 Digital additional services

94	Licensing of digital additional services
95	Conditions of digital additional services licence
96	Enforcement of digital additional television services licences
97	Digital broadcasting of Gaelic programmes
98	Review of digital television broadcasting
99	Enforcement of licences held by BBC companies
100	Interpretation of Part 1
101	Radio multiplex services
102	Licences under Part 2 of the 1996 Act
103	General licence conditions
104	Restrictions on holding licences
105	National radio multiplex licences
106	Award of national radio multiplex licences
107	Reservation of capacity for independent national broadcasters
108	Reservation of digital capacity for BBC
109	Local radio multiplex licences
110	Award of local multiplex licences
111	Power to require two or more local radio multiplex licences to be granted to one person
112	Failure to begin to provide licensed service
113	Conditions which may be attached to radio multiplex licences
114	Additional payments to be made in respect of national radio multiplex licences
115	Multiplex revenue
116	Attribution of radio multiplex revenue
117	Duration and renewal of radio multiplex licences
118	Enforcement of radio multiplex licences
119	Digital sound programme licensing
120	Conditions of digital sound programme licences
121	Enforcement of digital sound programme licences
122	Digital additional sound services
123	Conditions of digital additional sound service
124	Enforcement of digital additional sound services licences
125	Review of digital radio broadcasting
126	Interpretation
127	Listed events
128	In sections 101, 101B, 102 and 103 of the 1996...
129	(1) Section 104 of the 1996 Act (code of guidance)...
130	In section 104A of the 1996 Act (provision of information...
131	In section 105(1) of the 1996 Act (interpretation of Part...
132	Broadcasting standards
133	In section 107(5)(b) of the 1996 Act (code relating to...
134	In section 115 of the 1996 Act (consideration of fairness...
135	In section 117 of the 1996 Act (duty of broadcasting...
136	(1) For subsections (1) and (2) of section 119 of...
137	In section 130(1) of the 1996 Act (interpretation of Part...
138	Disqualification on grounds related to political objects
139	Offence of providing false information
140	Disqualification for supplying false information
141	Interpretation
142	Computation of qualifying revenue

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

- 1 Competition Act 1980 (c. 21)
- 2 Gas Act 1986 (c. 44)
- 3 Electricity Act 1989 (c. 29)
- 4 Railways Act 1993 (c. 43)
- 5 Financial Services and Markets Act 2000 (c. 8)
- 6 Postal Services Act 2000 (c. 26)
- 7 Transport Act 2000 (c. 38)
- 8 Enterprise Act 2002 (c. 40)
- 9 In section 45(1)(b) of that Act (circumstances in which the...
- 10 After section 50(2) of that Act (reports on references in...
- 11 In section 57(2) of that Act (duty to bring representations...
- 12 In section 58(4)(b) of that Act (retrospective effect of orders...
- 13 In section 60(4)(a) of that Act (final determination of matters...
- 14 In section 62(1)(b) of that Act (circumstances in which the...
- 15 After section 65(2) of that Act (reports on references in...
- 16 In section 67(1)(b) of that Act (intervention to protect legitimate...
- 17 In section 68(2)(c) of that Act (scheme for protecting legitimate...
- 18 (1) Section 107 of that Act (further publicity requirements) shall...
- 19 In section 108 of that Act (defamation) after the words...
- 20 (1) Section 117 of that Act (false or misleading information)...
- 21 In section 118(1) of that Act (excisions from reports) before...
- 22 In section 120(1) of that Act (review of decisions under...
- 23 (1) Section 121 of that Act (fees) shall be amended...
- 24 (1) Section 124 of that Act (orders and regulations under...
- 25 (1) Section 130 of that Act (index of defined expressions)...
- 26 In section 180(2) of that Act (application of section 117...

SCHEDULE 17 — Minor and Consequential Amendments

- 1 Interpretation
- 2 Official Secrets Act 1911
- 3 Law of Property Act 1925
- 4 Public Health Act 1925
- 5 London Overground Wires, etc Act 1933
- 6 Wireless Telegraphy Act 1949
- 7 In section 1C of that Act (prohibition on Acts facilitating...
- 8 (1) Section 1D of that Act (procedure for grant of...
- 9 (1) Section 3 of that Act (regulations as to wireless...
- 10 No appeal shall be brought to the tribunal established under...
- 11 (1) Section 10 of that Act (regulations as to radiation...
- 12 (1) Section 11 of that Act (enforcement of regulations as...
- 13 (1) Section 12 of that Act (enforcement of regulations as...
- 14 (1) Section 14 of that Act (penalties and legal proceedings)...
- 15 (1) Section 15 of that Act (powers of entry) shall...
- 16 (1) Section 16 of that Act (regulations and orders) shall...
- 17 In section 19 of that Act (interpretation), after subsection (2)...
- 18 In Schedule 1 to that Act (procedures in relation to...
- 19 Coast Protection Act 1949
- 20 National Parks and Access to the Countryside Act 1949
- 21 London County Council (General Powers) Act 1949
- 22 Local Government (Miscellaneous Provisions) Act 1953
- 23 Army Act 1955
- 24 Air Force Act 1955

- 25 Lough Neagh and Lower Bann Drainage and Navigation Act (Northern Ireland) 1955
- 26 Naval Discipline Act 1957
- 27 Opencast Coal Act 1958
- 28 Pipe-lines Act 1962
- 29 London County Council (General Powers) Act 1963
- 30 Harbours Act 1964
- 31 New Towns Act (Northern Ireland) 1965
- 32 Marine, &c., Broadcasting (Offences) Act 1967
- 33 (1) Section 5 of that Act shall be further amended...
- 34 In section 6(5) of that Act (restrictions on prosecutions), after...
- 35 (1) Section 7A of that Act (powers of enforcement in...
- 36 In section 9(1) of that Act (interpretation), after the definition...
- 37 Wireless Telegraphy Act 1967
- 38 (1) Section 8 of that Act (provisions for securing enforcement...
- 39 In section 13(1) of that Act (regulations and order to...
- 40 Countryside Act 1968
- 41 Greater London Council (General Powers) Act 1969
- 42 Harbours Act (Northern Ireland) 1970
- 43 Thames Barrier and Flood Prevention Act 1972
- 44 Fair Trading Act 1973
- 45 Drainage (Northern Ireland) Order 1973
- 46 Water and Sewerage Services (Northern Ireland) Order 1973
- 47 Consumer Credit Act 1974
- 48 House of Commons Disqualification Act 1975
- 49 Northern Ireland Assembly Disqualification Act 1975
- 50 Welsh Development Agency Act 1975
- 51 Building Regulations (Northern Ireland) Order 1979
- 52 Local Government, Planning and Land Act 1980
- 53 Highways Act 1980
- 54 In section 115D of that Act (limits on powers to...
- 55 In section 142(5) of that Act (protection of telecommunications apparatus...
- 56 (1) This paragraph applies to the following provisions of that...
- 57 New Towns Act 1981
- 58 Acquisition of Land Act 1981
- 59 Housing (Northern Ireland) Order 1981
- 60 Civil Aviation Act 1982
- 61 Representation of the People Act 1983
- 62 (1) Section 93 of that Act (broadcasting of local items...
- 63 Telecommunications Act 1984
- 64 In sections 79, 83, 85 and 86 of that Act...
- 65 In section 79(6)(b) of that Act (seizure of apparatus etc.),...
- 66 (1) Section 83 of that Act (disposal of seized apparatus...
- 67 (1) Section 84 of that Act (approval of wireless telegraphy...
- 68 Section 90 of that Act (funding of wireless interference service...
- 69 (1) Section 91 of that Act (construction of references to...
- 70 (1) Section 94 of that Act (directions in the interests...
- 71 (1) Section 98 of that Act (use of conduits for...
- 72 (1) Section 101 of that Act (general restrictions on disclosure...
- 73 In section 104 of that Act (orders and schemes), after...
- 74 In section 106(1) of that Act (general interpretation), after the...
- 75 In paragraph 18(2) of Schedule 2 to that Act (notices...

- 76 Cinemas Act 1985
- 77 Surrogacy Arrangements Act 1985
- 78 Bankruptcy (Scotland) Act 1985
- 79 Housing Act 1985
- 80 Airports Act 1986
- 81 Gas Act 1986
- 82 Insolvency Act 1986
- 83 Company Directors Disqualification Act 1986
- 84 Channel Tunnel Act 1987
- 85 In paragraph 3(2)(b) of Schedule 2 to that Act (supplementary...
- 86 (1) Part 10 of Schedule 7 to that Act (protection...
- 87 Consumer Protection (Northern Ireland) Order 1987
- 88 Income and Corporation Taxes Act 1988
- 89 Norfolk and Suffolk Broads Act 1988
- 90 Malicious Communications Act 1988
- 91 Copyright, Designs and Patents Act 1988
- 92 (1) Section 73 of that Act (no breach of copyright...
- 93 (1) Paragraph 17 of Schedule 2 to that Act (no...
- 94 Housing Act 1988
- 95 Road Traffic Act 1988
- 96 Water Act 1989
- 97 Road Traffic (Driver Licensing and Information Systems) Act 1989
- 98 Electricity Act 1989
- 99 (1) Schedule 4 to that Act (other powers etc. of...
- 100 Local Government and Housing Act 1989
- 101 Insolvency (Northern Ireland) Order 1989
- 102 Town and Country Planning Act 1990
- 103 (1) This paragraph applies to the following provisions of that...
- 104 In section 280 of that Act (measures of compensation)—
- 105 In paragraph 1(a) of Schedule 13 to that Act (blighted...
- 106 Planning (Listed Buildings and Conservation Areas) Act 1990
- 107 London Local Authorities (No. 2) Act 1990
- 108 New Roads and Street Works Act 1991
- 109 Coal Mining Subsidence Act 1991
- 110 Water Industry Act 1991
- 111 (1) Schedule 13 to that Act (protective provisions in respect...
- 112 (1) Schedule 15 to that Act (disclosure of information) shall...
- 113 Water Resources Act 1991
- 114 (1) Schedule 22 to that Act (general provisions protecting undertakings)...
- 115 (1) Schedule 24 to that Act (disclosure of information) shall...
- 116 Land Drainage Act 1991
- 117 Planning (Northern Ireland) Order 1991
- 118 Charities Act 1992
- 119 Carriage of Goods by Sea Act 1992
- 120 Electricity (Northern Ireland) Order 1992
- 121 In Article 61 (restrictions on disclosure of information)—
- 122 (1) Schedule 4 (other powers etc. of licence holders) shall...
- 123 Leasehold Reform, Housing and Urban Development Act 1993
- 124 Cardiff Bay Barrage Act 1993
- 125 In paragraph 3(2)(c) of Schedule 4 to that Act (exception...
- 126 In paragraph 21 of Schedule 7 to that Act (powers...
- 127 Railways Act 1993

- 128 Roads (Northern Ireland) Order 1993
- 129 Value Added Tax Act 1994
- 130 Criminal Justice and Public Order Act 1994
- 131 Airports (Northern Ireland) Order 1994
- 132 Merchant Shipping Act 1995
- 133 Criminal Procedure (Scotland) Act 1995
- 134 British Waterways Act 1995
- 135 Street Works (Northern Ireland) Order 1995
- 136 Housing Act 1996
- 137 Housing Grants, Construction and Regeneration Act 1996
- 138 Channel Tunnel Rail Link Act 1996
- 139 (1) Part 4 of Schedule 15 to that Act (protection...
- 140 Gas (Northern Ireland) Order 1996
- 141 In Article 44 (restrictions on disclosure of information)—
- 142 (1) Schedule 3 (other powers etc. of licence holders) shall...
- 143 Construction Contracts (Northern Ireland) Order 1997
- 144 Waste and Contaminated Land (Northern Ireland) Order 1997
- 145 Wireless Telegraphy Act 1998
- 146 In section 1 of that Act (charges for wireless telegraphy...
- 147 For section 2 of that Act there shall be substituted—...
- 148 (1) Section 4 of that Act (restriction on revocation or...
- 149 (1) After section 4 of that Act there shall be...
- 150 For section 6 of that Act there shall be substituted—...
- 151 (1) Section 8 of that Act (interpretation) shall be amended...
- 152 Finance Act 1998
- 153 Competition Act 1998
- 154 In paragraph 1 of Schedule 7A to that Act (procedural...
- 155 Regional Development Agencies Act 1998
- 156 Finance Act 1999
- 157 Greater London Authority Act 1999
- 158 Electronic Communications Act 2000
- 159 Television Licences (Disclosure of Information) Act 2000
- 160 Finance Act 2000M
- 161 Regulation of Investigatory Powers Act 2000
- 162 Postal Services Act 2000
- 163 Utilities Act 2000
- 164 Freedom of Information Act 2000
- 165 Countryside and Rights of Way Act 2000
- 166 Transport Act 2000
- 167 Political Parties, Elections and Referendums Act 2000
- 168 Vehicles (Crime) Act 2001
- 169 Criminal Justice and Police Act 2001
- 170 Electronic Communications Act (Northern Ireland) 2001
- 171 Office of Communications Act 2002
- 172 (1) The Schedule to that Act shall be amended as...
- 173 Tobacco Advertising and Promotion Act 2002
- 174 Enterprise Act 2002
- 175 Income Tax (Earnings and Pensions) Act 2003

SCHEDULE 18 — Transitional Provisions

- 1 General
- 2 Steps taken in anticipation of passing or coming into force of Act

- 3 Savings for agreements referring to the termination of a 1984 Act licence
- 4 Saving for agreements with special provision for 1984 Act licence holders
- 5 General saving for agreements conditional on certain Broadcasting Act licences
- 6 Orders under Part 2 of the Deregulation and Contracting Out Act 1994
- 7 Pre-commencement proposals relating to universal service matters
- 8 Local loop notifications
- 9 Conditions relating to premium rate services and conditions corresponding to SMP or access-related conditions
- 10 Pre-commencement proposals relating to market power determinations
- 11 Savings for licence conditions relating to accounting
- 12 Charges under Telecommunications Act licences
- 13 Enforcement of breaches of licence conditions
- 14 Saving for agreements having effect by reference to licensing regime
- 15 Fees for approvals for the purposes of licence conditions
- 16 Allocated telephone numbers
- 17 Electronic communications code
- 18 Saving for guarantees of liabilities of telecommunications code operators
- 19 Compulsory purchase
- 20 Notices under section 1D of the Wireless Telegraphy Act 1949
- 21 Notices under regulations under section 3 of the Wireless Telegraphy Act 1998
- 22 Disputes about interconnection
- 23 Appeals against wireless telegraphy and telecommunications decisions
- 24 Section 94 of the Telecommunications Act 1984
- 25 Competition Commission: specialist panel members
- 26 Transitory amendments to telecommunications terms in Broadcasting Act 1990
- 27 Activities of the Welsh Authority
- 28 Gaelic Broadcasting
- 29 (1) The continuance in force of the Multiplex Licence (Broadcasting...
- 30 Pre-transfer Broadcasting Act licences
- 31 Channels 3 and 5
- 32 Saving pending replacement of licences for Channels 3 and 5 and the public teletext service
- 33 Digital additional licences
- 34 Programme quotas
- 35 Continuity in relation to appointed news provider
- 36 Networking arrangements
- 37 Determination of qualifying revenue
- 38 Rules for political broadcasts
- 39 Functions under section 88 of the 1990 Act
- 40 Notices under section 94 of the 1990 Act
- 41 Programme standards: television
- 42 Programme standards: radio
- 43 Standards code
- 44 Local and national radio licences
- 45 Section 111B of the 1990 Act
- 46 Section 185 of the 1990 Act
- 47 Section 28 of the 1996 Act

- 48 Section 48 of the 1996 Act
- 49 Applications for extension of pre-transfer licences
- 50 Applications for renewal of licences under 1990 Act and 1996 Act
- 51 Listed events rules
- 52 Complaints to the Broadcasting Standards Commission
- 53 Codes of practice drawn up by the Broadcasting Standards Commission
- 54 Media ownership provisions
- 55 TV licences
- 56 Functions under the Enterprise Act 2002
- 57 Functions under the Competition Act 1998
- 58 (1) Where any regulations made under section 54(4) of the...
- 59 Newspaper mergers
- 60 Chapter 2 of Part 5 and any related repeals shall...
- 61 References in paragraphs 59 and 60 to Chapter 2 of...
- 62 (1) The Secretary of State may, instead of any or...
- 63 Orders in Council under section 6 of the Continental Shelf Act 1964
- 64 Interpretation of Schedule

SCHEDULE 19 — Repeals