



Communications Act 2003

2003 CHAPTER 21

PART 2

NETWORKS, SERVICES AND THE RADIO SPECTRUM

CHAPTER 2

SPECTRUM USE

General functions relating to spectrum use

^{F1}152 General functions of OFCOM in relation to radio spectrum

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

^{F1}153 United Kingdom Plan for Frequency Authorisation

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Status: This version of this chapter contains provisions that are prospective.

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Commencement Information

- I1** S. 153 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. 153 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)

F1 154 Duties of OFCOM when carrying out spectrum functions

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Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006](#) (c. 36), s. 126(2), **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

Commencement Information

- I3** S. 154 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))
- I4** S. 154 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)

F1 155 Advisory service in relation to interference

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Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006](#) (c. 36), s. 126(2), **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

Commencement Information

- I5** S. 155 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), **Sch. 1** (with art. 11)

F1 156 Directions with respect to the radio spectrum

.....

Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006](#) (c. 36), s. 126(2), **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

Commencement Information

- I6** S. 156 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), **Sch. 1** (with art. 11)

F1 157 Procedure for directions under s. 156

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I7 S. 157 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

Reservation of spectrum for multiplex use

^{F1}158 Special duty in relation to television multiplexes

.....

Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I8 S. 158 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

Recognised spectrum access

^{F1}159 Grant of recognised spectrum access

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I9 S. 159 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

^{F1}160 Effect of grant of recognised spectrum access

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I10 S. 160 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

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F1 161 Charges in respect of grants of recognised spectrum access

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I11 S. 161 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

F1 162 Conversion into and from wireless telegraphy licences

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I12 S. 162 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

Crown use of the radio spectrum

F1 163 Payments for use of radio spectrum by the Crown

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I13 S. 163 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

Limitations and exemptions applied to spectrum use

F1 164 Limitations on authorised spectrum use

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

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Commencement Information

- I14** S. 164 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))
- I15** S. 164 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)

^{F1}165 Terms etc. of wireless telegraphy licences

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Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006](#) (c. 36), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

- I16** S. 165 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))
- I17** S. 165 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)

^{F1}166 Exemption from need for wireless telegraphy licence

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Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006](#) (c. 36), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

- I18** S. 166 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))
- I19** S. 166 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)

Award and transfer of licences

^{F1}167 Bidding for wireless telegraphy licences

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Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006](#) (c. 36), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

- I20** S. 167 in force at 18.9.2003 for specified purposes by [S.I. 2003/1900](#), arts. 1(2), 2(2), [Sch. 2](#) (with art. 3) (as amended by [S.I. 2003/3142](#), art. 1(3))
- I21** S. 167 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)

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^{F1}168 Spectrum trading

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I22 S. 168 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

Variation and revocation of licences

^{F1}169 Variation and revocation of wireless telegraphy licences

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I23 S. 169 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))

I24 S. 169 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)

Wireless telegraphy register

^{F1}170 Wireless telegraphy register

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I25 S. 170 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

Information requirements

^{F1}171 Information requirements in relation to wireless telegraphy licences

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Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

Commencement Information

- I26** S. 171 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), **Sch. 1** (with art. 11)

Criminal proceedings etc.

^{F1}172 Contraventions of conditions for use of wireless telegraphy

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Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

Commencement Information

- I27** S. 172 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))
- I28** S. 172 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)

^{F1}173 Meaning of “repeated contravention” in s. 172

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Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

Commencement Information

- I29** S. 173 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))
- I30** S. 173 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)

^{F1}174 Procedure for prosecutions of wireless telegraphy offences

.....

Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), **Sch. 9 Pt. 1** (with [Sch. 8 Pt. 1](#))

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Commencement Information

- I31** S. 174 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))
- I32** S. 174 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)

^{F1}175 Special procedure for contraventions by multiplex licence holders

.....

Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006](#) (c. 36), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

- I33** S. 175 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

^{F1}176 Amount of penalty under s. 175

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Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006](#) (c. 36), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

- I34** S. 176 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

^{F1}177 “Relevant amount of gross revenue” for the purposes of s. 176

.....

Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006](#) (c. 36), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

- I35** S. 177 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

^{F1}178 Proceedings for an offence relating to apparatus use

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Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

- I36** S. 178 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))
- I37** S. 178 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](#))

^{F1}179 Modification of penalties for certain wireless telegraphy offences

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Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

- I38** S. 179 in force at 18.9.2003 by [S.I. 2003/1900](#), art. 2(2), [Sch. 2](#)

PROSPECTIVE

^{F1}180 Fixed penalties for certain wireless telegraphy offences

.....

Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

^{F1}181 Power of arrest

.....

Textual Amendments

- F1** Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

- I39** S. 181 in force at 18.9.2003 by [S.I. 2003/1900](#), art. 2(2), [Sch. 2](#)

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^{F1}182 Forfeiture etc. of restricted apparatus

.....

Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I40 S. 182 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

Construction of 1949 Act

^{F1}183 Modification of definition of “undue interference”

.....

Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I41 S. 183 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))

I42 S. 183 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)

^{F1}184 Modification of definition of “wireless telegraphy”

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Textual Amendments

F1 Ss. 152-184 repealed (8.2.2007) by [Wireless Telegraphy Act 2006 \(c. 36\)](#), s. 126(2), [Sch. 9 Pt. 1](#) (with [Sch. 8 Pt. 1](#))

Commencement Information

I43 S. 184 in force at 18.9.2003 by [S.I. 2003/1900](#), art. 2(2), [Sch. 2](#)

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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\(1\)](#)