

Draft Order laid before Parliament under section 139(10) of the Communications Act 2003, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2011 No. 000

ELECTRONIC COMMUNICATIONS

**The Communications Act 2003 (Maximum Penalty for
Contravention of Information Requirements) Order 2011**

Made - - - -

Coming into force in accordance with Article 1

The Secretary of State makes the following Order in exercise of the powers conferred by section 139(9) of the Communications Act 2003⁽¹⁾;

In accordance with section 139(10) of that Act, a draft of this Order was laid before Parliament and approved by a resolution of each House of Parliament.

Citation and Commencement

1. This Order may be cited as The Communications Act 2003 (Maximum Penalty for Contravention of Information Requirements) Order 2011 and shall come into force on the day after the day on which it is made.

Amendment of section 139 of the Communications Act 2003

2.—(1) In section 139(5) of the Communications Act 2003 (penalty for contravention of information requirements) for “£50,000” substitute “£2,000,000”.

(2) Paragraph (1) does not apply to a request for information under section 135, 136 or 191 of the Communications Act 2003 where the request is made before the coming into force of this Order.

Date

Ed Vaizey
Parliamentary Under Secretary of State
Department for Culture, Media and Sport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends section 139(5) of the Communications Act 2003 so as to raise from £50,000 to £2,000,000 the maximum penalty that the Office of Communications can impose under section 139 of the Communications Act 2003, in respect of a contravention of an information request made by them under section 135, 136 or 191 of the Communications Act 2003.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector and a transposition note are available from the Department for Culture, Media and Sport, 2 – 4 Cockspur Street, London, SW1Y 5DH and are published with the Explanatory Memorandum alongside the instrument on www.legislation.gov.uk.