



Office of Communications Act 2002

2002 CHAPTER 11

4 Functions of existing regulators

- (1) The functions of each of the existing regulators shall (subject to subsection (4)) include—
 - (a) a duty to do everything that is necessary for facilitating the implementation of any relevant proposals about the regulation of communications;
 - (b) a duty to carry out all that regulator's functions in such manner as appears to that regulator best to secure that OFCOM —
 - (i) is able effectively to carry out their function under section 2(1); and
 - (ii) will be able effectively to carry out any functions which will become functions of OFCOM in consequence of the implementation of any such proposals;
 - (c) a power to do all such other things as that regulator considers appropriate for facilitating the implementation of, or for securing the modification of, any relevant proposals about the regulation of communications;
 - (d) a power to carry out the functions of that regulator in a manner that promotes the interests of OFCOM.
- (2) It shall be the duty of each of the existing regulators to comply with any direction by the Secretary of State, in relation to the carrying out of that regulator's functions under this Act, that requires that regulator—
 - (a) to prepare a draft scheme setting out, in the manner required by the Secretary of State, the regulator's proposals for any such transfers of property, rights and liabilities from that regulator to OFCOM as may be specified or described in the direction;
 - (b) to consult with OFCOM about those proposals; and
 - (c) to submit that draft scheme, in such form as he may require, to the Secretary of State.
- (3) Subject to subsection (4), each of the existing regulators shall have power, for the purpose of carrying out that regulator's functions under this section, to do such things as appear to that regulator to be incidental or conducive to the carrying out of those functions, including (without prejudice to the generality of that power) power to make

Status: This is the original version (as it was originally enacted).

payments to OFCOM, to second staff to OFCOM and to provide OFCOM with any information that they may request.

- (4) Nothing in this section or in any direction under this section shall be taken, in relation to proposals that have not yet been approved by Parliament—
- (a) as dispensing with the need for any Parliamentary approval otherwise required for the implementation of the proposals; or
 - (b) as requiring or authorising an existing regulator, before any such approval is given, to engage in any activities other than activities which are connected with, or consist in, either—
 - (i) the formulation of the proposals; or
 - (ii) the taking of preparatory steps towards their implementation when approved.
- (5) The functions of the existing regulators by virtue of this section are in addition to, and without prejudice to the extent of, any of their powers apart from this Act.