



Communications Act 2003

2003 CHAPTER 21

PART 2

NETWORKS, SERVICES AND THE RADIO SPECTRUM

CHAPTER 1

ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES

[^{F1}Online infringement of copyright: obligations of internet service providers]

[^{F1}124H Obligations to limit internet access

- (1) The Secretary of State may by order impose a technical obligation on internet service providers if—
 - (a) OFCOM have assessed whether one or more technical obligations should be imposed on internet service providers; and
 - (b) taking into account that assessment, reports prepared by OFCOM under section 124F, and any other matter that appears to the Secretary of State to be relevant, the Secretary of State considers it appropriate to make the order.
- (2) No order may be made under this section within the period of 12 months beginning with the first day on which there is an initial obligations code in force.
- (3) An order under this section must specify the date from which the technical obligation is to have effect, or provide for it to be specified.
- (4) The order may also specify—
 - (a) the criteria for taking the technical measure concerned against a subscriber;
 - (b) the steps to be taken as part of the measure and when they are to be taken.
- (5) No order is to be made under this section unless—
 - (a) the Secretary of State has complied with subsections (6) to (10), and

Changes to legislation: Communications Act 2003, Section 124H is up to date with all changes known to be in force on or before 20 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) a draft of the order has been laid before Parliament and approved by a resolution of each House.
- (6) If the Secretary of State proposes to make an order under this section, the Secretary of State must lay before Parliament a document that—
- (a) explains the proposal, and
 - (b) sets it out in the form of a draft order.
- (7) During the period of 60 days beginning with the day on which the document was laid under subsection (6) (“the 60-day period”), the Secretary of State may not lay before Parliament a draft order to give effect to the proposal (with or without modifications).
- (8) In preparing a draft order under this section to give effect to the proposal, the Secretary of State must have regard to any of the following that are made with regard to the draft order during the 60-day period—
- (a) any representations, and
 - (b) any recommendations of a committee of either House of Parliament charged with reporting on the draft order.
- (9) When laying before Parliament a draft order to give effect to the proposal (with or without modifications), the Secretary of State must also lay a document that explains any changes made to the proposal contained in the document laid before Parliament under subsection (6).
- (10) In calculating the 60-day period, no account is to be taken of any time during which Parliament is dissolved or prorogued or during which either House is adjourned for more than 4 days.]

Textual Amendments

F1 S. 124H inserted (8.6.2010) by [Digital Economy Act 2010 \(c. 24\)](#), ss. 10, 47(1)

Changes to legislation:

Communications Act 2003, Section 124H is up to date with all changes known to be in force on or before 20 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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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):

- Pt. 3B inserted by [2024 c. 15 s. 48\(1\)](#)
- Pt 4A Ch. 1 heading inserted by [2024 c. 15 s. 37\(2\)](#)
- Pt. 4A Ch. 2 and cross-heading inserted by [2024 c. 15 s. 37\(5\)](#)
- Pt. 4A Ch. 3 inserted by [2024 c. 15 Sch. 5](#)
- Pt. 4A Ch. 4 heading inserted by [2024 c. 15 Sch. 6 para. 2](#)
- Pt. 4A Ch. 5 heading inserted by [2024 c. 15 Sch. 6 para. 9](#)
- s. 362AZ12(6) applied by 1990 c. 42, s. 18A(5) (as inserted) by [2024 c. 15 s. 19\(3\)](#)
- s. 362AZ12(6) applied by 1996 c. 55, s. 98(2D) (as substituted) by [2024 c. 15 s. 20\(2\)](#)
- 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. 198B(1A) inserted by [2024 c. 15 s. 30\(3\)\(b\)](#)
- s. 198B(3A) inserted by [2024 c. 15 s. 30\(3\)\(d\)](#)
- s. 198AA inserted by [2024 c. 15 s. 30\(2\)](#)
- s. 204A-204C substituted for s. 204-206 by [2024 c. 15 s. 32\(2\)](#)
- s. 245(1)(c) inserted by [2024 c. 15 s. 46\(2\)](#)
- s. 245(3A)-(3C) inserted by [2024 c. 15 s. 46\(3\)](#)
- s. 264(3)-(8F) substituted for s. 264(3)-(8) by [2024 c. 15 s. 1\(2\)](#)
- s. 264(10A)(10B) inserted by [2024 c. 15 s. 1\(3\)](#)
- s. 264(11)-(11B) substituted for s. 264(11) by [2024 c. 15 s. 1\(4\)](#)
- s. 264(13)-(16) substituted for s. 264(13) by [2024 c. 15 s. 1\(5\)](#)
- s. 265(6)(7) inserted by [2024 c. 15 s. 3\(4\)](#)
- s. 266(2A) inserted by [2024 c. 15 s. 4\(2\)](#)
- s. 270(3)(ca) inserted by [2024 c. 15 s. 6\(3\)](#)
- s. 270(4A) inserted by [2024 c. 15 s. 6\(4\)](#)
- s. 270(7A) inserted by [2024 c. 15 s. 6\(7\)](#)
- s. 277(12A) inserted by [2024 c. 15 s. 8\(9\)](#)
- s. 277(14) inserted by [2024 c. 15 s. 8\(11\)](#)
- s. 278(1)(1A) substituted for s. 278(1) by [2024 c. 15 s. 9\(2\)](#)
- s. 278(7A) inserted by [2024 c. 15 s. 9\(4\)](#)
- s. 278(12) inserted by [2024 c. 15 s. 9\(5\)](#)
- s. 278A inserted by [2024 c. 15 s. 10](#)
- s. 278B inserted by [2024 c. 15 s. 11](#)
- s. 278C inserted by [2024 c. 15 s. 12](#)
- s. 285(3)(h) inserted by [2024 c. 15 s. 13\(3\)](#)
- s. 285(10) inserted by [2024 c. 15 s. 13\(4\)](#)

- s. 286(1)(a)(aa) substituted for s. 286(1)(a) by 2024 c. 15 s. 14(2)(b)
- s. 286(3)(a)(aa) substituted for s. 286(3)(a) by 2024 c. 15 s. 14(3)(b)
- s. 286(8) inserted by 2024 c. 15 s. 14(6)
- s. 288(1)(a)(aa) substituted for s. 288(1)(a) by 2024 c. 15 s. 14(8)(b)
- s. 288(6) inserted by 2024 c. 15 s. 14(10)
- s. 290(5) inserted by 2024 c. 15 s. 15(3)
- s. 290(6) inserted by 2024 c. 15 s. 15(4)
- s. 315(6)(c) omitted by 2024 c. 15 s. 47(9)
- s. 315A inserted by 2024 c. 15 s. 44(9)
- s. 335B(1A) inserted by 2024 c. 15 Sch. 12 para. 4(3)
- s. 338A338B and cross-heading inserted by 2024 c. 15 s. 18
- s. 351(4)(aa) inserted by 2024 c. 15 Sch. 2 para. 58(2)(b)
- s. 351(5)(aa) substituted for s. 351(5)(a) by 2024 c. 15 Sch. 2 para. 58(3)(a)
- s. 353(4)(aa) inserted by 2024 c. 15 Sch. 2 para. 59(2)(b)
- s. 359A and cross-heading inserted by 2024 c. 15 s. 45
- s. 368B(A2) inserted by 2024 c. 15 s. 37(4)
- s. 368E(3)(zza) inserted by 2024 c. 15 Sch. 12 para. 9(2)
- s. 368E(5)(d)(e) inserted by 2017 c. 30 s. 94(3)
- s. 368I(1A) inserted by 2024 c. 15 Sch. 6 para. 3(4)
- s. 368I(8A) inserted by 2024 c. 15 Sch. 8 para. 8
- s. 368K(1A) inserted by 2024 c. 15 Sch. 6 para. 5(3)
- s. 368M(2A) inserted by 2024 c. 15 Sch. 6 para. 7(3)
- s. 368O368OZA substituted for s. 368O by 2024 c. 15 Sch. 6 para. 11(1)
- s. 368AA368AB inserted by 2024 c. 15 s. 37(3)
- s. 368BB(7) inserted by 2024 c. 15 Sch. 8 para. 3
- s. 368IA(8A) inserted by 2024 c. 15 Sch. 8 para. 9
- s. 368NA(8A)(8B) inserted by 2024 c. 15 Sch. 6 para. 10(3)
- s. 368OB and cross-heading inserted by 2024 c. 15 s. 38(1)
- s. 368QA inserted by 2024 c. 15 Sch. 8 para. 12(1)
- s. 370(13) inserted by 2024 c. 13 Sch. 29 para. 7(2)
- s. 371(13) inserted by 2024 c. 13 Sch. 29 para. 7(3)
- s. 392A and cross-heading inserted by 2024 c. 15 s. 49(2)
- s. 392B inserted by 2024 c. 15 s. 49(4)
- s. 393(5)(t) inserted by 2024 c. 13 Sch. 30 para. 28(b)
- s. 393(6)(ab) inserted by 2024 c. 15 s. 38(2)
- s. 400(1)(ha) words inserted by 2024 c. 15 Sch. 9 para. 4
- s. 402(2A)(zza) inserted by 2024 c. 15 s. 46(4)
- s. 402(2A)(zzb) inserted by 2024 c. 15 s. 44(10)
- 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)
- Sch. 9 para. 1(1)(ab) inserted by 2024 c. 15 Sch. 2 para. 62
- Sch. 12 para. 1(15) inserted by 2024 c. 15 Sch. 1 para. 1(10)
- Sch. 12 para. 7(14) inserted by 2024 c. 15 Sch. 1 para. 2(10)
- Sch. 12 para. 8(7A) inserted by 2024 c. 15 Sch. 1 para. 3(5)
- Sch. 12 para. 8(13) inserted by 2024 c. 15 Sch. 1 para. 3(8)
- Sch. 12 para. 10(1)(b) and word inserted by 2024 c. 15 Sch. 1 para. 4(b)
- Sch. 12 para. 10(4)(h) inserted by 2024 c. 15 Sch. 1 para. 4(c)
- Sch. 12 para. 10(12) inserted by 2024 c. 15 Sch. 1 para. 4(d)
- Sch. 12 para. 4(2A) inserted by 2024 c. 15 Sch. 4 para. 52(4)
- Sch. 12 para. 3(6)-(7B) substituted for Sch. 12 para. 3(6)(7) by 2024 c. 15 Sch. 4 para. 51(4)
- Sch. 12 para. 8(1)-(1C) substituted for Sch. 12 para. 8(1) by 2024 c. 15 Sch. 1 para. 3(2)

- Sch. 16A inserted by [2024 c. 15 Sch. 10](#)
- Sch. 16B inserted by [2024 c. 15 Sch. 11](#)