



Communications Act 2003

2003 CHAPTER 21

PART 2

NETWORKS, SERVICES AND THE RADIO SPECTRUM

CHAPTER 1

ELECTRONIC COMMUNICATIONS NETWORKS AND SERVICES

Persistent misuse of network or service

131 Statement of policy on persistent misuse

- (1) It shall be the duty of OFCOM to prepare and publish a statement of their general policy with respect to the exercise of their powers under sections 128 to 130.
- (2) OFCOM may from time to time revise that statement as they think fit.
- (3) Where OFCOM make or revise their statement of policy under this section, they must publish that statement or (as the case may be) the revised statement in such manner as they consider appropriate for bringing it to the attention of the persons who, in their opinion, are likely to be affected by it.
- (4) It shall be the duty of OFCOM, in exercising the powers conferred on them by sections 128 to 130, to have regard to the statement for the time being in force under this section.

Modifications etc. (not altering text)

- C1** Ss. 128-131 modified (31.12.2020) by [The Communications Act \(e-Commerce\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1420\)](#), regs. 1, 2

Changes to legislation: Communications Act 2003, Section 131 is up to date with all changes known to be in force on or before 07 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

Commencement Information

- I1** S. 131 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. 131 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)

Changes to legislation:

Communications Act 2003, Section 131 is up to date with all changes known to be in force on or before 07 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.

[View outstanding changes](#)

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. 392A and cross-heading inserted by 2024 c. 15 s. 49(2)
- s. 392B inserted by 2024 c. 15 s. 49(4)
- 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](#)