



# Communications Act 2003

## 2003 CHAPTER 21

### PART 1

#### FUNCTIONS OF OFCOM

##### *General information functions*

#### **26 Publication of information and advice for consumers etc.**

(1) OFCOM [<sup>F1</sup>must] arrange for the publication of such information and advice about matters in relation to which they have functions as it appears to them to be appropriate to make available to the persons mentioned in subsection (2).

(2) Those persons are—

(a) the customers of communications providers;

(b) the customers of persons who make associated facilities available;

[<sup>F2</sup>(ba) any person affected by the application of the electronic communications code (within the meaning of section 106(1));]

(c) persons who use electronic communications networks, electronic communications services or associated facilities; <sup>F3</sup>...

(d) persons to whom radio and television services are provided or who are otherwise able or likely to take advantage of any of those services.

[<sup>F4</sup>(da) United Kingdom users of regulated services;]

[<sup>F5</sup>(e) the customers of persons who provide postal services.]

[<sup>F6</sup>(2A) In subsection (2)(e) the reference to customers of persons who provide postal services includes—

(a) persons who wish to be provided with such services,

(b) persons who are likely to seek to be provided with such services, and

(c) addressees.]

*Status: Point in time view as at 10/01/2024.*

*Changes to legislation: Communications Act 2003, Section 26 is up to date with all changes known to be in force on or before 22 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)*

- (3) In arranging for the publication of information or advice under this section, OFCOM must have regard to the need to exclude from publication, so far as that is practicable, the matters which are confidential in accordance with subsections (4) and (5).
- (4) A matter is confidential under this subsection if—
- (a) it relates specifically to the affairs of a particular body; and
  - (b) publication of that matter would or might, in OFCOM’s opinion, seriously and prejudicially affect the interests of that body.
- (5) A matter is confidential under this subsection if—
- (a) it relates to the private affairs of an individual; and
  - (b) publication of that matter would or might, in OFCOM’s opinion, seriously and prejudicially affect the interests of that individual.
- (6) The publication of information or advice under this section must be in such manner as OFCOM consider appropriate.
- [<sup>F7</sup>(7) In this section the following terms have the same meaning as in the Online Safety Act 2023—
- “regulated service” (see section 4 of that Act);
  - “United Kingdom user” (see section 227 of that Act).]

#### Textual Amendments

- F1** Word in s. 26(1) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 8(a)** (with Sch. 3 para. 2)
- F2** S. 26(2)(ba) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 1 para. 8(b)** (with Sch. 3 para. 2)
- F3** Word in s. 26(2)(c) omitted (1.10.2011) by virtue of [Postal Services Act 2011 \(c. 5\)](#), s. 93(2)(3), **Sch. 12 para. 61(2)(a)**; [S.I. 2011/2329](#), art. 3
- F4** S. 26(2)(da) inserted (10.1.2024) by [Online Safety Act 2023 \(c. 50\)](#), **ss. 119(2)**, 240(1); [S.I. 2023/1420](#), reg. 2(z14)
- F5** S. 26(2)(e) inserted (1.10.2011) by [Postal Services Act 2011 \(c. 5\)](#), s. 93(2)(3), **Sch. 12 para. 61(2)(b)**; [S.I. 2011/2329](#), art. 3
- F6** S. 26(2A) inserted (1.10.2011) by [Postal Services Act 2011 \(c. 5\)](#), s. 93(2)(3), **Sch. 12 para. 61(3)**; [S.I. 2011/2329](#), art. 3
- F7** S. 26(7) inserted (10.1.2024) by [Online Safety Act 2023 \(c. 50\)](#), **ss. 119(3)**, 240(1); [S.I. 2023/1420](#), reg. 2(z14)

#### Commencement Information

- I1** S. 26(1)(2)(a)-(c)(3)-(6) 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. 26(1) (2)(a)-(c) (3)-(6) in force at 29.12.2003 in so far as not already in force by [S.I. 2003/3142](#), art. 3(1), **Sch. 1** (with art. 11)
- I3** S. 26(2)(d) in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), **Sch. 1** (with art. 11)

**Status:**

Point in time view as at 10/01/2024.

**Changes to legislation:**

Communications Act 2003, Section 26 is up to date with all changes known to be in force on or before 22 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.