



Wireless Telegraphy Act 2006

2006 CHAPTER 36

[^{F1}PART 2A

REGULATION OF DYNAMIC SPECTRUM ACCESS SERVICES

Enforcement

[^{F1}53E Notification of contravention of registration restrictions or conditions

- (1) Where OFCOM determine that there are reasonable grounds for believing that a person registered under section 53A is contravening, or has contravened, the restrictions or conditions subject to which the person is registered they may give that person a notification under this section.
- (2) A notification under this section is one which—
 - (a) sets out the determination made by OFCOM,
 - (b) specifies the restriction or condition and contravention in respect of which that determination has been made,
 - (c) specifies the period during which the person notified has an opportunity to make representations,
 - (d) specifies the steps that OFCOM think should be taken by the person in order to—
 - (i) comply with the restriction or condition;
 - (ii) remedy the consequences of the contravention,
 - (e) if OFCOM are minded to suspend or revoke the person's registration, contains a statement to that effect, and
 - (f) specifies any penalty which OFCOM are minded to impose in accordance with section 53F.
- (3) A notification under this section—
 - (a) may be given in respect of more than one contravention, and
 - (b) if it is given in respect of a continuing contravention, may be given in respect of any period during which the contravention has continued.

Changes to legislation: Wireless Telegraphy Act 2006, Section 53E is up to date with all changes known to be in force on or before 25 August 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

- (4) Where a notification under this section has been given to a person in respect of a contravention of a restriction or condition, OFCOM may give a further notification in respect of the same contravention of that restriction or condition if, and only if—
- (a) the contravention is one occurring after the time of the giving of the earlier notification,
 - (b) the contravention is a continuing contravention and the subsequent notification is in respect of so much of a period as falls after a period to which the earlier notification relates, or
 - (c) the earlier notification has been withdrawn without a penalty having been imposed, or other action taken, in respect of the notified contravention.]

Textual Amendments

F1 Pt. 2A inserted (31.7.2017) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 8(1)**, 118(6); S.I. 2017/765, reg. 2(c)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 36](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 111(6)(q) inserted by [2024 c. 13 Sch. 30 para. 29\(b\)](#)