

SCHEDULES

SCHEDULE 1

Amendments to Communications Act 2003 and related amendments

Communications Act 2003

- 84.** In section 140 (suspending service provision for information contraventions)—
- (a) in subsection (1)—
 - (i) in paragraph (a) for “serious and repeated” substitute “serious or repeated”,
 - (ii) in paragraph (c), at the beginning insert “in the case of a repeated contravention,” and for “under section 139” substitute “or the giving of notifications under section 138 and confirmation decisions under section 139A, or both,” , and
 - (iii) for paragraph (d) substitute—
 - “(d) that the giving of the direction is appropriate and proportionate to the contravention in respect of which it is given.”, and
 - (b) in subsection (7)—
 - (i) for paragraphs (a) and (b) substitute—
 - “(a) in the case of a previous notification of a contravention given to that person under section 138, OFCOM have given a confirmation decision to that person under section 139A(2) in respect of the contravention; and
 - (b) in the period of 24 months following the giving of that confirmation decision, one or more further confirmation decisions have been given to the person in respect of contraventions of numbering conditions;”, and
 - (ii) in the words following paragraph (b) for “notifications” substitute “confirmation decisions”.