



# Communications Act 2003

## 2003 CHAPTER 21

### PART 1

#### FUNCTIONS OF OFCOM

##### *International matters*

## 22 Representation on international and other bodies

- (1) It shall be the duty of OFCOM to do, as respects the United Kingdom, such of the following things as they are required to do by the Secretary of State—
  - (a) provide representation on behalf of Her Majesty's Government in the United Kingdom on international and other bodies having communications functions;
  - (b) become or serve as a member of an international or other body having such functions;
  - (c) subscribe to such a body;
  - (d) provide representation on behalf of Her Majesty's Government in the United Kingdom at international meetings about communications.
- (2) OFCOM shall also have the power, if requested to do so by the Secretary of State, to do one or more of those things as respects any of the Channel Islands, the Isle of Man or a British overseas territory.
- (3) It shall be the duty of OFCOM to carry out their functions under this section in accordance with such general or specific directions as may be given to them by the Secretary of State.
- (4) The Secretary of State—
  - (a) is not entitled to direct OFCOM to comply with a request made under subsection (2); but
  - (b) may give directions about how OFCOM are to carry out any representative role that they undertake in accordance with such a request.
- (5) In this section—

**Changes to legislation:** Communications Act 2003, Cross Heading: International matters is up to date with all changes known to be in force on or before 08 May 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

“communications functions” means—

- (a) functions relating to the use of the electro-magnetic spectrum for wireless telegraphy;
- (b) functions relating to the regulation of television or radio broadcasting or the provision of television and radio services ; <sup>F1</sup>...
- (ba) [<sup>F2</sup>functions relating to postal services; and]
- (c) any other function which relates to, or is connected with, a matter in respect of which OFCOM have functions;

“international meetings about communications” means international meetings relating to, or to matters connected with, one or more of the following—

- (a) the use of the electro-magnetic spectrum for wireless telegraphy;
- (b) the regulation of television or radio broadcasting or of the provision of television and radio services;
- (ba) [<sup>F3</sup>the regulation of postal services;]
- (c) any other matter in respect of which OFCOM have functions.

(6) In relation to—

- (a) a part of the British Islands outside the United Kingdom, or
- (b) a British overseas territory,

the references in subsection (5) to matters in respect of which OFCOM have functions include references to matters corresponding, in the case of that part of those Islands or of that territory, to matters in respect of which OFCOM’s functions are confined to the United Kingdom.

(7) In subsection (5) “television or radio broadcasting” includes the provision by means other than broadcasting of services similar to those provided by television or radio broadcasts.

#### Textual Amendments

- F1** Word in s. 22(5) omitted (1.10.2011) by virtue of [Postal Services Act 2011 \(c. 5\), s. 93\(2\)\(3\), Sch. 12 para. 60\(2\)](#); S.I. 2011/2329, art. 3
- F2** Words in s. 22(5) inserted (1.10.2011) by virtue of [Postal Services Act 2011 \(c. 5\), s. 93\(2\)\(3\), Sch. 12 para. 60\(2\)](#); S.I. 2011/2329, art. 3
- F3** Words in s. 22(5) inserted (1.10.2011) by [Postal Services Act 2011 \(c. 5\), s. 93\(2\)\(3\), Sch. 12 para. 60\(3\)](#); S.I. 2011/2329, art. 3

#### Commencement Information

- I1** S. 22 in force at 29.12.2003 by [S.I. 2003/3142, art. 3\(1\), Sch. 1](#) (with art. 11)

## 23 Directions for international purposes in respect of broadcasting functions

(1) This section applies to—

- (a) OFCOM’s functions under the enactments relating to broadcasting; and
- (b) the matters in relation to which those functions are conferred.

(2) It shall be the duty of OFCOM—

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- (a) to carry out those functions in accordance with any general or specific directions given to them by the Secretary of State for the purpose mentioned in subsection (3); and
  - (b) to carry out such other functions in relation to the matters to which this section applies as they are required to carry out by any general or specific directions so given.
- (3) The Secretary of State is not to give a direction under this section except for the purpose of securing compliance, in relation to a matter to which this section applies, with an international obligation of the United Kingdom.
- (4) A direction under this section must be contained in an order made by the Secretary of State.
- (5) In this section “the enactments relating to broadcasting” means—
- (a) the 1990 Act;
  - (b) the 1996 Act;
  - (c) Part 3 of this Act; and
  - (d) the other provisions of this Act so far as relating to the 1990 Act, the 1996 Act or that Part.

**Modifications etc. (not altering text)**

- C1** S. 23(1) applied (with modifications) (8.5.2017) by [The Greater Manchester Combined Authority \(Fire and Rescue Functions\) Order 2017 \(S.I. 2017/469\)](#), art. 1(3), **Sch. para. 5**

**Commencement Information**

- I2** S. 23 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), **Sch. 1** (with art. 11)

**Changes to legislation:**

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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):

- 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. 368E(5)(d)(e) inserted by [2017 c. 30 s. 94\(3\)](#)
- 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\(1\)](#)