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STATUTORY INSTRUMENTS

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**2003 No. 3142**

**The Office of Communications Act 2002  
(Commencement No. 3) and Communications  
Act 2003 (Commencement No. 2) Order 2003**

**Transitional provision: complaints to Broadcasting Standards Commission**

**11.**—(1) This article shall apply to a standards complaint made to, but not disposed of by, the BSC before the transfer to OFCOM on 29th December 2003, in accordance with the provisions of the principal Act brought into force by this Order, of the functions of the BSC under Part 5 of the 1996 Act.

(2) The standards complaint shall be treated as if—

- (a) anything done, or treated as done, by or in relation to the BSC for the purposes of, or in connection with, that complaint had been done by or in relation to OFCOM; and
- (b) those functions had been functions of OFCOM at the time when it was done.

(3) The procedure for the handling and resolution of complaints established by OFCOM under section 325 of the principal Act shall apply in relation to anything remaining to be done for the purposes of, or in connection with, the complaint.

(4) In exercising their functions in relation to the complaint, OFCOM shall apply any relevant provisions of the code maintained by the BSC under section 108 of the 1996 Act immediately before 29th December 2003.

(5) In this article, “standards complaint” has the same meaning as in Part 5 of the 1996 Act, notwithstanding any repeal brought into force by this Order.