



Wireless Telegraphy Act 2006

2006 CHAPTER 36

PART 2

REGULATION OF RADIO SPECTRUM

CHAPTER 3

MANAGEMENT OF RADIO SPECTRUM

General

27 Conversion into and from wireless telegraphy licences

OFCOM may by regulations make provision for—

- (a) the conversion, on the application of the licence holder, of a wireless telegraphy licence into a grant of recognised spectrum access; and
- (b) the conversion, on the application of the holder of the grant, of a grant of recognised spectrum access into a wireless telegraphy licence.

28 Payments by the Crown

- (1) The Secretary of State may, out of money provided by Parliament, make payments to OFCOM of such amounts as he considers appropriate in respect of—
 - (a) the establishment and use, by or on behalf of the Crown, of a wireless telegraphy station;
 - (b) the installation and use, by or on behalf of the Crown, of wireless telegraphy apparatus;
 - (c) any grant of recognised spectrum access made to the Crown.
- (2) The payments made under this section are to be made—
 - (a) at such times, and
 - (b) so far as made in relation to use, in relation to such periods,

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as the Secretary of State considers appropriate.

29 Limitations on authorised spectrum use

- (1) If they consider it appropriate to impose limitations on the use of particular frequencies for the purpose of securing the efficient use of the electromagnetic spectrum, OFCOM must make an order imposing the limitations.
- (2) An order under this section may do one or both of the following—
 - (a) specify frequencies for the use of which OFCOM will grant or make only a limited number of wireless telegraphy licences and grants of recognised spectrum access; or
 - (b) specify uses for which, on specified frequencies, OFCOM will grant or make only a limited number of wireless telegraphy licences and grants of recognised spectrum access.
- (3) Where OFCOM make an order under this section, it must set out the criteria which OFCOM will apply in determining in accordance with the order—
 - (a) the limit on the number of wireless telegraphy licences and grants of recognised spectrum access to be granted or made for the specified frequencies or uses;
 - (b) the persons to whom licences will be granted or grants of recognised spectrum access made.
- (4) OFCOM must satisfy themselves that any criteria set out as a result of subsection (3) are—
 - (a) objectively justifiable in relation to the frequencies or uses to which they relate;
 - (b) not such as to discriminate unduly against particular persons or against a particular description of persons;
 - (c) proportionate to what they are intended to achieve; and
 - (d) in relation to what they are intended to achieve, transparent.
- (5) OFCOM must exercise—
 - (a) their powers under Chapter 1 of this Part with respect to wireless telegraphy licences, and
 - (b) their powers under Chapter 2 of this Part with respect to grants of recognised spectrum access,in accordance with the orders for the time being in force under this section.
- (6) OFCOM must keep under review any order for the time being in force under this section.
- (7) OFCOM must make an order revoking or amending the provisions of an order under this section if, on reviewing it, they consider it necessary to do so for the purpose of securing the efficient use of the electromagnetic spectrum.
- (8) An order under this section may make provision by reference to determinations which—
 - (a) are made from time to time by OFCOM in accordance with the provisions of such an order; and

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- (b) are published by them from time to time in such manner as may be provided for in such an order.

30 Spectrum trading

- (1) OFCOM may by regulations authorise the transfer to another person by—
 - (a) the holder of a wireless telegraphy licence, or
 - (b) the holder of a grant of recognised spectrum access,of rights and obligations arising as a result of such a licence or grant.

^{F1}(1A)

- (2) The transfers that may be so authorised are—
 - (a) transfers of all or any of the rights and obligations under a licence or grant such that the rights and obligations of the person making the transfer become rights and obligations of the transferee to the exclusion of the person making the transfer;
 - (b) transfers of all or any of those rights and obligations such that the transferred rights and obligations become rights and obligations of the transferee while continuing, concurrently, to be rights and obligations of the person making the transfer; and
 - (c) transfers falling within either of paragraphs (a) and (b) under which the rights and obligations that are acquired by the transferee take effect—
 - (i) if they are rights and obligations under a wireless telegraphy licence, as rights and obligations under a grant of recognised spectrum access; and
 - (ii) if they are rights and obligations under a grant of recognised spectrum access, as rights and obligations under a wireless telegraphy licence.
- (3) Regulations authorising the transfer of rights and obligations under a wireless telegraphy licence or a grant of recognised spectrum access may—
 - (a) authorise a partial transfer—
 - (i) to be made by reference to such factors and apportionments, and
 - (ii) to have effect in relation to such matters and periods,as may be described in, or determined in accordance with, the regulations;
 - (b) by reference to such factors (including the terms and conditions of the licence or grant in question) as may be specified in or determined in accordance with the regulations, restrict the circumstances in which, the extent to which and the manner in which a transfer may be made;
 - (c) require the approval or consent of OFCOM for the making of a transfer;
 - (d) provide for a transfer to be effected by the surrender of a wireless telegraphy licence or grant of recognised spectrum access and the grant or making of a new one in respect of the transfer^{F2}, or in any other way];
 - (e) confer power on OFCOM to direct that a transfer must not be made, or is to be made only after compliance with such conditions as OFCOM may impose in accordance with the regulations;
 - (f) authorise OFCOM to require the payment to them of such sums as may be determined by or in accordance with the regulations—
 - (i) in respect of determinations made by OFCOM for the purposes of the regulations, or

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- (ii) in respect of an approval or consent given for those purposes;
 - (g) make provision for the giving of security (whether by the giving of deposits or otherwise) in respect of sums payable in pursuance of any regulations under this section;
 - (h) make provision as to the circumstances in which security given under such regulations is to be returned or may be retained;
 - [^{F3}(i) impose requirements, of a kind specified in the regulations, as to the procedure to be followed for a transfer and, in particular, as to the notification about a transfer falling within subsection (2)(b) that must be given to OFCOM, both in advance of its being made and afterwards;]
 - (j) impose requirements as to the records to be kept in connection with any transfer, and as to the persons to whom such records are to be made available;
 - (k) set out the matters to be taken into account in the making of determinations under regulations under this section.
- [^{F4}(3A) Regulations must make provision as to the notification about a transfer falling within subsection (2)(a) which is to be given to OFCOM and published, both in advance of the transfer being made and afterwards.]
- (4) The transfer of rights and obligations under a wireless telegraphy licence or grant of recognised spectrum access is void except to the extent that it is made—
 - (a) in accordance with regulations under this section; or
 - (b) in accordance with a provision falling within subsection (5).
 - (5) The provision is one which—
 - (a) is contained in a wireless telegraphy licence ^{F5}...
 - (b) allows the holder of the licence to confer the benefit of the licence on another in respect of any station or apparatus to which the licence relates.
 - (6) A transfer is also void if it is made in contravention of a direction given by OFCOM in exercise of a power conferred by regulations under this section.

Textual Amendments

- F1** S. 30(1A) omitted (21.12.2020) by virtue of [The Electronic Communications and Wireless Telegraphy \(Amendment\) \(European Electronic Communications Code and EU Exit\) Regulations 2020 \(S.I. 2020/1419\)](#), reg. 1(2), **Sch. 1 para. 85**
- F2** Words in s. 30(3)(d) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 9(b)** (with Sch. 3 para. 2)
- F3** S. 30(3)(i) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 9(c)** (with Sch. 3 para. 2)
- F4** S. 30(3A) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 9(d)** (with Sch. 3 para. 2)
- F5** Words in s. 30(5)(a) omitted (26.5.2011) by virtue of [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 9(e)** (with Sch. 3 para. 2)

[^{F6}30A **General duty of OFCOM to allow leasing or transfer**

- (1) OFCOM must exercise the powers mentioned in subsection (2) in such a way as to ensure that, except in the cases excluded by subsection (4), the holder of a wireless telegraphy licence can do at least one of the following—

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- (a) confer the benefit of the licence on another person in respect of any station or apparatus to which the licence relates; or
 - (b) transfer to another person rights and obligations arising as a result of the licence.
- (2) The powers are—
- (a) their power under section 9 to impose terms, provisions and limitations on a wireless telegraphy licence; and
 - (b) their power to make regulations under section 30.
- (3) OFCOM must exercise their powers to make regulations under section 30 so as to authorise the transfer to another person by the holder of a grant of recognised spectrum access of rights and obligations arising as a result of such a grant, except in the cases excluded by subsection (5).
- (4) The duty in subsection (1) does not apply where—
- (a) no charge was payable to OFCOM on the grant of the licence;
 - (b) the licence contains terms, provisions or limitations as a result of which the services for which the use of the station or apparatus is authorised consist of or include the transmission or provision of relevant television or radio services;
 - (c) the duration of the licence does not exceed 12 months;
 - (d) the licence contains terms, provisions or limitations as a result of which the purposes for which the use of the station or apparatus is authorised consist of or include experimental, innovation, research, demonstration or trial purposes;
 - (e) the licence contains terms, provisions or limitations as a result of which the purposes for which the use of the station or apparatus is authorised consist of or include safety of life services; or
 - (f) the licence relates to frequencies that are not subject to individual frequency planning or co-ordination.
- (5) The duty in subsection (3) does not apply where—
- (a) no charge was payable to OFCOM on the making of the grant of recognised spectrum access;
 - (b) the grant contains restrictions or conditions as a result of which the services for which the use of the station or apparatus is authorised consist of or include the transmission or provision of relevant television or radio services;
 - (c) the duration of the grant does not exceed 12 months;
 - (d) the grant contains restrictions or conditions as a result of which the purposes for which the use of the station or apparatus is authorised consist of or include experimental, innovation, research, demonstration or trial purposes;
 - (e) the grant contains restrictions or conditions as a result of which the purposes for which the use of the station or apparatus is authorised consist of or include safety of life services; or
 - (f) the grant relates to frequencies that are not subject to individual frequency planning or co-ordination.
- (6) In subsections (4)(b) and (5)(b) “relevant television or radio services” means—
- (a) services provided under the authority of a licence under the Broadcasting Act 1990 or the Broadcasting Act 1996;
 - (b) sound broadcasting services (as defined by section 126(1) of the Broadcasting Act 1990) provided by the British Broadcasting Corporation;

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- (c) television multiplex services (as defined by section 241 of the Communications Act 2003) for which a licence under Part 1 of the Broadcasting Act 1996 is not required;
- (d) radio multiplex services (as defined by section 258 of the Communications Act 2003) for which a licence under Part 2 of the Broadcasting Act 1996 is not required;
- (e) general multiplex services (as defined by section 362(1) of the Communications Act 2003).]

Textual Amendments

- F6** S. 30A inserted (21.12.2020) by [The Electronic Communications and Wireless Telegraphy \(Amendment\) \(European Electronic Communications Code and EU Exit\) Regulations 2020 \(S.I. 2020/1419\)](#), reg. 1(2), **Sch. 1 para. 86**

Wireless telegraphy register

31 Wireless telegraphy register

- (1) OFCOM may by regulations make provision for the establishment and maintenance of a register of relevant information.
- (2) OFCOM may include relevant information in the register if, and only if, it is relevant information of a description prescribed by regulations under this section.
- (3) Information is relevant information for the purposes of subsection (1) if it relates to—
 - (a) the grant, renewal, transfer, variation or revocation of wireless telegraphy licences;^{F7} ...
 - (b) the making, renewal, transfer, modification or revocation of grants of recognised spectrum access [^{F8}or
 - (c) the conferring by the holder of a wireless telegraphy licence on another person of the benefit of the licence in respect of any station or apparatus to which the licence relates.]
- (4) Subject to such conditions (including conditions as to payment) as may be prescribed by regulations under this section, a register established by virtue of subsection (1) is to be open to inspection by the public.

Textual Amendments

- F7** Word in s. 31(3) omitted (21.12.2020) by virtue of [The Electronic Communications and Wireless Telegraphy \(Amendment\) \(European Electronic Communications Code and EU Exit\) Regulations 2020 \(S.I. 2020/1419\)](#), reg. 1(2), **Sch. 1 para. 87(a)**
- F8** S. 31(3)(c) and word inserted (21.12.2020) by [The Electronic Communications and Wireless Telegraphy \(Amendment\) \(European Electronic Communications Code and EU Exit\) Regulations 2020 \(S.I. 2020/1419\)](#), reg. 1(2), **Sch. 1 para. 87(b)**

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Statistical information

32 Statistical information

- (1) OFCOM may require a person who is using or has established, installed or used a wireless telegraphy station or wireless telegraphy apparatus to provide OFCOM with all such information relating to—
 - (a) the establishment, installation or use of the station or apparatus, and
 - (b) any related matters,as OFCOM may require for statistical purposes.
- (2) Subsection (1) has effect subject to the following provisions of this section.
- (3) OFCOM may not require the provision of information under this section except—
 - (a) by a demand for information that sets out OFCOM's reasons for requiring the information and the statistical purposes for which it is required; and
 - (b) where the making of a demand for that information is proportionate to the use to which the information is to be put in the carrying out of OFCOM's functions.
- (4) A demand for information required under this section must be contained in a notice given to the person from whom the information is required.
- (5) A person required to give information under this section must provide it in such manner and within such reasonable period as may be specified by OFCOM.

[^{F9}32A. Information required for purposes of radio spectrum functions

- (1) OFCOM may require a person falling within subsection (2) to provide them with all such information as they consider necessary for the purpose of carrying out their radio spectrum functions.
- (2) The persons falling within this subsection are—
 - (a) a person who is using, or has established, installed or used a wireless telegraphy station or wireless telegraphy apparatus, and
 - (b) any other person who appears to OFCOM to have information required by them for the purposes of their radio spectrum functions.
- (3) The information that may be required by OFCOM under subsection (1) includes, in particular, information that they require to ascertain whether a contravention has occurred of—
 - (a) a term, provision or limitation specified in regulations under section 8, or
 - (b) a term, provision or limitation of a wireless telegraphy licence.
- (4) A person required to provide information under this section must provide it in such manner and within such reasonable period as may be specified by OFCOM.
- (5) The powers in this section are subject to the limitations in section 32B.

Textual Amendments

- F9** Ss. 32A-32E inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 10** (with Sch. 3 para. 2)

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32B. Restrictions on imposing information requirements

- (1) This section limits the purposes for which, and manner in which, information may be required under section 32A.
- (2) OFCOM are not to require the provision of information for the purpose of ascertaining whether a contravention of a term, provision or limitation has occurred or is occurring, unless—
 - (a) the requirement is imposed for the purpose of investigating a matter about which OFCOM have received a complaint;
 - (b) the requirement is imposed for the purposes of an investigation that OFCOM have decided to carry out into whether or not the term, provision or limitation in question has been complied with;
 - (c) the term, provision or limitation in question is one which OFCOM have reason to suspect has been or is being contravened;
 - (d) the term, provision or limitation in question relates to the effective and efficient use of frequencies; or
 - (e) the term, provision or limitation in question relates to sums payable to OFCOM in respect of a wireless telegraphy licence.
- (3) OFCOM are not to require the provision of information except—
 - (a) by a demand for the information that describes the required information and sets out OFCOM's reasons for requiring it; and
 - (b) where the making of a demand for the information is proportionate to the use to which the information is to be put in the carrying out of OFCOM's functions.
- (4) A demand for information must be contained in a notice served on the person from whom the information is required.

Textual Amendments

F9 Ss. 32A-32E inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), [Sch. 2 para. 10](#) (with [Sch. 3 para. 2](#))

32C. Notification of contravention of information requirements

- (1) Where OFCOM determine that there are reasonable grounds for believing that a person is contravening, or has contravened, a requirement imposed under section 32A, 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 requirement and contravention in respect of which the determination has been made;
 - (c) specifies the period during which the person notified has an opportunity to make representations;
 - (d) specifies information to be provided by the person to OFCOM; and
 - (e) specifies any penalty which OFCOM are minded to impose in accordance with section 32D.
- (3) A notification under this section—

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- (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.
- (4) Where a notification under this section has been given to a person in respect of a contravention of a requirement, OFCOM may give a further notification in respect of the same contravention of that requirement 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 in respect of the notified contravention.

Textual Amendments

F9 Ss. 32A-32E inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), [Sch. 2 para. 10](#) (with [Sch. 3 para. 2](#))

32D. Penalties for contravention of information requirements

- (1) This section applies where a person is given a notification under section 32C which specifies a proposed penalty.
- (2) OFCOM may specify a penalty only if no proceedings for an offence under section 33 have been brought against the person in respect of the contravention.
- (3) Where the notification relates to more than one contravention, a separate penalty may be specified in respect of each contravention.
- (4) Where the notification relates to a continuing contravention, no more than one penalty may be specified in respect of the period of contravention specified in the notification.
- (5) But, in relation to a continuing contravention, a penalty may be specified in respect of each day on which the contravention continues after—
 - (a) the giving of a confirmation decision under section 32E(4)(c) which requires immediate action; or
 - (b) the expiry of any period specified in the confirmation decision for complying with a requirement so specified.
- (6) The amount of a penalty under subsection (5) is to be such amount not exceeding £20,000 per day as OFCOM determine to be—
 - (a) appropriate; and
 - (b) proportionate to the contravention in respect of which it is imposed
- (7) The amount of any other penalty specified under this section is to be such amount not exceeding £2 million as OFCOM determine to be both—
 - (a) appropriate; and
 - (b) proportionate to the contravention in respect of which it is imposed.

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Textual Amendments

F9 Ss. 32A-32E inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 10** (with [Sch. 3 para. 2](#))

32E. Enforcement of notification under section 32C

- (1) This section applies where—
 - (a) a person has been given a notification under section 32C;
 - (b) OFCOM have allowed the person an opportunity to make representations about the matters notified; and
 - (c) the period allowed for the making of representations has expired.
- (2) OFCOM may—
 - (a) give the person a decision (a “confirmation decision”) confirming the imposition of requirements in accordance with the notification under section 32C; or
 - (b) inform the person that they are satisfied with the person’s representations and that no further action will be taken.
- (3) OFCOM may not give a confirmation decision to a person unless, after considering any representations, they are satisfied that the person has, in one or more of the respects notified, been in contravention of a requirement notified under section 32C.
- (4) A confirmation decision—
 - (a) must be given to the person without delay;
 - (b) must include reasons for the decision;
 - (c) may require immediate action by the person to comply with a requirement notified under section 32C, or may specify a period within which the person must comply with the requirement; and
 - (d) may require the person to pay—
 - (i) the penalty specified in the notification under section 32C, or
 - (ii) such lesser penalty as OFCOM consider appropriate in the light of the person’s representations or steps taken by the person to comply with the requirement or remedy the consequences of the contravention,
 and may specify the period within which the penalty is to be paid.
- (5) It is the duty of the person to comply with any requirement imposed by a confirmation decision.
- (6) That duty is enforceable in civil proceedings by OFCOM —
 - (a) for an injunction;
 - (b) for specific performance of a statutory duty under section 45 of the Court of Session Act 1988; or
 - (c) for any other appropriate remedy or relief.
- (7) A penalty imposed by a confirmation decision—
 - (a) must be paid to OFCOM; and
 - (b) if not paid within the period specified by them, is to be recoverable by them accordingly.]

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Textual Amendments

- F9** Ss. 32A-32E inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 10** (with Sch. 3 para. 2)

33 Failure to provide information etc

- (1) A person commits an offence if he fails to provide information in accordance with a requirement of OFCOM under section 32^{F10} or 32A].
- (2) In proceedings against a person for an offence under subsection (1) it is a defence for the person to show—
- (a) that it was not reasonably practicable for him to comply with the requirement within the period specified by OFCOM; but
 - (b) that he has taken all reasonable steps to provide the required information after the end of that period.
- (3) A person who commits an offence under subsection (1) is liable on summary conviction to
- ^{F11}(a) on summary conviction, to a fine not exceeding the statutory maximum; or
 - (b) on conviction on indictment, to a fine.]
- (4) A person commits an offence if—
- (a) in pursuance of a requirement under section 32^{F12} or 32A], he provides information that is false in any material particular; and
 - (b) at the time he provides it, he knows it to be false or is reckless as to whether or not it is false.
- (5) A person who commits an offence under subsection (4) is liable on summary conviction to
- ^{F13}(a) on summary conviction, to a fine not exceeding the statutory maximum; or
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years, or to a fine, or to both.]
- ^{F14}(6) Proceedings for an offence under this section may be brought in respect of a contravention by a person of a requirement imposed under section 32A only if OFCOM have not imposed a financial penalty under sections 32C and 32E in respect of that contravention.]

Textual Amendments

- F10** Words in s. 33(1) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 11(a)** (with Sch. 3 para. 2)
- F11** Words in s. 33(3) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 11(b)** (with Sch. 3 para. 2)
- F12** Words in s. 33(4)(a) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 11(c)** (with Sch. 3 para. 2)
- F13** Words in s. 33(5) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 11(d)** (with Sch. 3 para. 2)
- F14** S. 33(6) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 11(e)** (with Sch. 3 para. 2)

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34 Statement of policy

- (1) OFCOM must prepare and publish a statement of their general policy with respect to—
 - (a) the exercise of their powers under [^{F15}sections 32 and 32A]; and
 - (b) the uses to which they are proposing to put information obtained under that section.
- (2) OFCOM may from time to time revise that statement as they think fit.
- (3) Where OFCOM make a statement under this section (or revise it), they must publish the statement (or the revised statement) in such manner as they consider appropriate for bringing it to the attention of persons who, in their opinion, are likely to be affected by it.
- (4) OFCOM must, in exercising their powers under [^{F16}sections 32 and 32A], have regard to the statement for the time being in force under this section.

Textual Amendments

- F15** Words in s. 34(1)(a) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 12** (with Sch. 3 para. 2)
- F16** Words in s. 34(4) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 12** (with Sch. 3 para. 2)

Changes to legislation:

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