



Communications Act 2003

2003 CHAPTER 21

PART 1

FUNCTIONS OF OFCOM

OfCOM's Content Board

13 Functions of the Content Board

- (1) The Content Board shall have such functions as OFCOM, in exercise of their powers under the Schedule to the Office of Communications Act 2002 (c. 11), may confer on the Board.
 - (2) [^{F1}Subject to subsection (3A),] the functions conferred on the Board must include, to such extent and subject to such restrictions and approvals as OFCOM may determine, the carrying out on OFCOM's behalf—
 - (a) functions in relation to matters that concern the contents of anything which is or may be broadcast or otherwise transmitted by means of electronic communications networks; and
 - (b) functions in relation to the promotion of public understanding or awareness of matters relating to the publication of matter by means of the electronic media.
 - (3) In determining what functions to confer on the Content Board, OFCOM must have particular regard to the desirability of securing that the Board have at least a significant influence on decisions which—
 - (a) relate to the matters mentioned in subsection (2); and
 - (b) involve the consideration of different interests and other factors as respects different parts of the United Kingdom.
- [^{F2}(3A) OFCOM may, but need not, confer on the Content Board functions in relation to matters that concern the nature or kind of online content in relation to which OFCOM have functions under the Online Safety Act 2023 (see Parts 3 and 5 of that Act).]
- (4) It shall be the duty of the Content Board to ensure, in relation to—

Changes to legislation: Communications Act 2003, Section 13 is up to date with all changes known to be in force on or before 17 April 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

- (a) the carrying out of OFCOM’s functions under Part 3 of this Act, Parts 1 and 3 of the 1990 Act and Parts 1 and 2 of the 1996 Act,
 - (b) the matters with respect to which functions are conferred on the Board, and
 - (c) such other matters mentioned in subsection (2) as OFCOM may determine,
- that OFCOM are aware of the different interests and other factors which, in the Board’s opinion, need to be taken into account as respects the different parts of the United Kingdom in relation to the carrying out of OFCOM’s functions.
- (5) The power of OFCOM to determine the Content Board’s functions includes power to authorise the Board to establish committees and panels to advise the Board on the carrying out of some or all of the Board’s functions.
 - (6) The power of OFCOM to authorise the establishment of a committee or panel by the Content Board includes power to authorise the establishment of a committee or panel that includes persons who are not members of the Board.
 - (7) In this section references to the publication of anything by means of the electronic media are references to its being—
 - (a) broadcast so as to be available for reception by members of the public or of a section of the public; or
 - (b) distributed by means of an electronic communications network to members of the public or of a section of the public.
- [^{F3}(8) In this section references to “matters mentioned in subsection (2)” do not include references to the matters mentioned in subsection (3A).]

Textual Amendments

- F1** Words in s. 13(2) inserted (10.1.2024) by [Online Safety Act 2023 \(c. 50\)](#), **ss. 153(2)**, 240(1); S.I. 2023/1420, reg. 2(z18)
- F2** S. 13(3A) inserted (10.1.2024) by [Online Safety Act 2023 \(c. 50\)](#), **ss. 153(3)**, 240(1); S.I. 2023/1420, reg. 2(z18)
- F3** S. 13(8) inserted (10.1.2024) by [Online Safety Act 2023 \(c. 50\)](#), **ss. 153(4)**, 240(1); S.I. 2023/1420, reg. 2(z18)

Commencement Information

- I1** S. 13 in force at 29.12.2003 by [S.I. 2003/3142](#), art. 3(1), **Sch. 1** (with art. 11)

Changes to legislation:

Communications Act 2003, Section 13 is up to date with all changes known to be in force on or before 17 April 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.

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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\(1\)](#)