
STATUTORY INSTRUMENTS

2004 No. 1975

**The Contracting Out (Functions relating to
Broadcast Advertising) and Specification
of Relevant Functions Order 2004**

Transitional provisions

12.—(1) In this article, references to an unresolved complaint are references to a complaint which—

- (a) was made before the date (“the effective date”) on which an authorisation given for the purposes of article 3, 6 or (as the case may be) 7 took effect, but had not been disposed of by OFCOM by that date; and
- (b) had it been made after the effective date, could have been disposed of by an authorised person by virtue of that authorisation.

(2) The provision that may be made by an authorisation given for the purposes of article 3, 6 or 7 includes provision authorising a person to dispose of unresolved complaints; and where, and to the extent that, a person is so authorised—

- (a) anything done, or treated as done, by or in relation to OFCOM before the effective date for the purposes of or in connection with any such complaint shall be treated as if it had been done by or in relation to the person authorised to dispose of that complaint; and
- (b) this Order shall have effect as if that person had been authorised to dispose of the complaint at the time when the thing referred to in paragraph (a) was done.

(3) In this article, references to disposing of a complaint are references to handling and resolving or (as the case may be) considering that complaint.