

**COMMUNICATIONS ACT 2003**

Fourth Report on the  
Secretary of State's  
functions by the Secretary  
of State for Business,  
Enterprise and Regulatory  
Reform and the Secretary  
of State for Culture, Media  
and Sport

HC 1037 OCTOBER 2008





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For the period from 29 December 2006 to 28 December 2007

Presented pursuant to section 390 of the Communications Act 2003

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The Department for Business, Enterprise and Regulatory Reform (BERR) was created on the disbandment of the Department of Trade and Industry in June 2007. The Secretary of State for BERR is now responsible for complying with section 390 of the Communications Act 2003.

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# COMMUNICATIONS ACT 2003

Report by the Secretary of State for Business, Enterprise and Regulatory Reform and the Secretary of State for Culture, Media and Sport

## Introduction

1. Section 390 of the Communications Act 2003 requires the Secretary of State to prepare and lay before Parliament reports about the performance of the Secretary of State's functions under the following legislation:

The Communications Act 2003;  
The Wireless Telegraphy Act 2006;  
The Office of Communications Act 2002; and  
The Broadcasting Acts 1990 and 1996.

2. The First Report (HC 325 July) covered the period from 19 March 2002 to 28 December 2004. Every subsequent report to the first report must relate to the period of twelve months beginning with the end of the period to which the previous report related. This report (the "Fourth Report") covers the period from 29 December 2006 to 28 December 2007.

### Previous Reports

First Report	July 2005	HC 325
Second Report	July 2006	HC 1445
Third Report	July 2007	HC 594

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and the Secretary of State for Culture, Media and Sport

Power	Date (made, where reference to an enactment)	Measure	Reference	Description
Sections 365(1) and (4), 368 and 402(3) of the Communications Act 2003	06. 03. 07	The Communications (Television Licensing) (Amendment) Regulations 2007	SI 2007 No. 718	The Regulations make a number of amendments including (a) provision for licence fee increases; (b) provisions concerning (i) black and white licences; (ii) concessions for the blind; and (iii) provisions introducing or modifying certain definitions such as "digital set top box", and "television receiver".
Section 97(2) of the Broadcasting Act 1990	05. 02. 07	The Broadcasting Act 1990 (Independent Radio Services Exceptions) Order 2007	SI 2007 No. 272	This Order specifies a category of services to which section 97(1) [offence for a person to provide any relevant regulated radio service (as defined by section 97(1A) of that Act) without being authorised to do so by or under a licence] does not apply

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<b>Power</b>	<b>Date (made, where reference to an enactment)</b>	<b>Measure</b>	<b>Reference</b>	<b>Description</b>
Section 15(6) of the Wireless Telegraphy Act 1967, section 204(6) of the Broadcasting Act 1990, section 150(4) of the Broadcasting Act 1996, section 411(6) of the Communications Act 2003, section 118(3), (6) and 119(3) of, and paragraph 24 of Schedule 8 to, the Wireless Telegraphy Act 2006	07. 02. 07	The Wireless Telegraphy (Isle of Man) Order 2007	SI 2007 No. 278	The Order extends to the Isle of Man provisions of the Wireless Telegraphy Act 2006, which consolidates all the provisions relating to wireless telegraphy formerly contained in a number of Acts of Parliament

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