Draft Order laid before Parliament under section 393(11) of the Communications Act 2003 (c. 21), for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2024 No.

ELECTRONIC COMMUNICATIONS

The Communications Act 2003 (Disclosure of Information) Order 2024

Made - - - -

Coming into force in accordance with article 1(2)

The Secretary of State makes this Order in exercise of the power conferred by section 393(4)(c) of the Communications Act 2003(**a**).

In accordance with section 393(11) of that Act, a draft of this Order has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement and extent

1.—(1) This Order may be cited as the Communications Act 2003 (Disclosure of Information) Order 2024.

(2) This Order comes into force on the day after the day on which it is made.

(3) This Order extends to England and Wales, Scotland and Northern Ireland.

Specification of relevant functions

2. Any function conferred by or under the Online Safety Act 2023(**b**) is a relevant function for the purposes of section 393(4) of the Communications Act 2003.

Signature
Parliamentary Under-Secretary of State
Department for Science, Innovation and Technology

Date

(**a**) 2003 c. 21. Relevant amendments were made to section 393 by Part 1 of Schedule 9 to the Wireless Telegraphy Act 2006 (c. 36) and section 115 of the Online Safety Act 2023 (c. 50).
(**b**) 2023 c. 50.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order extends the circumstances in which information with respect to a particular business obtained by the Office of Communications in exercise of a power conferred under the Communications Act 2003 ("the 2003 Act"), the Broadcasting Act 1990, the Broadcasting Act 1996 or the Online Safety Act 2023 ("the 2023 Act") may be disclosed.

Section 393(2)(b) of the 2003 Act provides that the restrictions on disclosing such information imposed by section 393(1) do not apply to any disclosure of information which is made for the purpose of facilitating the carrying out by any relevant person of any relevant function. Relevant persons are described in section 393(3). Relevant functions are described in section 393(4).

Article 2 specifies any function under the 2023 Act as a relevant function for the purposes of section 393(4) of the 2003 Act.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private sector, voluntary sector or community bodies is foreseen.

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