



# British Telecommunications Act 1981

## 1981 CHAPTER 38

### PART I

#### NEW CORPORATION FOR THE PROVISION OF TELECOMMUNICATION AND DATA PROCESSING SERVICES

##### *Offences*

#### **46 Prohibition of affixing placards, notices etc. on the Corporation's property**

A person who without due authority affixes or attempts to affix any placard, advertisement, notice, list, document, board or thing in or on any office, telegraph post or other property belonging to or used by the Corporation shall be guilty of an offence and liable on summary conviction to a fine not exceeding £50.

#### **47 Assaults etc. on employees of the Corporation**

(1) A person who—

- (a) assaults or intentionally obstructs an employee of the Corporation in the execution of his duty; or
- (b) whilst in any office of the Corporation or premises belonging to or used with any such office, intentionally obstructs the course of business of the Corporation,

shall be guilty of an offence and liable on summary conviction to a fine not exceeding £200.

(2) Any person employed by the Corporation may require any person guilty of an offence under subsection (1) to leave such office or premises and, if the person so required refuses or fails to comply with the requirement, he shall be liable on summary conviction to a further fine not exceeding £200 and may be removed by any employee of the Corporation, and any constable shall on demand remove or assist in removing any such person.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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#### **48 Fraudulent use of public telecommunication system**

- (1) A person who dishonestly uses a public telecommunication system with intent to avoid payment (including any such system provided, under licence, otherwise than by the Corporation) shall be guilty of an offence and liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both ; and
  - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.
- (2) This section shall come into operation on the appointed day.

#### **49 Improper use of public telecommunication system**

- (1) A person who—
  - (a) sends, by means of a public telecommunication system (including any such system provided, under a licence, otherwise than by the Corporation), a message or other matter that is grossly offensive or of an indecent, obscene or menacing character ; or
  - (b) sends by those means, for the purpose of causing annoyance, inconvenience or needless anxiety to another, a message that he knows to be false or persistently makes use for that purpose of a public telecommunication system,shall be guilty of an offence and liable on summary conviction to a fine not exceeding £200.
- (2) This section shall come into operation on the appointed day.

#### **50 Obligation of secrecy**

- (1) Information obtained by a person in the course of the provision for another, by virtue of this Part, of data processing services or services connected therewith shall not, without the consent of that other, be disclosed by the first-mentioned person except for the purpose of performing his duties in relation to those services or in such cases as may be required by law.
- (2) A person who discloses information in contravention of subsection (1) shall be guilty of an offence and liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both ;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.

#### **51 Offences by bodies corporate etc.**

- (1) Where a body corporate is guilty of an offence under this Part and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

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- (2) Where the affairs of a body corporate are managed by its members, subsection (1) shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

## **52 Summary proceedings**

Proceedings for any offence under this Part punishable on summary conviction may be commenced at any time within twelve months next after the commission of the offence.