



# Telecommunications Act 1984

## 1984 CHAPTER 12

### PART VI

#### PROVISIONS RELATING TO WIRELESS TELEGRAPHY

##### *Marking etc. of apparatus*

#### **85 Information etc. to be marked on or to accompany apparatus**

- (1) Where it appears to the Secretary of State expedient that any description of relevant apparatus should be marked with or accompanied by any information or instruction relating to the apparatus or its installation or use, the Secretary of State may by order—
  - (a) impose requirements for securing that relevant apparatus of that description is so marked or accompanied, and
  - (b) regulate or prohibit the supply of any such apparatus with respect to which the requirements are not complied with;and the requirements may extend to the form and manner in which the information or instruction is given.
- (2) An order under this section may, in the case of apparatus supplied in circumstances where the information or instruction required by the order would not be conveyed until after delivery, require the whole or part thereof to be also displayed near the apparatus.
- (3) Where an order under this section is in force with respect to relevant apparatus of any description, any person who, in the course of any trade or business, supplies or offers to supply relevant apparatus of that description in contravention of the order shall, subject to section 87 below, be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (4) For the purposes of this section a person exposing relevant apparatus for supply or having such apparatus in his possession for supply shall be deemed to offer to supply it.
- (5) In this section and section 86 below—

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*Status: This is the original version (as it was originally enacted).*

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- (a) " relevant apparatus" means wireless telegraphy apparatus or apparatus designed or adapted for use in connection with wireless telegraphy apparatus ;  
and
- (b) " supply " shall be construed in accordance with section 9 of the Consumer Safety Act 1978.