



# Copyright, Designs and Patents Act 1988

## 1988 CHAPTER 48

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Fraudulent reception of transmissions*

#### [<sup>F1</sup>297A Unauthorised decoders.

[ A person who makes, imports, sells or lets for hire, offers or exposes for sale or hire,  
<sup>F2</sup>(1) or advertises for sale or hire, any unauthorised decoder shall be guilty of an offence and liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction on indictment, to imprisonment for a term not exceeding two years, or to a fine, or to both.]

(2) It is a defence to any prosecution for an offence under this section for the defendant to prove that he did not know, and had no reasonable ground for knowing, that the decoder was an unauthorised decoder.

(3) In this section—

“apparatus” includes any device, component or electronic data;

“decoder” means any apparatus which is designed or adapted to enable (whether on its own or with any other apparatus) an encrypted transmission to be decoded;

“transmission” means any programme included in a broadcasting or cable programme service which is provided from a place in the United Kingdom; and

“unauthorised” in relation to a decoder, means a decoder which will enable encrypted transmissions to be viewed in decoded form without payment of the fee (however imposed) which the person making the transmission, or on whose behalf it is made, charges for viewing those transmissions, or viewing any service of which they form part.]

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*Status: Point in time view as at 01/10/1996. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 297A. (See end of Document for details)*

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#### **Textual Amendments**

- F1** S. 297A inserted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), [s. 179\(1\)](#)
- F2** S. 297A(1) substituted (1.10.1996 with effect as mentioned in [s. 140\(2\)](#) of the amending Act) by [1996 c. 55, s. 140\(1\)](#) (with [s. 43\(6\)](#)); S.I. 1996/2120, art. 4(1), [Sch. 1](#)

**Status:**

Point in time view as at 01/10/1996. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Copyright, Designs and Patents Act 1988, Section 297A.