



Wireless Telegraphy Act 2006

2006 CHAPTER 36

PART 2

REGULATION OF RADIO SPECTRUM

CHAPTER 3

MANAGEMENT OF RADIO SPECTRUM

Statistical information

33 Failure to provide information etc

- (1) A person commits an offence if he fails to provide information in accordance with a requirement of OFCOM under section 32^[F1] or 32A.
- (2) In proceedings against a person for an offence under subsection (1) it is a defence for the person to show—
 - (a) that it was not reasonably practicable for him to comply with the requirement within the period specified by OFCOM; but
 - (b) that he has taken all reasonable steps to provide the required information after the end of that period.
- (3) A person who commits an offence under subsection (1) is liable on summary conviction to
 - ^[F2](a) on summary conviction, to a fine not exceeding the statutory maximum; or
 - (b) on conviction on indictment, to a fine.]
- (4) A person commits an offence if—
 - (a) in pursuance of a requirement under section 32^[F3] or 32A], he provides information that is false in any material particular; and
 - (b) at the time he provides it, he knows it to be false or is reckless as to whether or not it is false.

Changes to legislation: There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 33. (See end of Document for details)

- (5) A person who commits an offence under subsection (4) is liable on summary conviction to
- [^{F4}(a) on summary conviction, to a fine not exceeding the statutory maximum; or
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years, or to a fine, or to both.]
- [^{F5}(6) Proceedings for an offence under this section may be brought in respect of a contravention by a person of a requirement imposed under section 32A only if OFCOM have not imposed a financial penalty under sections 32C and 32E in respect of that contravention.]

Textual Amendments

- F1** Words in s. 33(1) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 11(a)** (with Sch. 3 para. 2)
- F2** Words in s. 33(3) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 11(b)** (with Sch. 3 para. 2)
- F3** Words in s. 33(4)(a) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 11(c)** (with Sch. 3 para. 2)
- F4** Words in s. 33(5) substituted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 11(d)** (with Sch. 3 para. 2)
- F5** S. 33(6) inserted (26.5.2011) by [The Electronic Communications and Wireless Telegraphy Regulations 2011 \(S.I. 2011/1210\)](#), reg. 1(2), **Sch. 2 para. 11(e)** (with Sch. 3 para. 2)

Changes to legislation:

There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 33.