



# Wireless Telegraphy Act 2006

## 2006 CHAPTER 36

### PART 5

#### PROHIBITION OF BROADCASTING FROM SEA OR AIR

##### *Prohibitions*

#### **85 Acts relating to broadcast material**

- (1) A person commits an offence if—
- (a) he supplies a film or sound recording knowing, or having reasonable cause to believe, that an unlawful broadcast is to be made of it;
  - (b) he makes a literary, dramatic or musical work knowing, or having reasonable cause to believe, that an unlawful broadcast is to be made of it;
  - (c) he makes an artistic work knowing, or having reasonable cause to believe, that it is to be included in an unlawful television broadcast;
  - (d) he participates in an unlawful broadcast;
  - (e) he advertises by means of an unlawful broadcast or invites another to advertise by means of an unlawful broadcast that is to be made;
  - (f) he publishes the times or other details of unlawful broadcasts that are to be made, or (otherwise than by publishing such details) publishes an advertisement of matter calculated to promote (whether directly or indirectly) the interests of a business whose activities consist in or include the operation of a station from which unlawful broadcasts are or are to be made.
- (2) An unlawful broadcast is a broadcast made—
- (a) in contravention of section 77(1), 78(2) or 79(1); or
  - (b) as mentioned in section 80(1).
- (3) A person participates in a broadcast only if he is actually present—
- (a) as an announcer;
  - (b) as a performer or one of the performers concerned in an entertainment given;
- or

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*Status: This is the original version (as it was originally enacted).*

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- (c) as the deliverer of a speech.
- (4) The cases in which a person is to be taken for the purposes of this section as advertising by means of a broadcast include any case in which he causes or allows it to be stated, suggested or implied that entertainment included in the broadcast—
  - (a) has been supplied by him; or
  - (b) is provided wholly or partly at his expense.
- (5) For the purposes of this section advertising by means of a broadcast takes place not only where the broadcast is made but also wherever it is received.
- (6) This section is subject to section 86.