



Marine, &c., Broadcasting (Offences) Act 1967

1967 CHAPTER 41

An Act to suppress broadcasting from ships, aircraft and certain marine structures. [14th July 1967]

Modifications etc. (not altering text)

- C1** Act extended by [S.I. 1972/971, art. 4, Sch. 1 Pt. A](#)
- C2** Act modified (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\), ss. 404, 411\(2\) \(with Sch. 18\); S.I. 2003/1900, arts. 1\(2\), 2\(1\), Sch. 1 \(with art. 3\) \(as amended by S.I. 2003/3142, art. 1\(3\)\); S.I. 2003/3142, art. 3\(2\) \(with art. 11\)](#)

1 Prohibition of broadcasting from ships and aircraft.

- (1) It shall not lawful for a broadcast to be made from a ship or aircraft while it is in or over the United Kingdom or external waters, nor shall it be lawful for a broadcast to be made from a ship registered in the United Kingdom, the Isle of Man or any of the Channel Islands or an aircraft so registered while the ship or aircraft is elsewhere than in or over the United Kingdom or external waters.
- (2) If a broadcast is made from a ship in contravention of the foregoing subsection, the owner of the ship, the master of the ship and every person who operates, or participates in the operation of, the apparatus by means of which the broadcast is made shall be guilty of an offence; and if a broadcast is made from an aircraft in contravention of that subsection, the operator of the aircraft, the commander of the aircraft and every person who operates, or participates in the operation of, the apparatus by means of which the broadcast is made shall be guilty of an offence.
- (3) A person who procures the making of a broadcast in contravention of subsection (1) above shall be guilty of an offence.
- (4) In subsection (2) above—
 - (a) “master”, in relation to a ship, includes any other person (except a pilot) having command or charge of the ship;

Status: Point in time view as at 29/12/2003.

Changes to legislation: Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) “operator”, in relation to an aircraft, means the person for the time being having the management of the aircraft.

2 Prohibition of broadcasting from marine structures.

(1) It shall not be lawful for a broadcast to be made from—

- (a) a structure in [^{F1}any waters to which this section applies], being a structure affixed to, or supported by, the bed of those waters and not being a ship; or
(b) any other object in such waters, being neither a structure affixed or supported as aforesaid nor a ship or aircraft;

and if a broadcast is made in contravention of the foregoing provision, every person who operates, or participates in the operation of, the apparatus by means of which the broadcast is made shall be guilty of an offence.

(2) A person who procures the making of a broadcast in contravention of the foregoing subsection shall be guilty of an offence.

[^{F2}(3) This section applies to—

- (a) tidal waters in the United Kingdom;
(b) external waters; and
(c) waters in a designated area within the meaning of the Continental Shelf Act 1964.]

Textual Amendments

F1 Words substituted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, [Sch. 16 para. 1\(2\)](#)

F2 [S. 2\(3\)](#) inserted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, [Sch. 16 para. 1\(3\)](#)

[^{F3}2A Unlawful broadcasting from within prescribed areas of the high seas.

(1) Subject to subsection (4) below, it shall not be lawful to make a broadcast which—

- (a) is made from a ship (other than one registered in the United Kingdom, the Isle of Man or any of the Channel Islands) while the ship is within any area of the high seas prescribed for the purposes of this section by an order made by the Secretary of State; and
(b) is capable of being received in, or causes interference with any wireless telegraphy, in the United Kingdom.

(2) If a broadcast is made from a ship in contravention of subsection (1) above, the owner of the ship, the master of the ship and every person who operates, or participates in the operation of, the apparatus by means of which the broadcast is made shall be guilty of an offence.

(3) A person who procures the making of a broadcast in contravention of subsection (1) above shall be guilty of an offence.

(4) The making of a broadcast does not contravene subsection (1) above if it is shown to have been authorised under the law of any country or territory outside the United Kingdom.

(5) Any order under this section shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.]

Status: Point in time view as at 29/12/2003.

Changes to legislation: Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

F3 S. 2A inserted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, [Sch. 16 para. 2](#)

3 Prohibition of acts connected with broadcasting from certain ships and aircraft, and from marine structures outside United Kingdom.

- (1) [^{F4}Subject to subsection (1A) below,] if a broadcast is made—
- from a ship other than one registered in the United Kingdom, the Isle of Man or any of the Channel Islands while the ship is on the high seas; or
 - from an aircraft other than one so registered while the aircraft is on or over the high seas; or
 - from a structure on the high seas, being a structure affixed to, or supported by, the bed of those seas and not being a ship; or
 - from any other object on those seas, being neither a structure affixed or supported as aforesaid nor a ship or aircraft;

any of the persons mentioned in subsection (3) below who operates, or participates in the operation of, the apparatus by means of which the broadcast is made shall be guilty of an offence.

[^{F5}(1A) Subsection (1)(a) above does not apply to any broadcast made in contravention of section 2A(1) of this Act, and subsections (1)(c) and (d) above do not apply to structures or other objects in waters falling within section 2(3)(c) of this Act.]

- (2) A person who procures a broadcast to be made as mentioned in the foregoing subsection shall be guilty of an offence.
- (3) The persons referred to in subsection (1) above are the following, namely:—
- [^{F6}(a) a British citizen, a British Dependent Territories citizen [^{F7}, a British National (Overseas)] or a British Overseas Citizen; or
 - (b) a person who under the British Nationality Act 1981 is a British subject; or
 - (c) a British protected person (within the meaning of that Act).]

Textual Amendments

F4 Words inserted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, [Sch. 16 para. 3\(a\)](#).

F5 S. 3(1A) inserted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, [Sch. 16 para. 3\(b\)](#).

F6 S. 3(3)(a)–(c) substituted for paras. (a)–(e) by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(b), [Sch. 7](#).

F7 Words inserted by [S.I. 1986/948](#), art. 8, [Sch.](#)

[^{F8}3A Prohibition of management of stations broadcasting from ships, aircraft, etc.

- (1) Any person who, from any place in the United Kingdom or external waters, participates in the management, financing, operation or day-to-day running of any broadcasting station by which broadcasts are made—
- in contravention of section 1, 2 or 2A(1) of this Act, or
 - as mentioned in section 3(1)(a) of this Act,

shall be guilty of an offence.

Status: Point in time view as at 29/12/2003.

Changes to legislation: Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (2) In this section “broadcasting station” means any business or other operation (whether or not in the nature of a commercial venture) which is engaged in the making of broadcasts.]

Textual Amendments

F8 S. 3A inserted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, [Sch. 16 para. 4](#).

4 Prohibition of acts facilitating broadcasting from ships, aircraft, &c.

- (1) A person who does any of the acts mentioned in subsection (3) below, while satisfying the condition as to knowledge or belief mentioned in the case of that act, shall be guilty of an offence if—
- (a) he does the act in the United Kingdom or external waters or in a ship registered in the United Kingdom, the Isle of Man or any of the Channel Islands or an aircraft so registered while the ship or aircraft is elsewhere than in or over the United Kingdom or external waters; or
 - [^{F9}(aa) where paragraph (a) above does not apply but the broadcasts in question are made, or are to be made, from any structure or other object (not being a ship or aircraft) in waters falling within section 2(3)(c) of this Act, he does the act on that structure or other object within those waters; or
 - (ab) where paragraph (a) above does not apply but the broadcasts in question are made, or are to be made, from a ship in contravention of section 2A(1) of this Act, he does the act in that ship within any such area of the high seas as is mentioned in paragraph (a) of that provision; or]
 - (b) being a person mentioned in section 3(3) of this Act, he does the act on or over the high seas.
- (2) A person who, in the United Kingdom, procures another person to do, outside the United Kingdom, anything which, if it had been done in the United Kingdom by the last-mentioned person, would have constituted an offence under the foregoing subsection, shall be guilty of an offence.
- (3) The acts, and conditions as to knowledge or belief, referred to in subsection (1) above are the following namely:—
- (a) furnishing or agreeing to furnish to another a ship or aircraft knowing, or having reasonable cause to believe, that broadcasts are to be made from it in contravention of section 1(1) of this Act or while it is on or over the high seas;
 - (b) carrying or agreeing to carry in a ship or aircraft wireless telegraphy apparatus knowing, or having reasonable cause to believe, that by means thereof broadcasts are to be made from the ship or aircraft as aforesaid;
 - (c) supplying to, or installing in, a ship or aircraft wireless telegraphy apparatus knowing, or having reasonable cause to believe, that by means thereof broadcasts are to be made from the ship or aircraft as aforesaid;
 - (d) supplying any wireless telegraphy apparatus for installation on or in, or installing any such apparatus on or in, any structure or other object (not being, in either case, a ship or aircraft) knowing, or having reasonable cause to believe, that by means of that apparatus broadcasts are to be made from the object in contravention of section 2(1) of this Act or while the object is on the high seas;

Status: Point in time view as at 29/12/2003.

Changes to legislation: Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (e) repairing or maintaining any wireless telegraphy apparatus knowing, or having reasonable cause to believe, that, by means thereof, broadcasts are made, or are to be made, in contravention of section 1(1) or [F10]2(1) or 2A(1) of this Act or as mentioned in section 3(1) of this Act;
- (f) knowing, or having reasonable cause to believe, in the case of a ship or aircraft, that broadcasts are made, or are to be made, from it in contravention of section 1(1) of this Act or while it is on or over the high seas—
 - (i) supplying any goods or materials for its operation or maintenance, for the operation or maintenance of wireless telegraphy apparatus installed therein or for the sustenance or comfort of the persons on board of it;
 - (ii) carrying by water or air goods or persons to or from it;
 - (iii) engaging a person as an officer or one of the crew of it;
- (g) knowing, or having reasonable cause to believe, in the case of a structure or other object (not being, in either case, a ship or aircraft), that broadcasts are made, or are to be made, from it in contravention of section 2(1) of this Act or while it is on the high seas—
 - (i) supplying any goods or materials for its maintenance, for the operation or maintenance of wireless telegraphy apparatus installed therein or thereon or for the sustenance or comfort of the persons therein or thereon;
 - (ii) carrying by water or air goods or persons thereto or therefrom;
 - (iii) engaging a person to render services therein or thereon.

[F11(3A) Section 46 of the Consumer Protection Act 1987 (meaning of supply) shall have effect for construing references in this section to the supply of any thing as it has effect for the purpose of construing references in that Act to the supply of goods.]

Textual Amendments

- F9** S. 4(1)(aa)(ab) inserted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, [Sch. 16 para. 5\(2\)](#).
- F10** Words substituted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), ss. 4(6), 87(6), 171, [Sch. 16 para. 5\(3\)](#).
- F11** S. 4(3A) inserted (18.9.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 32](#) (with [Sch. 18](#)); [S.I. 2003/1900](#), art. 2(2), [Sch. 2](#)

5 Prohibition of acts relating to matter broadcast from ships, aircraft, &c.

- (1) A person who does any of the acts mentioned in subsection (3) below, and, if any intent or circumstances is or are specified in relation to the act, does it with that intent or in those circumstances, shall be guilty of an offence if—
 - (a) he does the act in the United Kingdom or external waters or in a ship registered in the United Kingdom, the Isle of Man or any of the Channel Islands or an aircraft so registered while the ship or aircraft is elsewhere than in or over the United Kingdom or external waters; or
 - [F12(aa) where paragraph (a) above does not apply but the broadcasts in question are made, or are to be made, from any structure or other object (not being a ship or aircraft) in waters falling within section 2(3)(c) of this Act, he does the act on that structure or other object within those waters; or
 - (ab) where paragraph (a) above does not apply but the broadcasts in question are made, or are to be made, from a ship in contravention of section 2A(1) of this

Status: Point in time view as at 29/12/2003.

Changes to legislation: Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- Act, he does the act in that ship within any such area of the high seas as is mentioned in paragraph (a) of that provision; or]
- (b) being a person mentioned in section 3(3) of this Act, he does the act on or over the high seas.
- (2) A person who, in the United Kingdom, procures another person to do, outside the United Kingdom, anything which, if it had been done in the United Kingdom by the last-mentioned person, would have constituted an offence under the foregoing subsection, shall be guilty of an offence.
- (3) The acts, and, where relevant, the intent and circumstances, referred to in subsection (1) above are the following namely:—
- (a) supplying a [^{F13}film or sound recording][^{F14}knowing, or having reasonable cause to believe, that a broadcast of it is to] be made in contravention of section 1(1) or [^{F15}, 2(1) or 2A(1)] of this Act or as mentioned in section 3(1) thereof;
 - (b) making a literary, dramatic or musical work [^{F16}knowing, or having reasonable cause to believe, that a broadcast of the work is to] be made as aforesaid;
 - (c) making an artistic work [^{F17}knowing, or having reasonable cause to believe, that the work is to] be included in a television broadcast made as aforesaid;
 - (d) participating in a broadcast made as aforesaid, being actually present as an announcer, as a performer or one of the performers concerned in an entertainment given, or as the deliverer of a speech;
 - (e) advertising by means of a broadcast made as aforesaid or inviting another to advertise by means of a broadcast to be so made;
 - (f) publishing the times or other details of any broadcasts which are to be so made, or (otherwise than by publishing such details) publishing an advertisement of matter calculated to promote, directly or indirectly, the interests of a business whose activities consist in or include the operation of a station from which broadcasts are or are to be so made.
- [^{F18}(3A) Section 46 of the Consumer Protection Act 1987 (meaning of supply) shall have effect for construing references in this section to the supply of any thing as it has effect for the purpose of construing references in that Act to the supply of goods.]
- [^{F19}(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 shall be deemed to take place as well wherever the broadcast is received as where it is made.
- (6) In this section “speech” includes lecture, address and sermon, [^{F20}and “film”, “sound recording”, “literary, dramatic or musical work” and “artistic work” have the same meaning as in Part I of the Copyright, Designs and Patents Act 1988 (copyright)].

Textual Amendments

- F12** S. 5(1)(aa)(ab) inserted in subsection (1) after para. (a) by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, [Sch. 16 para. 6\(2\)](#).

Status: Point in time view as at 29/12/2003.

Changes to legislation: Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F13** Words substituted by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 303(1), [Sch. 7 para. 9\(a\)](#).
- F14** Words in s. 5(3)(a) substituted (18.9.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 33\(2\)\(a\)](#) (with [Sch. 18](#)); S.I. 2003/1900, art. 2(2), [Sch. 2](#)
- F15** Words substituted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, [Sch. 16 para. 6\(3\)](#).
- F16** Words in s. 5(3)(b) substituted (18.9.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 33\(2\)\(b\)](#) (with [Sch. 18](#)); S.I. 2003/1900, art. 2(2), [Sch. 2](#)
- F17** Words in s. 5(3)(c) substituted (18.9.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 33\(2\)\(c\)](#) (with [Sch. 18](#)); S.I. 2003/1900, art. 2(2), [Sch. 2](#)
- F18** S. 5(3A) inserted (18.9.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 32](#) (with [Sch. 18](#)); S.I. 2003/1900, art. 2(2), [Sch. 2](#)
- F19** S. 5(4) substituted (18.9.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 33\(3\)](#) (with [Sch. 18](#)); S.I. 2003/1900, art. 2(2), [Sch. 2](#)
- F20** Words substituted by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 303(1), [Sch. 7 para. 9\(b\)](#).

6 Penalties and legal proceedings.

- (1) A person guilty of an offence under this Act shall be liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding [^{F21}six] months or to a fine not exceeding £400, or to both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine, or to both.

^{F22}(2)

- (3) Proceedings for an offence under this Act may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom.
- (4) Notwithstanding anything in any enactment relating to courts of summary jurisdiction, summary proceedings for an offence under this Act may be instituted at any time within two years from the time when the offence was committed.
- (5) Proceedings for an offence under this Act shall not, in England or Wales, be instituted otherwise than [^{F23}by OFCOM or] by or [^{F24}with the consent of the Secretary of State or]the Director of Public Prosecutions and shall not, in Northern Ireland, be instituted otherwise than [^{F23}by OFCOM or] by or [^{F24}with the consent of the Secretary of State or]the Attorney General for Northern Ireland; . . . ^{F25}
- (6) A member of a police force shall, for the purpose of the enforcement of this Act, have in external waters all the powers, protection and privileges which he has in the area for which he acts as constable.

^{F26}(7)

- (8) In the application of this section to Northern Ireland, the following subsection shall be substituted for subsection (6):—

“(6) A member of the Royal Ulster Constabulary shall, for the purpose of the enforcement of this Act, have in external waters all the powers, protection and privileges which he has in Northern Ireland”.

Status: Point in time view as at 29/12/2003.

Changes to legislation: Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F21** Word substituted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, [Sch. 16 para. 7\(2\)](#)
- F22** S. 6(2) repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), [Sch. 1](#) (with [art. 3](#)) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with [art. 11](#))
- F23** Words in s. 6(5) inserted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 34](#) (with [Sch. 18](#)); S.I. 2003/3142, art. 3(1), [Sch. 1](#) (with [art. 11](#))
- F24** Words substituted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, [Sch. 16 para. 7\(3\)](#)
- F25** Words repealed by [Criminal Jurisdiction Act 1975 \(c. 59\)](#), [Sch. 6 Pt. I](#)
- F26** S. 6(7) repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 19\(1\)](#) Note 1 (with [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), 2(1), [Sch. 1](#) (with [art. 3](#)) (as amended by S.I. 2003/3142, art. 1(3)); S.I. 2003/3142, art. 3(2) (with [art. 11](#))

7 Special defence available in proceedings for carrying goods or persons in contravention of section 4.

- (1) In any proceedings against a person for an offence under section 4 of this Act consisting in the carriage of goods or persons to or from a ship or aircraft it shall be a defence for him to prove—
 - (a) that the ship or aircraft was, or was believed to be, wrecked, stranded or in distress, and that the goods or persons carried were carried for the purpose of preserving the ship or aircraft, or its cargo or apparel, or saving the lives of persons on board of it; or
 - (b) that a person on board of the ship or aircraft was, or was believed to be, suffering from hurt, injury or illness, and that the goods or persons were carried for the purpose of securing that the necessary surgical or medical advice and attendance were rendered to him.
- (2) In any proceedings against a person for an offence under section 4 of this Act consisting in the carriage of goods or persons to or from an object other than a ship or aircraft it shall be a defence for him to prove—
 - (a) that the object was, or was believed to be, unsafe, and that the goods or persons carried were carried for the purpose of saving the lives of persons therein or thereon; or
 - (b) that a person therein or thereon was, or was believed to be, suffering from hurt, injury or illness, and that the goods or persons were carried for the purpose of securing that the necessary surgical or medical advice and attendance were rendered to him.
- (3) In any proceedings against a person for an offence under section 4 of this Act consisting in the carriage of a person to or from a ship or aircraft or to or from an object other than a ship or aircraft, it shall be a defence for him to prove that the person carried was visiting the ship, aircraft or object, as the case may be, for the purpose of exercising or performing any power or duty conferred or imposed on him by law.
- (4) The references in subsections (1)(a) and (2)(a) above to persons' having been carried for the purpose of saving lives shall not be construed so as to exclude the persons whose lives it was the purpose to save and the references in subsections (1)(b) and (2)

Status: Point in time view as at 29/12/2003.

Changes to legislation: Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(b) above to persons' having been carried as therein mentioned shall not be construed so as to exclude the person who was, or was believed to be, suffering as so mentioned.

[^{F27}7A Powers of enforcement in relation to marine offences under this Act.

- (1) The following persons are enforcement officers for the purposes of this section—
- (a) persons authorised by the Secretary of State [^{F28}or OFCOM] to exercise the powers conferred by subsection (5) below;
 - (b) police officers;
 - (c) commissioned officers of Her Majesty's armed forces;
 - (d) officers commissioned by the Commissioners of Customs and Excise under section 6(3) of the Customs and Excise Management Act 1979; and
 - (e) persons not falling within any of the preceding paragraphs who are British sea-fishery officers by virtue of section 7(1) of the Sea Fisheries Act 1968;
- and in this subsection "armed forces" means the Royal Navy, the Royal Marines, the regular army and the regular air force, and any reserve or auxiliary force of any of those services which has been called out on permanent service, ^{F29} . . . , or embodied.
- (2) If an enforcement officer has reasonable grounds for suspecting—
- (a) that an offence under this Act has been or is being committed by the making of a broadcast from any ship, structure or other object in external waters or in tidal waters in the United Kingdom or from a ship registered in the United Kingdom, the Isle of Man or any of the Channel Islands while on the high seas,
 - (b) that an offence under section 2 of this Act has been or is being committed by the making of a broadcast from a structure or other object in waters falling within subsection (3)(c) of that section, or
 - (c) that an offence under section 2A of this Act has been or is being committed by the making of a broadcast from a ship,
- and [^{F30}a written authorisation has been issued by the Secretary of State or OFCOM] for the exercise of the powers conferred by subsection (5) below in relation to that ship, structure or other object, then (subject to subsections (6) and (7) below) the officer may, with or without persons assigned to assist him in his duties, so exercise those powers.
- (3) If—
- (a) [^{F31}an authorisation has been issued by the Secretary of State or OFCOM] under subsection (2) above for the exercise of the powers conferred by subsection (5) below in relation to any ship, structure or other object, and
 - (b) an enforcement officer has reasonable grounds for suspecting that an offence under section 4 or 5 of this Act has been or is being committed in connection with the making of a broadcast from that ship, structure or other object,
- then (subject to subsections (6) and (7) below) the officer may, with or without persons assigned to assist him in his duties, also exercise those powers in relation to any ship, structure or other object which he has reasonable grounds to suspect has been or is being used in connection with the commission of that offence.
- (4) Where—
- (a) an enforcement officer has reasonable grounds for suspecting that an offence under section 4 or 5 of this Act has been or is being committed in connection with the making of a broadcast from a ship, structure or other object, but

Status: Point in time view as at 29/12/2003.

Changes to legislation: Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (b) an authorisation has not been issued under subsection (2) above for the exercise of the powers conferred by subsection (5) below in relation to that ship, structure or other object,
- then (subject to subsections (6) and (7) below) the officer may, with or without persons assigned to assist him in his duties, nevertheless exercise those powers in relation to any ship, structure or other object which he has reasonable grounds to suspect has been or is being used in connection with the commission of that offence if [^{F32}a written authorisation has been issued by the Secretary of State or OFCOM] for the exercise of those powers in relation to that ship, structure or other object.
- (5) The powers conferred by this subsection on an enforcement officer in relation to any ship, structure or other object are—
- (a) to board and search the ship, structure or other object;
 - (b) to seize and detain the ship, structure or other object and any apparatus or other thing found in the course of the search which appears to him to have been used, or to have been intended to be used, in connection with, or to be evidence of, the commission of the suspected offence;
 - (c) to arrest and search any person who he has reasonable grounds to suspect has committed or is committing an offence under this Act if—
 - (i) that person is on board the ship, structure or other object, or
 - (ii) the officer has reasonable grounds for suspecting that that person was so on board at, or shortly before, the time when the officer boarded the ship, structure or other object;
 - (d) to arrest any person who assaults him, or a person assigned to assist him in his duties, while exercising any of the powers conferred by this subsection or who intentionally obstructs him or any such person in the exercise of any of those powers;
 - (e) to require any person on board the ship, structure or other object to produce any documents or other items which are in his custody or possession and are or may be evidence of the commission of any offence under this Act;
 - (f) to require any such person to do anything for the purpose of facilitating the exercise of any of the powers conferred by this subsection, including enabling any apparatus or other thing to be rendered safe and, in the case of a ship, enabling the ship to be taken to a port;
 - (g) to use reasonable force, if necessary, in exercising any of those powers;
- and references in paragraphs (a) to (c) and (e) above to the ship, structure or other object include references to any ship's boat or other vessel used from the ship, structure or other object.
- (6) Except as provided in subsection (7) below, the powers conferred by subsection (5) above shall only be exercised in tidal waters in the United Kingdom or in external waters.
- (7) Those powers [^{F33}except so far as exercisable by virtue of an authorisation issued by OFCOM] may in addition—
- (a) in relation to a suspected offence under this Act committed in a ship registered in the United Kingdom, the Isle of Man or any of the Channel Islands while on the high seas, be exercised in relation to that ship on the high seas;
 - (b) in relation to a suspected offence under section 2 of this Act committed on a structure or other object within waters falling within subsection (3)(c) of that

Status: Point in time view as at 29/12/2003.

Changes to legislation: Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- section, be exercised in relation to that structure or other object within those waters; and
- (c) in relation to a suspected offence under section 2A of this Act committed in a ship within any such area of the high seas as is mentioned in subsection (1) (a) of that section, be exercised in relation to that ship within that area of the high seas.
- (8) Any person who—
- (a) assaults an enforcement officer, or a person assigned to assist him in his duties, while exercising any of the powers conferred by subsection (5) above or intentionally obstructs him or any such person in the exercise of any of those powers, or
- (b) without reasonable excuse fails or refuses to comply with any such requirement as is mentioned in paragraph (e) or (f) of that subsection,
- shall be guilty of an offence under this Act.
- (9) Neither an enforcement officer nor a person assigned to assist him in his duties shall be liable in any civil or criminal proceedings for anything done in purported exercise of any of the powers conferred by subsection (5) above if the court is satisfied that the act was done in good faith and that there were reasonable grounds for doing it.
- (10) Nothing in this section shall have effect so as to prejudice the exercise of any powers exercisable apart from this section.
- (11) Any reference in this section, in relation to a person assigned to assist an enforcement officer in his duties, to the exercise of any of the powers conferred by subsection (5) above is a reference to the exercise by that person of any of those powers on behalf of that officer.]

Textual Amendments

- F27** S. 7A inserted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 171, **Sch. 16 para. 8**
- F28** Words in s. 7A(1) inserted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 17 para. 35(2)** (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F29** Words in s. 7A(1) repealed (1.1.1999) by 1998/3086, regs. 10(2)
- F30** Words in s. 7A(2) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 17 para. 35(3)** (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F31** Words in s. 7A(3)(a) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 17 para. 35(4)** (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F32** Words in s. 7A(4) substituted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 17 para. 35(3)** (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)
- F33** Words in s. 7A(7) inserted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 17 para. 35(5)** (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

Modifications etc. (not altering text)

- C3** S. 7A: transfer of functions (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), **Sch. 1 para. 2(1)** (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

8 Saving for things done under wireless telegraphy licence.

Nothing in this Act shall render it unlawful to do anything under and in accordance with a wireless telegraphy licence, or to procure anything to be so done.

Status: Point in time view as at 29/12/2003.

Changes to legislation: Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

9 Interpretation.

(1) In this Act—

“broadcast” means a broadcast by wireless telegraphy of sounds or visual images intended for general reception (whether the sounds or images are actually received by any person or not), but does not include a broadcast consisting in a message or signal sent in connection with navigation or for the purpose of securing safety;

“external waters” means the whole of the sea adjacent to the United Kingdom which is within the seaward limits of the territorial waters adjacent thereto;

“the high seas” means the seas outside the seaward limits of the territorial waters adjacent to the United Kingdom or to any country or territory outside the United Kingdom;

[^{F34}“OFCOM” means the Office of Communications;]

“ship” includes every description of vessel used in navigation;

“wireless telegraphy”, “wireless telegraphy apparatus” and “wireless telegraphy licence” have the same meanings respectively as in the ^{M1}Wireless Telegraphy Act 1949.

(2) ^{F35}

Textual Amendments

F34 Words in s. 9(1) inserted (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 36](#) (with [Sch. 18](#)); [S.I. 2003/3142](#), art. 3(1), [Sch. 1](#) (with art. 11)

F35 S. 9(2) repealed by [Territorial Sea Act 1987 \(c. 49, SIF 29\)](#), s. 3, [Sch. 2](#)

Marginal Citations

M1 1949 c. 54.

10 Power to extend Act to Isle of Man and Channel Islands.

(1) Her Majesty may by Order in Council direct that this Act shall extend to the Isle of Man or any of the Channel Islands, with such exceptions, adaptations and modifications as may be specified in the Order.

(2) An Order in Council under this section may be varied or revoked by a subsequent Order of Her Majesty in Council.

Modifications etc. (not altering text)

C4 [S. 10](#) extended by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 174

11 Short title and commencement.

(1) This Act may be cited as the Marine, &c., Broadcasting (Offences) Act 1967.

(2) This Act shall not come into operation before the expiry of one month beginning with the day on which it is passed, but subject thereto it shall come into operation on a day to be appointed by Her Majesty in Council.

Status: Point in time view as at 29/12/2003.

Changes to legislation: *Marine, &c., Broadcasting (Offences) Act 1967 (repealed)* is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

C5 15.8.1967 appointed by [S.I. 1967/1149](#)

Status:

Point in time view as at 29/12/2003.

Changes to legislation:

Marine, &c., Broadcasting (Offences) Act 1967 (repealed) is up to date with all changes known to be in force on or before 25 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.