



# Wireless Telegraphy Act 2006

## 2006 CHAPTER 36

### PART 2

#### REGULATION OF RADIO SPECTRUM

### CHAPTER 5

#### MISCELLANEOUS

##### *Regulations about wireless telegraphy*

#### **45 Regulations**

- (1) OFCOM may make regulations prescribing the things that are to be done, or not done, in connection with the use of a wireless telegraphy station or wireless telegraphy apparatus.
- (2) Regulations under subsection (1) may, in particular, require the use of a wireless telegraphy station or wireless telegraphy apparatus to cease on the demand of such persons as may be prescribed by or under the regulations.
- (3) OFCOM may make regulations imposing on a person—
  - (a) to whom a wireless telegraphy licence relating to a wireless telegraphy station or wireless telegraphy apparatus is granted, or
  - (b) who is in possession or control of such a station or such apparatus,the obligations mentioned in subsection (4).
- (4) The obligations are—
  - (a) obligations as to permitting and facilitating the inspection of the station or apparatus;
  - (b) obligations as to the condition in which the station or apparatus is to be kept;

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**Changes to legislation:** There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Cross Heading: Regulations about wireless telegraphy. (See end of Document for details)

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- (c) in the case of a station or apparatus for the establishment, installation or use of which a wireless telegraphy licence is necessary, obligations as to the production of the licence, or of such other evidence of the licensing of the station or apparatus as may be prescribed by the regulations.
- (5) OFCOM may make regulations requiring the holder of a wireless telegraphy licence in respect of which sums are or may become due after the grant of the licence, or after its renewal, to keep and produce such accounts and records as may be specified in the regulations.
- (6) OFCOM may make regulations requiring the holder of a wireless telegraphy licence authorising the establishment or use of a wireless telegraphy station to exhibit at the station such notices as may be specified in the regulations.
- (7) Regulations under this section have effect subject to regulations under section 14.
- (8) Nothing in regulations under this section requires a person to concede any form of right of entry into a private dwelling-house for the purpose of permitting or facilitating the inspection of receiving apparatus.
- (9) The approval of the Secretary of State is required for the making by OFCOM of regulations under this section.
- (10) A statutory instrument containing regulations made by OFCOM under this section is subject to annulment in pursuance of a resolution of either House of Parliament.

## 46 Offences

- (1) A person commits an offence if—
  - (a) he contravenes regulations made under section 45; or
  - (b) he causes or permits a wireless telegraphy station or wireless telegraphy apparatus to be used in contravention of regulations made under that section.
- (2) A person who commits an offence under this section consisting in a contravention, in relation to receiving apparatus, of regulations made under section 45 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (3) A person who commits an offence under this section other than one falling within subsection (2) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

**Changes to legislation:**

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