



Wireless Telegraphy Act 2006

2006 CHAPTER 36

PART 6

GENERAL

Enforcement, proceedings etc

107 Proceedings and enforcement

- (1) Proceedings for—
 - (a) an offence under Part 2, 3 or 6 (other than an offence under section 111) that is committed in UK territorial sea, or
 - (b) an offence under Part 5,may be taken, and the offence may for all incidental purposes be treated as having been committed, in any place in the United Kingdom.
- (2) For the purpose of the enforcement of any provision falling within subsection (3), a member of a police force has in any area of the sea within the seaward limits of UK territorial sea all the powers, protection and privileges which he has in the area for which he acts as constable.
- (3) The provisions are—
 - (a) sections 8 to 11, 32 to 38 and 45 to 53;
 - (b) Part 3;
 - (c) Part 5;
 - (d) sections 97 to 100, 103, 105 and 106 and Schedule 5.

[^{F1}(3A) For the time limit for bringing proceedings which are for a summary offence under section 35 and to which section 41 applies see section 41(7).

(3B) The time limit for bringing any other proceedings for a summary offence under section 35, 58 or 66 is—

Changes to legislation: There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 107. (See end of Document for details)

- (a) one year from the end of the day on which the prosecutor becomes aware of evidence which he or she considers sufficient to justify a prosecution for the offence, or
 - (b) if earlier, three years from the end of the day on which the offence was committed.
- (3C) Section 41(7) and subsection (3B) above have effect despite—
- (a) section 127 of the Magistrates’ Courts Act 1980 (time limit for bringing proceedings for summary offences in England and Wales),
 - (b) Article 19 of the Magistrates’ Courts (Northern Ireland) Order 1981 ([S.I. 1981/1675 \(N.I. 26\)](#)) (equivalent provision for Northern Ireland), and
 - (c) section 136 of the Criminal Procedure (Scotland) Act 1995 (equivalent provision for Scotland).
- (3D) In relation to proceedings in Scotland, subsection (3) of section 136 of the Criminal Procedure (Scotland) Act 1995 (date when proceedings deemed to be commenced for the purposes of that section) applies also for the purposes of section 41(7) and subsection (3B) above.]
- (4) In the application of this section to Northern Ireland, subsection (2) has effect with the substitution—
- (a) for the words “a police force” of the words “the Police Service of Northern Ireland”, and
 - (b) for the words “the area for which he acts as constable” of the words “Northern Ireland”.
- [^{F2}(5) In the application of this section to Scotland, subsection (2) has effect with the substitution—
- (a) for the words “a police force” of the words “the Police Service of Scotland”, and
 - (b) for the words “the area for which he acts as constable” of the word “Scotland”.]

Textual Amendments

- F1** S. 107(3A)-(3D) inserted (27.6.2017) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 13(2)**, 118(2) (with s. 13(4))
- F2** S. 107(5) inserted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 52**

Changes to legislation:

There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 107.