



# Wireless Telegraphy Act 2006

## 2006 CHAPTER 36

### PART 2

#### REGULATION OF RADIO SPECTRUM

### CHAPTER 4

#### ENFORCEMENT

#### *Unauthorised use etc*

### **36 Keeping available for unauthorised use**

- (1) A person who has a wireless telegraphy station or wireless telegraphy apparatus in his possession or under his control commits an offence if—
  - (a) he intends to use it in contravention of section 8; or
  - (b) he knows, or has reasonable cause to believe, that another person intends to use it in contravention of that section.
- (2) A person who commits an offence under this section where the relevant contravention of section 8 would constitute an offence to which section 35(2) applies is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum or to both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.
- (3) In the application of subsection (2) to Scotland or Northern Ireland the reference to 12 months is to be read as a reference to six months.
- (4) A person who commits an offence under this section in relation to receiving apparatus is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

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**Status:** Point in time view as at 08/02/2007. This version of this provision has been superseded.

**Changes to legislation:** There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 36. (See end of Document for details)

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- (5) A person who commits an offence under this section other than one falling within subsection (2) or (4) is liable on summary conviction to imprisonment for a term not exceeding 51 weeks or to a fine not exceeding level 5 on the standard scale or to both.
- (6) In the application of subsection (5) to Scotland or Northern Ireland the reference to 51 weeks is to be read as a reference to six months.

**Status:**

Point in time view as at 08/02/2007. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 36.