# Wireless Telegraphy Act 2006

**2006 CHAPTER 36**

## PART 3

REGULATION OF APPARATUS

*Undue interference*

### 57 Appeal against notice under section 55 or 56 etc

(1) Where an appeal with respect to a notice under section 55 (or section 56) is pending—

(a) proceedings for an offence under section 58(1) (or section 58(4)) relating to that notice, whether instituted before or after the bringing of the appeal, are to be stayed until the appeal has been finally determined; and

(b) the proceedings are to be discharged if the notice is set aside in consequence of the appeal.

(2) But subsection (1) does not affect proceedings in which a person has been convicted at a time when there was no pending appeal.

(3) For the purposes of this section an appeal under section 192 of the Communications Act 2003 (c. 21) with respect to a notice under section 55 (or section 56) or a further appeal relating to the decision on such an appeal is pending unless—

(a) that appeal has been brought to a conclusion or withdrawn and there is no further appeal pending in relation to the decision on the appeal; or

(b) no further appeal against a decision made on the appeal or on any such further appeal may be brought without the permission of the court and—

(i) in a case where there is no fixed period within which that permission can be sought, that permission has been refused or has not been sought, or

(ii) in a case where there is a fixed period within which that permission can be sought, that permission has been refused or that period has expired without permission having been sought.

***Changes to legislation:*** *Wireless Telegraphy Act 2006, Section 57 is up to date with all changes known to be in force on or before 28 August 2024. 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) View outstanding changes*

(4) No proceedings for an offence under section 58(1) (or section 58(4)) relating to a notice under section 55 (or section 56) may be commenced in Scotland—

(a) until the time during which an appeal against such a notice may be brought has expired; or

(b) where such an appeal has been brought, until that appeal has been determined.

(5) Proceedings in Scotland for such an offence must be commenced—

(a) where no appeal has been brought, within six months of the time referred to in subsection (4)(a); and

(b) where an appeal has been brought and determined, within six months of the date of that determination.

**Changes to legislation:**
Wireless Telegraphy Act 2006, Section 57 is up to date with all changes known to be in force on or before 28 August 2024. 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.
View outstanding changes

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

– Blanket amendment words substituted by S.I. 2011/1043 art. 36

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 111(6)(q) inserted by 2024 c. 13 Sch. 30 para. 29(b)