



# Wireless Telegraphy Act 2006

## 2006 CHAPTER 36

### PART 5

#### PROHIBITION OF BROADCASTING FROM SEA OR AIR

##### *Penalties and proceedings*

#### **93 Penalties and proceedings**

- (1) A person who commits an offence under this Part 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.
- (2) In the application of subsection (1) to Scotland or Northern Ireland the reference to 12 months is to be read as a reference to six months.
- (3) Proceedings in England and Wales for an offence under this Part may be brought only—
  - (a) by OFCOM; or
  - (b) by or with the consent of the Secretary of State or the Director of Public Prosecutions.
- (4) Proceedings in Northern Ireland for an offence under this Part may be brought only—
  - (a) by OFCOM; or
  - (b) by or with the consent of the Secretary of State or the Advocate General for Northern Ireland.
- (5) Summary proceedings in Scotland for an offence under this Part may be commenced at any time within the period of two years beginning with the day after the commission of the offence.