



# Investigatory Powers Act 2016

## 2016 CHAPTER 25

### PART 9

#### MISCELLANEOUS AND GENERAL PROVISIONS

### CHAPTER 1

#### MISCELLANEOUS

##### *Wireless telegraphy*

#### **259 Amendments of the Wireless Telegraphy Act 2006**

- (1) The Wireless Telegraphy Act 2006 is amended as follows.
- (2) Section 48 (interception and disclosure of messages) is amended as follows.
- (3) In subsection (1), for “otherwise than under the authority of a designated person” substitute “without lawful authority”.
- (4) After subsection (3) insert—

“(3A) A person does not commit an offence under this section consisting in any conduct if the conduct—

  - (a) constitutes an offence under section 3(1) of the Investigatory Powers Act 2016 (offence of unlawful interception), or
  - (b) would do so in the absence of any lawful authority (within the meaning of section 6 of that Act).”
- (5) Omit subsection (5).
- (6) Omit section 49 (interception authorities).
- (7) In consequence of the repeal made by subsection (6)—

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**Changes to legislation:** *Investigatory Powers Act 2016, Section 259 is up to date with all changes known to be in force on or before 19 August 2023. 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*

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- (a) in sections 50(5) and 119(2)(a), for “49” substitute “ 48 ”;
- (b) in section 121(2), omit paragraph (b).

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**Commencement Information**

**II**    [S. 259](#) in force at 27.6.2018 by [S.I. 2018/652](#), **reg. 12(b)** (with [reg. 20](#))

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

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

- Sch. 3 para. 8A and cross-heading inserted by [2023 c. 32 Sch. 18 para. 10\(2\)](#)
- Sch. 3 para. 20(2)(ha)(hb) inserted by [2023 c. 32 Sch. 18 para. 10\(3\)\(a\)](#)