



Digital Economy Act 2017

2017 CHAPTER 30

PART 2

DIGITAL INFRASTRUCTURE

Other regulation of spectrum

13 Time limits for prosecutions under Wireless Telegraphy Act 2006

- (1) The Wireless Telegraphy Act 2006 is amended as follows.
- (2) In section 107 (proceedings and enforcement), after subsection (3) insert—
 - “(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—
 - (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).

Status: This is the original version (as it was originally enacted).

- (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.”
- (3) In section 41 (procedure for prosecutions)—
- (a) in subsection (3)(b) for “allowed under that section” substitute “specified under section 39(2)(c) for making representations”;
 - (b) in subsection (7) for the words from “allowed” to the end substitute “specified under section 39(2)(c).”;
 - (c) for subsection (8) substitute—

“(8) For further provision about prosecutions see section 107.”
- (4) The amendments made by this section do not apply in relation to an offence committed before this section comes into force.