



# 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, Cross Heading: Wireless telegraphy is up to date with all changes known to be in force on or before 26 April 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*

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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)

**Changes to legislation:**

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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):

- s. 58(4)(e) inserted by [2023 c. 41 Sch. 13 para. 9](#)