



# Computer Misuse Act 1990

## 1990 CHAPTER 18

### *Miscellaneous and general*

#### 10 [F<sup>1</sup>Savings]

[F<sup>2</sup>Sections 1 to 3A have] effect without prejudice to the operation—

- (a) in England and Wales of any enactment relating to powers of inspection, search or seizure[F<sup>3</sup>or of any other enactment by virtue of which the conduct in question is authorised or required]; and
- (b) in Scotland of any enactment or rule of law relating to powers of examination, search or seizure[F<sup>4</sup>or of any other enactment or rule of law by virtue of which the conduct in question is authorised or required]

[F<sup>5</sup>and nothing designed to indicate a withholding of consent to access to any program or data from persons as enforcement officers shall have effect to make access unauthorised for the purposes of [F<sup>6</sup>any of those sections].

[F<sup>7</sup>In this section—

“ enactment ” means any enactment, whenever passed or made, contained in—

- (a) an Act of Parliament;
- (b) an Act of the Scottish Parliament;
- (c) a Measure or Act of the National Assembly for Wales;
- (d) an instrument made under any such Act or Measure;
- (e) any other subordinate legislation (within the meaning of the Interpretation Act 1978);

“ enforcement officer ” means ] a constable or other person charged with the duty of investigating offences; and withholding consent from a person “as” an enforcement officer of any description includes the operation, by the person entitled to control access, of rules whereby enforcement officers of that description are, as such, disqualified from membership of a class of persons who are authorised to have access. ]

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*Changes to legislation: There are currently no known outstanding effects for the Computer Misuse Act 1990, Section 10. (See end of Document for details)*

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### Textual Amendments

- F1** S. 10 heading substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), s. 88(1), **Sch. 4 para. 12**; S.I. 2015/820, reg. 2(r)(iii)
- F2** Words in s. 10 substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 44(2)(a)**, 88(1); S.I. 2015/820, reg. 2(d)
- F3** Words in s. 10(a) inserted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 44(2)(b)**, 88(1); S.I. 2015/820, reg. 2(d)
- F4** Words in s. 10(b) inserted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 44(2)(c)**, 88(1); S.I. 2015/820, reg. 2(d)
- F5** Words in s. 10 inserted (3.2.1995) by 1994 c. 33, s. **162(1)**; S.I. 1995/127, art. 2(1), **Sch. 1**
- F6** Words in s. 10 substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 44(2)(d)**, 88(1); S.I. 2015/820, reg. 2(d)
- F7** Words in s. 10 substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), **ss. 44(2)(e)**, 88(1); S.I. 2015/820, reg. 2(d)

**Changes to legislation:**

There are currently no known outstanding effects for the Computer Misuse Act 1990, Section 10.