



Computer Misuse Act 1990

1990 CHAPTER 18

Computer misuse offences

2 Unauthorised access with intent to commit or facilitate commission of further offences

- (1) A person is guilty of an offence under this section if he commits an offence under section 1 above (“the unauthorised access offence”) with intent—
- (a) to commit an offence to which this section applies; or
 - (b) to facilitate the commission of such an offence (whether by himself or by any other person);
- and the offence he intends to commit or facilitate is referred to below in this section as the further offence.
- (2) This section applies to offences—
- (a) for which the sentence is fixed by law; or
 - (b) for which a person of twenty-one years of age or over (not previously convicted) may be sentenced to imprisonment for a term of five years (or, in England and Wales, might be so sentenced but for the restrictions imposed by section 33 of the Magistrates' Courts Act 1980).
- (3) It is immaterial for the purposes of this section whether the further offence is to be committed on the same occasion as the unauthorised access offence or on any future occasion.
- (4) A person may be guilty of an offence under this section even though the facts are such that the commission of the further offence is impossible.
- (5) A person guilty of an offence under this section shall be liable—
- (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both; and
 - (b) on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine or to both.