



# Wireless Telegraphy Act 2006

## 2006 CHAPTER 36

### PART 5

#### PROHIBITION OF BROADCASTING FROM SEA OR AIR

##### *Enforcement*

#### **90 Enforcement powers: facilitation offences**

- (1) Subsection (2) applies if—
  - (a) a written authorisation has been issued by the Secretary of State or OFCOM under section 89(3) for the exercise of the powers mentioned in section 89(4) in relation to a ship, structure or other object, and
  - (b) an enforcement officer has reasonable grounds for suspecting that an offence under section 82, 83, 84 or 85 has been or is being committed in connection with the making of a broadcast from that ship, structure or other object.
- (2) The enforcement officer may, with or without assistants, exercise the powers mentioned in section 89(4) in relation to any ship, structure or other object which he has reasonable grounds to suspect has been or is being used in connection with the commission of the offence referred to in subsection (1)(b).
- (3) Subsection (4) applies if—
  - (a) an enforcement officer has reasonable grounds for suspecting that an offence under section 82, 83, 84 or 85 has been or is being committed in connection with the making of a broadcast from a ship, structure or other object, but
  - (b) no written authorisation has been issued under section 89(3) for the exercise of the powers mentioned in section 89(4) in relation to that ship, structure or other object.
- (4) The enforcement officer may, with or without assistants, exercise the powers mentioned in section 89(4) in relation to any ship, structure or other object which he has reasonable grounds to suspect has been or is being used in connection with the commission of the offence referred to in subsection (3)(a).

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*Status: This is the original version (as it was originally enacted).*

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- (5) Subsection (4) only applies if a written authorisation under this subsection has been issued by the Secretary of State or OFCOM for the exercise of those powers in relation to that ship, structure or other object.