



Telecommunications Act 1984

1984 CHAPTER 12

PART VI

PROVISIONS RELATING TO WIRELESS TELEGRAPHY

Amendment and enforcement of Wireless Telegraphy Acts

79 Seizure of apparatus and other property used in committing certain offences under the 1949 Act

- (1) This section applies to—
- (a) any indictable offence under the 1949 Act;
 - (b) any offence under section 1(1) of that Act other than one consisting in the installation or use, otherwise than under and in accordance with a wireless telegraphy licence, of any apparatus not designed or adapted for emission (as opposed to reception); and
 - (c) any offence under section 7 of the 1967 Act.
- (2) Where
- (a) a search warrant is granted under section 15(1) of the 1949 Act (entry and search of premises, etc.); and
 - (b) the suspected offence (or any of the suspected offences) is an offence to which this section applies;

the warrant may authorise the person or persons named in it to seize and detain, for the purposes of any relevant proceedings, any apparatus or other thing found in the course of the search carried out in pursuance of the warrant which appears to him or them to have been used in connection with or to be evidence of the commission of any such offence.

- (3) If a constable or any person authorised by the Secretary of State to exercise the power conferred by this subsection has reasonable grounds to suspect that an offence to which this section applies has been or is being committed, he may seize and detain, for the purposes of any relevant proceedings, any apparatus or other thing which appears to

Status: This is the original version (as it was originally enacted).

him to have been used in connection with or to be evidence of the commission of any such offence.

- (4) Nothing in this section shall prejudice any power to seize or detain property which is exercisable by a constable apart from this section.
- (5) Any person who intentionally obstructs any person in the exercise of the power conferred on him under subsection (3) above shall be guilty of an offence under the 1949 Act.
- (6) References in this section to relevant proceedings are references to—
 - (a) any proceedings for an offence to which this section applies; and
 - (b) any proceedings for forfeiture under section 80 or 81 below.