



Interception of Communications Act 1985

1985 CHAPTER 56

1 Prohibition on interception.

- (1) Subject to the following provisions of this section, a person who intentionally intercepts a communication in the course of its transmission by post or by means of a public telecommunication system shall be guilty of an offence and liable—
 - (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.
- (2) A person shall not be guilty of an offence under this section if—
 - (a) the communication is intercepted in obedience to a warrant issued by the Secretary of State under section 2 below; or
 - (b) that person has reasonable grounds for believing that the person to whom, or the person by whom, the communication is sent has consented to the interception.
- (3) A person shall not be guilty of an offence under this section if—
 - (a) the communication is intercepted for purposes connected with the provision of postal or public telecommunication services or with the enforcement of any enactment relating to the use of those services; or
 - (b) the communication is being transmitted by wireless telegraphy and is intercepted, with the authority of the Secretary of State, for purposes connected with the issue of licences under the ^{M1}Wireless Telegraphy Act 1949 or the prevention or detection of interference with wireless telegraphy.
- (4) No proceedings in respect of an offence under this section shall be instituted—
 - (a) in England and Wales, except by or with the consent of the Director of Public Prosecutions;
 - (b) in Northern Ireland, except by or with the consent of the Director of Public Prosecutions for Northern Ireland.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the
Interception of Communications Act 1985, Section 1. (See end of Document for details)

Marginal Citations

M1 1949 c. 54.

Status:

Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Interception of Communications Act 1985, Section 1.