



# Wireless Telegraphy Act 2006

## 2006 CHAPTER 36

### PART 2

#### REGULATION OF RADIO SPECTRUM

### CHAPTER 5

#### MISCELLANEOUS

##### *Misuse of wireless telegraphy*

#### **47 Misleading messages**

- (1) A person commits an offence if, by means of wireless telegraphy, he sends or attempts to send a message to which this section applies.
- (2) This section applies to a message which, to the person's knowledge—
  - (a) is false or misleading; and
  - (b) is likely to prejudice the efficiency of a safety of life service or to endanger the safety of a person or of a ship, aircraft or vehicle.
- (3) This section applies in particular to a message which, to the person's knowledge, falsely suggests that a ship or aircraft—
  - (a) is in distress or in need of assistance; or
  - (b) is not in distress or not in need of assistance.
- (4) A person who commits an offence under this section is liable—
  - (a) on summary conviction, to imprisonment for a term not exceeding [<sup>F1</sup>the general limit in a magistrates' court] or to a fine not exceeding the statutory maximum or to both;
  - (b) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.

*Changes to legislation: There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Cross Heading: Misuse of wireless telegraphy. (See end of Document for details)*

- (5) In the application of subsection (4) to Scotland or Northern Ireland the reference to 12 months is to be read as a reference to six months.

**Textual Amendments**  
F1 Words in s. 47(4)(a) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates’ Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), **Sch. Pt. 1**

**48 Interception and disclosure of messages**

- (1) A person commits an offence if, [F2without lawful authority] —
  - (a) he uses wireless telegraphy apparatus with intent to obtain information as to the contents, sender or addressee of a message (whether sent by means of wireless telegraphy or not) of which neither he nor a person on whose behalf he is acting is an intended recipient, or
  - (b) he discloses information as to the contents, sender or addressee of such a message.
- (2) A person commits an offence under this section consisting in the disclosure of information only if the information disclosed by him is information that would not have come to his knowledge but for the use of wireless telegraphy apparatus by him or by another person.
- (3) A person does not commit an offence under this section consisting in the disclosure of information if he discloses the information in the course of legal proceedings or for the purpose of a report of legal proceedings.
- [F3(3A) A person does not commit an offence under this section consisting in any conduct if the conduct—
  - (a) constitutes an offence under section 3(1) of the Investigatory Powers Act 2016 (offence of unlawful interception), or
  - (b) would do so in the absence of any lawful authority (within the meaning of section 6 of that Act).]
- (4) A person who commits an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

F4(5) .....

**Textual Amendments**  
F2 Words in s. 48(1) substituted (27.6.2018) by [Investigatory Powers Act 2016 \(c. 25\)](#), **ss. 259(3)**, 272(1) (with [Sch. 9 paras. 7, 8, 10](#)); [S.I. 2018/652](#), [reg. 12\(b\)](#) (with [reg. 20](#))  
F3 [S. 48\(3A\)](#) inserted (27.6.2018) by [Investigatory Powers Act 2016 \(c. 25\)](#), **ss. 259(4)**, 272(1) (with [Sch. 9 paras. 7, 8, 10](#)); [S.I. 2018/652](#), [reg. 12\(b\)](#) (with [reg. 20](#))  
F4 [S. 48\(5\)](#) omitted (27.6.2018) by virtue of [Investigatory Powers Act 2016 \(c. 25\)](#), **ss. 259(5)**, 272(1) (with [Sch. 9 paras. 7, 8, 10](#)); [S.I. 2018/652](#), [reg. 12\(b\)](#) (with [reg. 20](#))

**F549 Interception authorities**

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**Changes to legislation:** *There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Cross Heading: Misuse of wireless telegraphy. (See end of Document for details)*

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#### **Textual Amendments**

- F5** S. 49 omitted (27.6.2018) by virtue of Investigatory Powers Act 2016 (c. 25), ss. 259(6), 272(1) (with Sch. 9 paras. 7, 8, 10); S.I. 2018/652, reg. 12(b) (with reg. 20)

**Changes to legislation:**

There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Cross  
Heading: Misuse of wireless telegraphy.