



Prisons (Interference with Wireless Telegraphy) Act 2018

2018 CHAPTER 32

1 Interference with wireless telegraphy in prisons etc

- (1) Section 1 of the Prisons (Interference with Wireless Telegraphy) Act 2012 (interference with wireless telegraphy in prisons etc) is amended as follows.
- (2) After subsection (2) insert—
 - “(2A) The Secretary of State may authorise a public communications provider to interfere with wireless telegraphy.
 - (2B) An interference with wireless telegraphy authorised under subsection (2A) may be carried out only for the purpose of—
 - (a) preventing the use within a relevant institution in England and Wales of an item specified in subsection (3), or
 - (b) detecting or investigating the use within a relevant institution in England and Wales of such an item.
 - (2C) An authorisation under subsection (2A) may be given in relation to—
 - (a) one or more relevant institutions in England and Wales,
 - (b) one or more kinds of relevant institution in England and Wales, or
 - (c) relevant institutions in England and Wales generally.”
- (3) In subsection (4), after “subsection (2)(b)” insert “or (2B)(b)”.
- (4) Omit subsection (5).
- (5) In subsection (6), for “The conduct to which subsection (5) applies is” substitute “The following conduct is lawful for all purposes—”.
- (6) After subsection (6) insert—
 - “(6A) The following conduct is lawful for all purposes—
 - (a) interference with wireless telegraphy that—

Status: Prospective version(s) available.

Status: This is the original version (as it was originally enacted).

- (i) is authorised under subsection (2A), and
 - (ii) is carried out in accordance with subsection (2B) and any direction given under section 2,
 - (b) the retention, use or disclosure of any traffic data, collected as a result of such an interference with wireless telegraphy, which is carried out in accordance with this Act.”
- (7) The Schedule (interference with wireless telegraphy in prisons etc) has effect.