



Telecommunications Act 1984

1984 CHAPTER 12

PART II

PROVISION OF TELECOMMUNICATION SERVICES

Offences

42 Fraudulent use of telecommunication system

- (1) A person who dishonestly obtains a service provided by means of a licensed telecommunication system with intent to avoid payment of any charge applicable to the provision of that service shall be guilty of an offence and liable—
- (a) on summary conviction, to imprisonment for a term not exceeding six months 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.
- (2) In this section " licensed telecommunication system" means a telecommunication system the running of which is authorised by a licence granted under section 7 above.

43 Improper use of public telecommunication system

- (1) A person who—
- (a) sends, by means of a public telecommunication system, a message or other matter that is grossly offensive or of an indecent, obscene or menacing character; or
 - (b) sends by those means, for the purpose of causing annoyance, inconvenience or needless anxiety to another, a message that he knows to be false or persistently makes use for that purpose of a public telecommunication system,
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Status: This is the original version (as it was originally enacted).

- (2) Subsection (1) above does not apply to anything done in the course of providing a cable programme service (within the meaning of Part IV of this Act).

44 Modification etc. of messages 45. Interception and disclosure of messages etc.

- (1) A person engaged in the running of a public telecommunication system who otherwise than in the course of his duty intentionally modifies or interferes with the contents of a message sent by means of that system shall be guilty of an offence.
- (2) A person guilty of an offence under subsection (1) above shall be liable—
- (a) on summary conviction, to imprisonment for a term not exceeding six months 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.

45 Interception and disclosure of messages etc.

- (1) A person engaged in the running of a public telecommunication system who otherwise than in the course of his duty—
- (a) intentionally intercepts a message sent by means of that system; or
 - (b) where a message so sent has been intercepted, intentionally discloses to any person the contents of that message,
- shall be guilty of an offence.
- (2) A person engaged in the running of a public telecommunication system who otherwise than in the course of his duty intentionally discloses to any person the contents of any statement of account specifying the telecommunication services provided for any other person by means of that system shall be guilty of an offence.
- (3) Subsection (1) above does not apply to anything done in obedience to a warrant under the band of the Secretary of State ; and paragraph (b) of that subsection and subsection (2) above do not apply to any disclosure in connection with the investigation of any criminal offence or for the purposes of any criminal proceedings.
- (4) A person guilty of an offence under this section shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment, to a fine.

46 Assaults etc. on persons engaged in the business of public telecommunications operator

- (1) A person who—
- (a) assaults or intentionally obstructs a person engaged in the business of a public telecommunications operator ; or
 - (b) whilst in any premises used for the purposes of the business of such an operator, intentionally obstructs the course of business of the operator,
- shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (2) Any person engaged in the business of a public telecommunications operator may require any person guilty of an offence under subsection (1) above to leave premises

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

used for the purposes of that business and, if any such offender who is so required refuses or fails to comply with the requirement, he shall be liable on summary conviction to a further fine not exceeding level 3 on the standard scale and may be removed by a person engaged in that business; and any constable shall on demand remove or assist in removing any such offender.