



Wireless Telegraphy Act 2006

2006 CHAPTER 36

PART 2

REGULATION OF RADIO SPECTRUM

CHAPTER 4

ENFORCEMENT

Unauthorised use etc

35 Unauthorised use etc of wireless telegraphy station or apparatus

- (1) A person commits an offence if he contravenes section 8.
- (2) A person who commits an offence under this section consisting in the establishment or use of a wireless telegraphy station, or the installation or use of wireless telegraphy apparatus, for the purpose of making a broadcast is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding [^{F1}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.
- (3) In the application of subsection (2) to Scotland or Northern Ireland the reference to 12 months is to be read as a reference to six months.
- (4) A person who commits an offence under this section consisting in the installation or use of receiving apparatus is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) A person who commits an offence under this section other than one falling within subsection (2) or (4) is liable on summary conviction to imprisonment for a term not exceeding 51 weeks or to a fine not exceeding level 5 on the standard scale or to both.

Changes to legislation: There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 35. (See end of Document for details)

(6) In the application of subsection (5) to Scotland or Northern Ireland the reference to 51 weeks is to be read as a reference to six months.

(7) In this section “broadcast” has the same meaning as in Part 5.

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Textual Amendments

F1 Words in s. 35(2)(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**

Changes to legislation:

There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 35.