



Wireless Telegraphy Act 2006

2006 CHAPTER 36

PART 2

REGULATION OF RADIO SPECTRUM

CHAPTER 4

ENFORCEMENT

Unauthorised use etc

37 Allowing premises to be used for unlawful broadcasting

- (1) A person who is in charge of premises that are used for unlawful broadcasting commits an offence if—
 - (a) he knowingly causes or permits the premises to be so used; or
 - (b) he has reasonable cause to believe that the premises are being so used but fails to take such steps as are reasonable in the circumstances of the case to prevent them from being so used.
- (2) A person who commits an offence under this section 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) For the purposes of this section a person is in charge of premises if—
 - (a) he is the owner or occupier of the premises; or
 - (b) he has, or acts or assists in, the management or control of the premises.

Changes to legislation: There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 37. (See end of Document for details)

- (5) For the purposes of this section premises are used for unlawful broadcasting if they are used—
- (a) for making an unlawful broadcast; or
 - (b) for sending signals for the operation or control of apparatus used for the purpose of making an unlawful broadcast from another place.
- (6) For the purposes of this section a broadcast is unlawful if—
- (a) it is made by means of the use of a wireless telegraphy station or wireless telegraphy apparatus in contravention of section 8; or
 - (b) the making of the broadcast contravenes a provision of Part 5.
- (7) In this section—
- “broadcast” has the same meaning as in Part 5;
 - “premises” includes any place and, in particular, includes—
- (a) a vehicle, ship or aircraft; and
 - (b) a structure or other object (whether movable or not, and whether on land or not).

Textual Amendments

- F1** Words in s. 37(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**

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