



Police and Justice Act 2006

2006 CHAPTER 48

PART 5

MISCELLANEOUS

Computer misuse

37 Making, supplying or obtaining articles for use in computer misuse offences

After section 3 of the 1990 Act there is inserted—

“3A Making, supplying or obtaining articles for use in offence under section 1 or 3

- (1) A person is guilty of an offence if he makes, adapts, supplies or offers to supply any article intending it to be used to commit, or to assist in the commission of, an offence under section 1 or 3.
- (2) A person is guilty of an offence if he supplies or offers to supply any article believing that it is likely to be used to commit, or to assist in the commission of, an offence under section 1 or 3.
- (3) A person is guilty of an offence if he obtains any article with a view to its being supplied for use to commit, or to assist in the commission of, an offence under section 1 or 3.
- (4) In this section “article” includes any program or data held in electronic form.
- (5) A person guilty of an offence under this section shall be liable—
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or to a fine not exceeding the statutory maximum or to both;

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

- (b) on summary conviction in Scotland, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both;
- (c) on conviction on indictment, to imprisonment for a term not exceeding two years or to a fine or to both.”

Commencement Information

I1 S. 37 in force at 1.10.2007 for S. by S.S.I. 2007/434, art. 2(a)

I2 S. 37 in force at 1.10.2008 for E.W.N.I. by S.I. 2008/2503, art. 2(a)

Changes to legislation:

There are currently no known outstanding effects for the Police and Justice Act 2006, Section 37.