



Prisons (Interference with Wireless Telegraphy) Act 2012

2012 CHAPTER 20

2 Safeguards

- (1) Before the appropriate national authority authorises an interference with wireless telegraphy under section 1 it must be satisfied any equipment that will be used as a result of the authorisation is fit for the purpose.
- (2) Where the appropriate national authority authorises an interference with wireless telegraphy under section 1 it must inform the Office of Communications.
- (3) A person in charge of a relevant institution who is authorised to interfere with wireless telegraphy under section 1 must act in accordance with directions given under this section.
- (4) Where the appropriate national authority authorises an interference with wireless telegraphy under section 1, it must give directions to the person so authorised—
 - (a) specifying descriptions of information to be provided to the Office of Communications;
 - (b) specifying intervals at, or occurrences on, which such information is to be so provided;
 - (c) as to the circumstances in which the use of equipment for the purposes of an interference with wireless telegraphy authorised under section 1 must be modified or discontinued (and, in particular, directions aimed at ensuring that the authorised interference will not result in disproportionate interference with wireless telegraphy outside the relevant institution).
- (5) The appropriate national authority may give such other directions to a person mentioned in subsection (4) as it considers necessary or desirable for the purposes of this Act.
- (6) A direction under this section must be in writing.

Changes to legislation: Prisons (Interference with Wireless Telegraphy) Act 2012, Section 2 is up to date with all changes known to be in force on or before 27 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Modifications etc. (not altering text)

- C1** [S. 2](#) extended (Guernsey) (with modifications) (coming into force in accordance with art. 1(1) of the amending S.I.) by [The Prisons \(Interference with Wireless Telegraphy\) \(Guernsey\) Order 2018](#) (S.I. 2018/545), [art. 2](#), [Sch.](#)
-

Commencement Information

- I1** [S. 2](#) in force at 21.10.2013 for E.W. by [S.I. 2013/2460](#), [art. 3](#)
- I2** [S. 2](#) in force at 3.3.2014 for S. by [S.S.I. 2014/34](#), [art. 2](#)

Changes to legislation:

Prisons (Interference with Wireless Telegraphy) Act 2012, Section 2 is up to date with all changes known to be in force on or before 27 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 2(4) words substituted by [2018 c. 32 Sch. para. 2\(3\)](#)
- s. 2(5) words substituted by [2018 c. 32 Sch. para. 2\(5\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(2A)-(2C) inserted by [2018 c. 32 s. 1\(2\)](#)
- s. 1(6A) inserted by [2018 c. 32 s. 1\(6\)](#)
- s. 2(3A) inserted by [2018 c. 32 Sch. para. 2\(2\)](#)
- s. 2(4A)-(4C) inserted by [2018 c. 32 Sch. para. 2\(4\)](#)
- s. 3(10) inserted by [2018 c. 32 Sch. para. 3\(3\)](#)