

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Prisons (Interference with Wireless Telegraphy) Act 2018, Cross Heading: Section 2: safeguards. (See end of Document for details)

PROSPECTIVE

SCHEDULE

INTERFERENCE WITH WIRELESS TELEGRAPHY IN PRISONS ETC

Section 2: safeguards

- 2 (1) Section 2 is amended as follows.
- (2) After subsection (3) insert—
- “(3A) A public communications provider that is authorised to interfere with wireless telegraphy under section 1 must act in accordance with directions given under this section.”
- (3) In subsection (4), for “section 1” substitute “ section 1(1) ”.
- (4) After subsection (4) insert—
- “(4A) Where the Secretary of State authorises an interference with wireless telegraphy under section 1(2A), the Secretary of State must also give directions to the public communications provider so authorised—
- (a) specifying descriptions of information—
 - (i) to be provided to persons in charge of relevant institutions in England and Wales, or
 - (ii) to be provided to the Secretary of State;
 - (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).
- (4B) Where the Secretary of State gives a direction under subsection (4A), the Secretary of State must also give directions to persons in charge of relevant institutions in England and Wales—
- (a) specifying descriptions of information (which may include PCP information) to be provided to the Office of Communications;
 - (b) specifying intervals at, or occurrences on, which such information is to be so provided.
- In this subsection “PCP information” means information provided by a public communications provider in accordance with a direction under subsection (4A).
- (4C) A person in charge of a relevant institution in England and Wales must comply with a direction given under subsection (4B).”

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(5) In subsection (5), for “mentioned in subsection (4)” substitute “ authorised under section 1 to interfere with wireless telegraphy ”.

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