

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, Paragraph 2. (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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