



Computer Misuse Act 1990

1990 CHAPTER 18

Computer misuse offences

[^{F1}3A Making, supplying or obtaining articles for use in offence under [^{F2}section 1, 3 or 3ZA]

- (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 [^{F3}section 1, 3 or 3ZA].
- (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 [^{F4}section 1, 3 or 3ZA].
- (3) A person is guilty of an offence if he obtains any [^{F5}article—
 - (a) intending to use it to commit, or to assist in the commission of, an offence under section 1, 3 or 3ZA, or
 - (b) with a view to]its being supplied for use to commit, or to assist in the commission of, an offence under [^{F6}section 1, 3 or 3ZA].
- (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 [^{F7}the general limit in a magistrates’ court] or to a fine not exceeding the statutory maximum or to both;
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding [^{F8}12] 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.]

Changes to legislation: There are currently no known outstanding effects for the Computer Misuse Act 1990, Section 3A. (See end of Document for details)

Textual Amendments

- F1** S. 3A inserted (1.10.2007 for S. and 1.10.2008 otherwise) by [Police and Justice Act 2006 \(c. 48\)](#), [ss. 37, 53](#) (with [s. 38\(5\)\(6\)](#)); [S.S.I. 2007/434](#), [art. 2](#); [S.I. 2008/2503](#), [art. 2\(a\)](#)
- F2** Words in s. 3A heading substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), [s. 88\(1\)](#), [Sch. 4 para. 8](#); [S.I. 2015/820](#), [reg. 2\(r\)\(iii\)](#)
- F3** Words in s. 3A(1) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), [ss. 41\(3\)](#), [88\(1\)](#); [S.I. 2015/820](#), [reg. 2\(a\)](#)
- F4** Words in s. 3A(2) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), [ss. 41\(3\)](#), [88\(1\)](#); [S.I. 2015/820](#), [reg. 2\(a\)](#)
- F5** Words in s. 3A(3) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), [ss. 42](#), [88\(1\)](#) (with [s. 86\(5\)](#)); [S.I. 2015/820](#), [reg. 2\(b\)](#)
- F6** Words in s. 3A(3) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), [ss. 41\(3\)](#), [88\(1\)](#); [S.I. 2015/820](#), [reg. 2\(a\)](#)
- F7** Words in s. 3A(5)(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 table](#)
- F8** Word in s. 3A(5)(b) substituted (3.5.2015) by [Serious Crime Act 2015 \(c. 9\)](#), [s. 88\(1\)](#), [Sch. 4 para. 7\(d\)](#); [S.I. 2015/820](#), [reg. 2\(r\)\(iii\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Computer Misuse Act 1990, Section 3A.