



# Computer Misuse Act 1990

## 1990 CHAPTER 18

### *Miscellaneous and general*

#### **12 Conviction of an offence under section 1 in proceedings for an offence under section 2 or 3.**

- (1) If on the trial on indictment of a person charged with—
  - (a) an offence under section 2 above; or
  - (b) an offence under section 3 above or any attempt to commit such an offence;the jury find him not guilty of the offence charged, they may find him guilty of an offence under section 1 above if on the facts shown he could have been found guilty of that offence in proceedings for that offence brought before the expiry of any time limit under section 11 above applicable to such proceedings.
- (2) The Crown Court shall have the same powers and duties in relation to a person who is by virtue of this section convicted before it of an offence under section 1 above as a magistrates' court would have on convicting him of the offence.
- (3) This section is without prejudice to section 6(3) of the <sup>M1</sup>Criminal Law Act 1967 (conviction of alternative indictable offence on trial on indictment).
- (4) This section does not extend to Scotland.

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#### **Marginal Citations**

**M1** 1967 c. 58.

**Status:**

Point in time view as at 01/02/1991. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Computer Misuse Act 1990, Section 12.