



Computer Misuse Act 1990

1990 CHAPTER 18

Computer misuse offences

2 Unauthorised access with intent to commit or facilitate commission of further offences.

- (1) A person is guilty of an offence under this section if he commits an offence under section 1 above (“the unauthorised access offence”) with intent—
 - (a) to commit an offence to which this section applies; or
 - (b) to facilitate the commission of such an offence (whether by himself or by any other person);and the offence he intends to commit or facilitate is referred to below in this section as the further offence.
- (2) This section applies to offences—
 - (a) for which the sentence is fixed by law; or
 - (b) for which a person of twenty-one years of age or over (not previously convicted) may be sentenced to imprisonment for a term of five years (or, in England and Wales, might be so sentenced but for the restrictions imposed by section 33 of the ^{M1}Magistrates’ Courts Act 1980).
- (3) It is immaterial for the purposes of this section whether the further offence is to be committed on the same occasion as the unauthorised access offence or on any future occasion.
- (4) A person may be guilty of an offence under this section even though the facts are such that the commission of the further offence is impossible.
- (5) A person guilty of an offence under this section shall be liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding the statutory maximum or to both; and
 - (b) on conviction on indictment, to imprisonment for a term not exceeding five years or to a fine or to both.

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: Computer Misuse Act 1990, Section 2 is up to date with all changes known to be in force on or before 06 August 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)

Marginal Citations

M1 1980 c. 43.

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