



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART XII

#### MISCELLANEOUS AND GENERAL

##### *Obtaining computer-held information*

#### **162 Access to computer material by constables and other enforcement officers**

- (1) In section 10 of the Computer Misuse Act 1990 (offence of unauthorised access not to apply to exercise of law enforcement powers), after paragraph (b), there shall be inserted the following words—

“and nothing designed to indicate a withholding of consent to access to any program or data from persons as enforcement officers shall have effect to make access unauthorised for the purposes of the said section 1(1).

In this section “enforcement officer” means a constable or other person charged with the duty of investigating offences; and withholding consent from a person “as” an enforcement officer of any description includes the operation, by the person entitled to control access, of rules whereby enforcement officers of that description are, as such, disqualified from membership of a class of persons who are authorised to have access.”

- (2) In section 17(5) of that Act (when access is unauthorised), after paragraph (b), there shall be inserted the following words—

“but this subsection is subject to section 10.”