

CHAPTER 78.

WIRELESS TELEGRAPHY.

AN ORDINANCE TO REGULATE WIRELESS TELEGRAPHY AND SIMILAR METHODS OF COMMUNICATION. 7 of 1925.

[30th November, 1925.]

1. This Ordinance may be cited as the Wireless Telegraphy Ordinance. Short title.

2. The expression "Wireless telegraphy" means any system of communication by means of any apparatus for transmitting messages or other communications by means of electric signals without the aid of any wire connecting the points from and at which the messages or other communications are sent or received and shall include wireless telephony. Definition.

3. (1) No person shall establish or maintain any wireless telegraph station, or install or work or maintain any apparatus for wireless telegraphy in any place in the Colony or on board any ship or aircraft registered in the Colony, except under and in accordance with a licence granted in that behalf by the Governor in Council. Wireless installations to be licensed.

(2) Every such licence shall be in such form and for such period as the Governor in Council may determine, and shall contain the terms, conditions and restrictions on and subject to which the licence is granted. Conditions of licences to be fixed by Governor in Council.

(3) Where an applicant for a licence proves to the satisfaction of the Governor in Council that the sole object of obtaining the licence is to enable him to conduct experiments in wireless telegraphy, a licence for that purpose may be granted, subject to such special terms, conditions and restrictions, as the Governor in Council may think proper. Experimental licences.

(4) Any person who establishes a wireless telegraph station without a licence, or installs or works any apparatus for wireless telegraphy without a licence, shall be liable on conviction to a penalty not exceeding one hundred pounds Penalties for installing wireless apparatus without a licence.

[Note. This Ordinance is declared to be in force in the Dependencies by the Application of Colony Laws Ordinance, Cap. 1 (D.S.)]

or to imprisonment not exceeding six months and in either case be liable to forfeit any apparatus for wireless telegraphy installed or worked without a licence.

Power to
issue search
warrant.

(5) If a Justice of the Peace is satisfied by information on oath that there is reasonable ground for suspecting that a wireless telegraphy station has been established or maintained without a licence, or that any apparatus for wireless telegraphy has been installed or worked or maintained in any place or in any ship or aircraft within his jurisdiction without a licence, or contrary to the provisions of any regulations made under this Ordinance, he may grant a search warrant, and a warrant so granted shall authorise the police officer or person named therein to enter and inspect the station, place or ship or aircraft, and to seize any apparatus which appears to him to be used or intended to be used for wireless telegraphy therein.

Power of
Governor in
Council to
make
regulations
and pre-
scribe fees.

4. (1) The Governor in Council may make regulations—
- (a) prescribing the form and manner in which applications for licences under this Ordinance are to be made and the fees payable on the grant or renewal of any such licence ;
 - (b) requiring any operators or other persons engaged in the working of wireless telegraphy to be provided with certificates and making provision as to the manner and the conditions of the issue and renewal of such certificate, including examination and tests to be undergone ;
 - (c) as to the working of any apparatus for wireless telegraphy installed in ships and aircraft not registered in the Colony while such ships are in any harbour or the territorial waters of the Colony, and such aircraft are upon or over the territory or territorial waters of the Colony ;
 - (d) for giving effect to the provisions of any international convention to which the Government of the Colony has acceded and any regulation made thereunder so far as the same relate to wireless telegraphy ;
 - (e) generally for more effectually carrying into effect any of the purposes or provisions of this Ordinance.

(2) Any person acting in contravention of, or failing to comply with a regulation made under this section, shall be liable to imprisonment for a term not exceeding six months or a fine not exceeding fifty pounds or both penalties, and in the case of a continued offence, a further fine not exceeding five pounds for each day during which the offence continued. He shall further be liable to forfeit any apparatus for wireless telegraphy in respect of which the offence is committed.

5. Any person who—

- (a) sends or attempts to send by wireless telegraphy a signal of distress or a false or misleading message as to a vessel in distress ; or
- (b) improperly divulges the purport of any message sent or proposed to be sent by wireless telegraphy ;

Penalties for improper use of wireless signalling and disclosure of messages.

shall be liable to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months or to both penalties and to forfeit any licence granted under this Ordinance and any apparatus by means of which the offence was committed.

6. If at any time in the opinion of the Governor an emergency has arisen in which it is expedient for the public service that His Majesty's Government should have control over the transmission of messages by wireless telegraphy it shall be lawful for the Superintendent of Posts and Telegraphs with the approval of the Governor or any other person authorised in that behalf by the Governor to take possession forthwith of any apparatus for any such purposes, and, during the continuance of the emergency, it shall be lawful for the Governor in Council to make such further rules as appear necessary with respect to the possession, sale, purchase, construction and use of apparatus for any such purpose or component parts of such apparatus.

Emergency control.

Any person acting in contravention of any such regulation shall be liable on conviction to imprisonment for a term not exceeding six months or a fine not exceeding fifty pounds or both penalties.