

TRINIDAD AND TOBAGO.

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No. 17—1936.

I ASSENT

[L.S.]

M. FLETCHER

Governor.

16th December, 1936.

17th December, 1936.

AN ORDINANCE relating to Wireless Telegraphy.

BE it enacted by the Governor of Trinidad and Tobago with the advice and consent of the Legislative Council thereof as follows:—

1. This Ordinance may be cited as the Wireless Tele- Short title.
graphy Ordinance, 1936.

2. In this Ordinance—

"Wireless Telegraphy" includes wireless telephony and any system for the reception as well as the sending of messages or other communications by means of electric, galvanic, or magnetic signals without the aid of any wire connecting the points from and at which the messages or other communications are sent and received, <sup>Interpreta-
tion.</sup>

"Wireless Apparatus" includes any appliance used or intended to be used for the purposes of Wireless Telegraphy. <sup>also included the dissemination etc etc. amended
Ordie 23/41
Sec. 2</sup>

"Wireless Receiver" means an apparatus capable of receiving wireless messages or other communications, and includes a loud speaker.

"Wireless Officer" means the person appointed by the Governor for the purposes of this Ordinance.

5. Any person who unlawfully and maliciously — Penalty for damage or obstruction.
 (a) injures, removes, or destroys any apparatus or installation for the purpose of wireless telegraphy, or any part of such apparatus or installation ; or
 (b) obstructs or prevents in any manner whatsoever the sending, conveyance, delivery or receipt of any message or signal by wireless telegraphy,
 shall be guilty of a misdemeanour, and shall be liable, on conviction on indictment, to imprisonment, with or without hard labour, for any term not exceeding two years, or, on summary conviction before a Magistrate, to imprisonment with or without hard labour for any term not exceeding six months, or to a fine not exceeding four hundred and eighty dollars.

6.—(1) It shall not be lawful for any person to sell or deal in wireless apparatus without first obtaining a licence in that behalf to be granted to him under the provisions of this Ordinance, and on payment of such amount as the Governor may prescribe : Provided that it shall be lawful for any person to export any wireless apparatus imported into the Colony and kept in bond without having a licence. Licence for Dealer in Wireless Apparatus.

(2) Every licence to deal in wireless apparatus shall be in such form as shall be prescribed by the Governor and shall contain the name and description of the licensee, a description of the premises in respect of which the licence is granted, and the date on which the licence is issued. Such licence shall not be transferable and shall expire on the thirty-first day of December following the date of its issue. Particulars of Dealers Licence.

(3) Every person who sells or deals in wireless apparatus without having in force a licence for the purpose, or who sells or deals in wireless apparatus upon any premises other than those specified in his licence, shall be liable, on summary conviction to a penalty not exceeding two hundred and forty dollars. Penalty.

7.—(1) It shall not be lawful to sell or let on hire to any person any wireless apparatus unless at the time of sale or hire such person produces a valid licence either to deal in wireless apparatus or to keep use or establish wireless apparatus of the description intended to be sold or let on hire : Provided that for purposes of trial a licensed dealer Buyer to produce licence.

9.—(1) If a Magistrate is satisfied by information on oath that there is reasonable ground for suspecting that a wireless telegraph station has been established without a licence in that behalf, or that any wireless apparatus has been installed or worked or concealed in any place or on board any merchant ship without a licence in that behalf or contrary to the provisions of this Ordinance or of any regulations made thereunder or of any licence granted under this Ordinance, he may grant a search warrant authorizing the Wireless Officer or any member of the Constabulary Force, with such assistance as may be necessary, to enter, inspect and search at any time of the day or night the station, place, or ship, and to seize any apparatus which appears to him to be used or intended to be used for wireless telegraphy.

Search
Warrant.

(2) All wireless apparatus that may be found upon any such search may by order of a Magistrate be forfeited to His Majesty.

(3) This section shall not apply to wireless apparatus on any ship or aircraft in the service of His Majesty or on foreign men-of-war or service aircraft, nor to wireless apparatus in the possession of persons licensed to sell or deal in wireless apparatus, entry whereof shall have been made in accordance with the provisions of the preceding section.

10. No wireless apparatus imported into the Colony shall be delivered by the Collector of Customs and Excise to any person unless such person shall have first obtained a licence to deal in wireless apparatus or a licence to keep, use or establish wireless apparatus.

Delivery from
Customs.

11.—(1) Any person who owns a Wireless Apparatus for his own private use and in respect of which he holds the appropriate licence, may sell or otherwise dispose of such wireless apparatus to any other person in the Colony without being licensed as a dealer: Provided that he shall within fourteen days of such sale or disposition, notify the Wireless Officer thereof in writing, stating the name and address of the person to whom such wireless apparatus has been sold or otherwise disposed of, and the description of such wireless apparatus.

Disposal of
privately
owned wireless
apparatus and
notice thereof

(2) Every person contravening the foregoing provisions of this section, shall be liable, on summary conviction to a penalty not exceeding twenty-five dollars.

Penalty.

15. If at any time in the opinion of the Governor in Executive Council an emergency has arisen in which it is expedient for the public service that His Majesty's Government should have control over the transmission and reception of messages by wireless telegraphy, the Governor in Executive Council may, during the continuance of such emergency, make such Orders as may appear desirable with respect to the possession, sale, purchase, construction and use of wireless apparatus in any place in the Colony or on board any ship while in territorial waters of the Colony.

- 16.**—(1) The following Ordinances are hereby repealed :—
- The Wireless Telegraphy Ordinance. Repeal.
Cap. 110.
 - The Wireless Telegraphy (Amendment) Ordinance, No. 3 of 1926.
1926.
 - The Wireless Telegraphy (Explanation) Ordinance, No. 9 of 1930.
1930.

(2) The notice fixing the Licence Fees published in the *Royal Gazette* of the 12th February, 1931, is hereby revoked.

SCHEDULE.

(Section 14.)

REGULATIONS.

PART I.

FEES.

1. There shall be paid to the Treasurer an annual licence fee of \$2.40 for a single Wireless Receiver used in connection with a Receiving Station at a fixed address and a further annual fee of \$1.00 for each additional wireless receiver including a portable receiver.

Provided that if the Licence is first taken out after the 30th June in any year, the fee in respect of the current half-year shall be one-half of the above fees.

If the Licensee continues in possession of the Wireless Receiving Apparatus after the 31st December in any year, he must pay the renewal fee on or before the 7th day of January in each year.

2. The annual licence fee to deal in Wireless Apparatus shall be .. \$ 5.00 and any renewal of the licence must be taken out and be paid for on or before the 7th day of January in each year.

CONDITIONS RELATING TO A RECEIVING LICENCE.

(To be endorsed thereon.)

1. The Licensee shall not allow either the station or the portable set to be used for any purpose other than that of receiving broadcast programmes and messages sent out for general reception and messages sent from an experimental station in connection with experiments carried out by the Licensee.

2. The Licensee shall not allow the portable set (where one is duly authorized) to be worked by any person other than himself or person residing in the premises occupied by the Licensee at the address of the station; and this Licence shall be carried by the person working the portable set.

3. Neither the station nor the portable set shall be used in such a manner as to cause interference with the working of other stations. In particular, reaction must not be used to such an extent as to energise any neighbouring aerial.

4. The combined height and length of any external aerial and down-lead shall not exceed 150 feet. An aerial which crosses above or is liable to fall upon or to be blown on to any overhead power wire (including electric lighting and tramway wires) must be guarded to the reasonable satisfaction of the owner of the power wire concerned.

5. The only messages received by means of the station or the portable set shall be those intended for receipt thereby or sent by a duly authorized broadcasting station for general reception. If any other message is unintentionally received the Licensee shall not make known or allow to be made known its contents, its origin or destination, its existence or the fact of its receipt to any person (other than a duly authorized officer or a competent legal tribunal) and shall not reproduce in writing, copy or make any use of such message or allow the same to be reproduced in writing, copied or made use of.

6. The station, the portable set and this licence shall be open to inspection at all reasonable times by duly authorized officers who will produce their cards of identity on request.

7. This Licence may be modified or cancelled by the Governor at any time either by specific notice in writing sent to the Licensee at the address shown hereon, or by means of a general notice in the *Royal Gazette* addressed to all holders of wireless receiving licences, and will be cancelled on breach of any of the conditions. In the event of cancellation no part of the fee will be returned.

8. The annual fee shall be paid on or before the 7th day of January in each year so long as the Licensee is in possession of wireless receiving apparatus capable of receiving messages. For a licence issued before the 30th June in any year the full fee shall be payable in respect of that year. For a licence issued after the 30th June only half the fee shall be payable in respect of the current half year—the full fee being payable in respect of each subsequent year.

9. A Licensee who desires to sell or otherwise dispose of his receiving apparatus privately in the Colony can do so providing notice is given in writing to the Wireless Officer within fourteen days after such sale or disposition. The notice must state the name and address of the person to whom such wireless apparatus has been sold or otherwise disposed of and the description of the wireless apparatus.

Where special justification is shown, however, sending will also be allowed on one or both the undermentioned bands of frequencies:—

28000-30000	10.71-10
56000-60000	5.357-5

The use of "spark" sending apparatus and of unrectified alternating current is specifically forbidden.

3. The station shall always be equipped for reception, the apparatus of which must be separately licensed, as well as sending. The sending apparatus shall invariably be tuned as accurately as possible to the particular authorized frequency on which it is proposed to send, and for this purpose there shall be kept at the station, and used whenever necessary (and on all occasions when the frequency used for sending is changed), a reliable instrument of the piezo-electric crystal type, or other type approved by the Wireless Officer, for measuring the frequencies of the emissions from the station. The licensee shall take all practicable steps to maintain the accuracy of such measuring instrument and shall observe any detailed instructions in that connection which may be issued by the Wireless Officer. Emissions from the station shall always be kept as stable as possible, *i.e.*, as free from variation (other than necessary modulation, from the frequency intended to be used), and shall also be as free as possible from harmonics and other unessential emissions.

4. Messages may be sent at any time, provided that the time occupied in sending shall not exceed two hours during any consecutive period of twenty-four hours.

5. Sending shall not commence without listening-in on the frequency which is to be used in order to ascertain whether interference is likely to be caused thereby with any other station which may be working. No period of sending shall exceed ten consecutive minutes' duration and each period of sending shall be followed by a period of not less than three minutes listening-in on the frequency used. The apparatus must in all cases be operated by

Sending shall at once be discontinued or postponed at the request of any government or commercial station.

6. A record shall be kept of all transmissions showing the date and time of each transmission and the frequency and system (*i.e.*, continuous wave or telephony) employed.

7. Messages shall only be sent to stations which are actually co-operating in the licensee's experiments. They may be sent to such stations in this country and also in countries abroad (except where the Administration of a country abroad has prohibited communication of this nature). The use of the apparatus for sending news, advertisements, communications of a business or non-experimental character (except as herein specified), messages for pecuniary reward, or any messages for, or on behalf of, a third party, is expressly forbidden. Messages shall be sent in plain language and shall relate solely to the licensee's experiments or to the personal affairs (not being business affairs or transactions) of the licensee or the person with whom he is communicating.

8. The call signal VP₄ . . . has been allotted to the station. The prefix of nationality, *i.e.*, "VP₄" must invariably be included in the call signal. In calling up another station, the call signal of that station should be sent not more than three times, the word "from" once, and the call signal of the calling station not more than three times. In answering a call,

Dangerous use of Supply Mains. If power for the working of the wireless station is taken from a public electricity supply, whether or not a battery eliminator is used, no direct connexion should be made between the supply mains and the aerial.

III. The Licence to deal in wireless apparatus shall be in the following form :—

THE WIRELESS TELEGRAPHY ORDINANCE, 1936.

LICENCE TO DEAL IN WIRELESS APPARATUS.

No.....of 19.....

(A.B.).....of.....
having paid the sum \$.....is hereby licensed to deal in Wireless Apparatus, under the provisions of the Wireless Telegraphy Ordinance, 1936, in the premises in the.....known as No.....

This Licence expires on the 31st day of December, 19 ..

Dated this.....day of.....19 ..

Wireless Officer.

V. The "Wireless Receiver Record Book" shall be in the form following :—

THE WIRELESS TELEGRAPHY ORDINANCE, 1936.

WIRELESS RECEIVERS RECORD BOOK.

RECEIPTS.

Date of Receipt.	Person from whom received.	Address of person from whom received.	Number	Description of Wireless Apparatus.	Remarks.

Remarks to specify whether for sale, hire, repair, &c., and a corresponding number or date to show its disposal in the Delivery Book. Also state if Wireless Receiver was constructed or assembled by the Licensed dealer.

The Receipts to be on one page and the Deliveries on the opposite page.

DELIVERIES.

Date of delivery.	Person to whom delivered.	Address of person to whom delivered.	Nature of licence, number and date.	Description of Wireless Apparatus.	Remarks.

Remarks to specify whether for sale, hire, loan, repair, &c.