STATUTORY INSTRUMENTS

1983 No. 1846

TELECOMMUNICATIONS

The Telecommunication Apparatus (Bell Noise—Labelling) Order 1983

Made - - - -	13*th December* 1983
Laid before Parliament	22*nd December* 1983
Coming into Operation	12*th January* 1984

Whereas it appears to the Secretary of State expedient that apparatus to which this Order applies should be accompanied by certain information and instructions relating to that apparatus and its use:

Now, therefore, the Secretary of State, in exercise of the power conferred on him by section 17 of the British Telecommunications Act 1981(**a**), hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Telecommunication Apparatus (Bell Noise—Labelling) Order 1983 and shall come into operation on 12th January 1984.

Interpretation

2. In this Order—

"The Act" means the British Telecommunications Act 1981;

"approved apparatus" means any subscriber's apparatus which either—

(a) pursuant to section 16(1) of the Act conforms to a standard for the time being approved by the Secretary of State, or by a person or body appointed by him for the purpose, for apparatus of that description which is, or is to be, connected (either directly or indirectly) to a Corporation system and complies with any condition relating to the apparatus which may be specified in the approval; or

(b) pursuant to section 16(2) of the Act, has itself been approved for connection (either directly or indirectly) to a Corporation system by the Secretary of State, by a person or body appointed by him for the purpose, or by the Corporation;

"the Corporation" means British Telecommunications;

"Corporation system" means a telecommunication system run by the Corporation;

(**a**) 1981 c.38.

"the mark" and "the words which are to be written across the mark" shall be construed in accordance with Schedule 2;

"subscriber's apparatus" means apparatus owned by or supplied to a person other than the Corporation;

"supply" and related expressions shall be construed in accordance with section 9 of the Consumer Safety Act 1978(a) and, in the case of the Corporation, as also including supply in pursuance of a scheme made under section 21 of the Act; and

"supply by retail" means, in relation to any apparatus, supply to a person who is not acquiring it for the purpose of resale.

Application

3.—(1) Subject to paragraph (2) below, this Order applies to subscriber's apparatus of any of the descriptions specified in Schedule 1 to this Order, being apparatus which is—

(a) capable of being connected (either directly or indirectly) to any Corporation system; and

(b) supplied or offered for supply to a person in the United Kingdom (whether the supplier is within or outside the United Kingdom) except where the person to whom it is supplied or offered for supply is or would be acquiring it for the purpose of supplying it to a person outside the United Kingdom.

(2) Paragraph (1) above does not apply in a case of—

(a) any apparatus which for a period of not less than three months immediately preceding the supply or offer for supply was connected (either directly or indirectly) to a Corporation system and which is supplied for use on the same premises; or

(b) any apparatus supplied or offered for supply by retail by the Kingston-upon-Hull City Council Telephone Undertaking on terms that the apparatus remains the property of that Undertaking.

Labelling requirements

4.—(1) Apparatus to which this Order applies shall be labelled in accordance with the labelling requirements set out in Schedule 2 to this Order.

(2) No person shall, in the course of a trade or business, supply or offer to supply any such apparatus with respect to which the said requirements are not complied with.

Information and instructions

5.—(1) When any apparatus to which this Order applies is supplied or offered for supply, and is accompanied by instructions as to how to use it, there shall be set out in the instructions in a prominent position the words which are to be written across the mark.

(2) When supplying, otherwise than by retail, any apparatus to which this Order applies, the supplier shall give a written statement to the person to whom the apparatus is supplied stating:

(a) whether the apparatus is labelled in accordance with this Order; and

(a) 1978 c.38.

(b) whether, where apparatus is accompanied by instructions as to how to use it, such instructions comply with paragraph (1) above.

John Butcher,
Parliamentary Under Secretary of State,
Department of Trade and Industry.

13th December 1983.

Article 3

SCHEDULE 1

DESCRIPTIONS OF APPARATUS TO WHICH THIS ORDER APPLIES

Approved apparatus, the total weight of which, together with any device integral to its operation which is incorporated within it, does not exceed 40 Kilogrammes, and which is either—

(a) required to be marked in accordance with paragraph 5.2 of British Standard 6305: 1982 as published on 31st July 1982 in order to comply with the standard for the time being approved by the Secretary of State or by a person or body appointed by him for the purpose, for apparatus of that description which is, or is to be, connected (either directly or indirectly) to a Corporation system; or

(b) approved under section 16(2) of the Act, and which could not comply with that British Standard unless it were labelled in accordance with paragraph 5.2 of that British Standard.

Article 4

SCHEDULE 2

LABELLING REQUIREMENTS

1. Apparatus to which this Order applies shall be labelled in accordance with the following paragraphs.

2. The mark shall be in the form of a rectangle twice as broad as it is high and not less than 50mm broad and 25mm high, in the form shown below, having written across it the words, and only the words, and in the arrangement there shown:—

During dialling, this apparatus may tinkle the bells in other telephones sharing the same line. This is not a fault and we advise you not to call the Fault Repair Service.

3.—(1) The label, which may be adhesive or otherwise, may be removable and shall—

(a) be secured to the apparatus; and

(b) bear a representation of the mark.

(2) Where any apparatus to which this Order applies is supplied or offered for supply by retail and an example of that description of apparatus is displayed, the example so displayed shall be labelled in accordance with the requirements of this Schedule and the label shall be such and be so placed that the mark is readily visible.

4. The background of the label and mark shall be plain white and all writing thereon and the line delineating the rectangle shall be black, and the writing shall be—

(a) clearly legible; and

(b) in the same size of type which shall be not less than 1.5mm capital height.

5. Where apparatus consists of more than one component and the components are not designed to be separated except for repair, maintenance or testing, the requirement that the apparatus shall be labelled shall be treated as complied with if the label is secured to any one of the principal components of the apparatus.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order imposes further requirements, in addition to those which may apply under the Telecommunication Apparatus (Marking and Labelling) Order 1982 (S.I. 1982/491), upon suppliers of approved apparatus which is capable of being connected (either directly or indirectly) to any telecommunication system run by British Telecommunications and which causes bell tinkling in other apparatus sharing the same line, with respect to the labelling of the apparatus supplied or offered for supply and the information by which it is to be accompanied.

Contravention of the Order by any supplier in the course of any trade or business is an offence under section 17(2) of the British Telecommunications Act 1981.

Copies of British Standard 6305: 1982, referred to in Schedule 1 to the Order, can be obtained from the British Standards Institution, Linford Wood, Milton Keynes MK14 6LE (Telephone Milton Keynes (0908) 320066).

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