EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations prescribe the requirement to be complied with in relation to certain ignition apparatus, for the purpose of ensuring that the apparatus will not cause undue interference with wireless telegraphy.

Regulation 2 applies to ignition apparatus forming part of an internal combustion engine (except an engine forming part of an aircraft), which, on or after the 1st of July, 1953, is to be sold or offered or advertised for sale (except for export) or let on hire or offered or advertised for letting on hire by an assembler or importer in the course of his business. In respect of such ignition apparatus, the assembler or importer is required, from the date stated, to comply with Regulation 4.

Regulation 3 applies to ignition apparatus (except ignition apparatus of engines in aircraft or foreign vessels) which is first assembled as part of a vehicle, vessel or engine on or after the 1st of July, 1953. Users of such apparatus in the area referred to in paragraph (2) are required to comply with Regulation 4; but the user is deemed to comply with Regulation 4 if the manufacturer or builder of the vehicle, vessel or engine fitted suppressors and these remain fitted and in good condition and the ignition apparatus has not been altered, and in certain other circumstances also. Regulation 3 also applies to apparatus which is used for testing or demonstrating the operation of components of ignition systems.

Regulation 4 prescribes the requirement, in terms of the maximum permitted field-strength of the electro-magnetic energy radiated from the apparatus when in use. The Schedule sets out the method by which the field-strength is to be measured, the conditions under which tests are to be made, and the description and specification of the measuring apparatus.

1952 No. 1900

The Wireless Telegráphy (Channel Islands) Order, 1952

Made - - - - *29th October,* 1952
Coming into Operation *20th December,* 1952

At the Court at Buckingham Palace, the 29th day of October, 1952

Present

The Queen's Most Excellent Majesty in Council

Whereas by subsection (3) of section twenty of the Wireless Telegraphy Act, 1949(a) (hereinafter referred to as "the Act"), it is provided that Her Majesty may by Order in Council direct that all or any of the provisions of the Act shall extend, with such adaptations and modifications, if any, as may be specified in the Order, to any of the Channel Islands:

(a) 12, 13 & 14 Geo. 6. c. 54.

Now, therefore, Her Majesty, in pursuance of subsection (3) of the said section twenty, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. The provisions of the Act, other than subsections (2) and (3) of section twenty, shall extend to the Channel Islands with the adaptations and modifications specified in the Schedule to this Order.

2. In this Order the expression "Channel Islands" means Jersey and Guernsey and the expressions "Jersey" and "Guernsey" mean the Bailiwicks of Jersey and Guernsey, respectively, and the territorial waters adjacent thereto.

3. The Interpretation Act, 1889(a), shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

4. This Order may be cited as the Wireless Telegraphy (Channel Islands) Order, 1952, and shall come into operation on the twentieth day of December, 1952.

W. G. Agnew.

SCHEDULE

Adaptations and Modifications

1. Any reference to the Act shall be construed as a reference to the Act as extended to the Channel Islands by this Order.

2. Any reference to the United Kingdom, except in relation to the Government, or any territory administered by the Government, thereof or to the place of registration of a ~~British~~ ship or aircraft, shall be construed as a reference to the Channel Islands; and any reference to a ~~British~~ ship or aircraft registered in the United Kingdom shall be construed as including a reference to a ~~British~~ ship or aircraft registered in the Channel Islands.

3. In section two, in subsection (2), for paragraphs (*a*), (*b*), (*c*) and (*d*) there shall be substituted the following paragraphs:—

"(*a*) in relation to a person ordinarily resident in Jersey, the Public Health Committee;

(*b*) in relation to a person ordinarily resident in Guernsey, the States of Guernsey Board of Health.".

4. In section four, in subsection (4), for the words "the London, Edinburgh and Belfast Gazettes" there shall be substituted the words "a newspaper circulating in Jersey or Guernsey, as the case may be".

5. In section six, in subsection (3), the words "in any of the Channel Islands" shall be omitted.

6.—(1) In section nine, in subsection (3), for paragraphs (*a*), (*b*) and (*c*) there shall be substituted the following paragraphs:—

"(*a*) in Jersey, the Bailiff or some other person appointed at his request by the Superior Number of the Royal Court, being an Advocate or Solicitor ("Ecrivain") of not less than seven years' standing authorised to practise in Jersey, or a legally qualified person who has held judicial office, who shall act only as respects proceedings in Jersey and shall, as respects such proceedings, be the president of the tribunal; and

(*b*) in Guernsey, the Bailiff or such other person appointed at his request by the Royal Court, being an Advocate of not less than seven years' standing authorised to practise in Guernsey, or a legally qualified person who has held judicial office, who shall act only as respects proceedings in Guernsey and shall, as respects such proceedings, be the president of the tribunal; and".

(a) 52 & 53 Vict. c. 63.

(2) For subsection (5) of the said section nine there shall be substituted the following subsection:—

"(5) If, in the case of any reference or application to the appeal tribunal under section eleven of this Act, any of the parties or the president of the tribunal, within such time, if any, as may be limited in that behalf by the rules regulating the procedure of the tribunal, request the Superior Number of the Royal Court of Jersey or the Royal Court of Guernsey, as the case may be, to appoint two additional members of the tribunal to act for that case, the Court so requested shall select and appoint two persons, who need not possess any legal qualifications or expert knowledge, to act as additional members of the tribunal for that case, and the additional members so appointed shall act therefor accordingly in addition to the president and the assessors or assessor.".

7. In section eleven, in subsection (6), for the words from "England" to the end of the subsection, there shall be substituted the words "Jersey or Guernsey, as the case may be".

8. In section fourteen—

(*a*) in subsection (1), the word "summary", where it occurs in paragraphs (*a*), (*b*) and (*c*), shall be omitted;

(*b*) in subsection (3), for the words "Postmaster General" there shall be substituted the words "Crown for the benefit of the Crown Revenues in Jersey or Guernsey, as the case may be";

(*c*) subsections (4), (5) and (8) and the last paragraph of subsection (7) shall be omitted.

9. In section fifteen—

(*a*) in subsection (1), for the words from "If, in England" to the words "on oath" there shall be substituted the words "If, in Jersey or Guernsey, the Bailiff is satisfied upon an application by a Law Officer of the Crown, or if, in Alderney, a Jurat of the Court of Alderney, or, in Sark, the Seneschal, is satisfied upon an application by a person authorised in that behalf by the Postmaster General, the application in each case being supported by sworn evidence";

(*b*) in subsection (2), for the words from "If, in England" to the words "sworn evidence" there shall be substituted the words "If, in Jersey or Guernsey, the Bailiff is satisfied upon an application by a Law Officer of the Crown, or if, in Alderney, a Jurat of the Court of Alderney, or, in Sark, the Seneschal, is satisfied upon an application by a person authorised in that behalf by the Postmaster General, the application in each case being supported by sworn evidence" and for the words "the justice or sheriff", wherever those words occur, there shall be substituted the words "the Bailiff of Jersey, the Bailiff of Guernsey, a Jurat of the Court of Alderney or the Seneschal of Sark, as the case may be";

(*c*) in subsection (4), the words from "and criminal proceedings" to the end of the subsection shall be omitted.

10. In section sixteen, there shall be added at the end the following subsection:—

"(3) Any order or regulation made by the Postmaster General under the Act shall not have effect in Jersey or Guernsey unless the said order or regulation has been transmitted to the Bailiff thereof and communicated by him for registration or lodging to the Royal Court of Jersey or Guernsey, as the case may be.".

11. In section seventeen, subsection (2) shall be omitted and for subsection (1) there shall be substituted the following subsection:—

"(1) Any expenses incurred for the purposes of this Act by the Postmaster General shall be defrayed out of moneys provided by Parliament and any sums received by the Postmaster General under this Act shall be paid into the Exchequer, and any fines imposed for offences under this Act shall be paid to the Crown for the benefit of the Crown Revenues in Jersey or Guernsey, as the case may be.".

12.—(1) In section nineteen, in subsection (2), for the words from "has the same meaning" to the end of the subsection there shall be substituted the words "means a wire or wires, conductor, or other means used for the purpose of conveying, transmitting, or distributing electricity with any casing, coating, covering, tube, pipe, or insulator enclosing, surrounding, or supporting the same, or any part thereof, or any apparatus connected therewith for the purpose of conveying, transmitting or distributing electricity or electric currents".

(2) In the said section nineteen, there shall be added at the end the following subsection:—

"(11) Any reference in this Act to Jersey or Guernsey shall be construed as a reference to the Bailiwick of Jersey or Guernsey, as the case may be, and the territorial waters adjacent thereto.".

13. In the Second Schedule—

(*a*) in paragraph 1, sub-paragraph (6) shall be omitted and in sub-paragraphs (2) and (4), the references to the Lord Chancellor shall be construed as references to the Superior Number of the Royal Court of Jersey or to the Royal Court of Guernsey, as the case may be;

(*b*) in paragraph 2, for the words from "the Lord Chancellor" to the words "Northern Ireland" there shall be substituted the words "the Superior Number of the Royal Court of Jersey, the Royal Court of Guernsey";

(*c*) for paragraph 3 the following paragraph shall be substituted:—

"3. The appeal tribunal shall, as respects proceedings in the Channel Islands, have the like powers for securing the attendance of witnesses and the production of documents, and with regard to the examination of witnesses on oath and the awarding of costs and expenses, as if the tribunal were the Royal Court of Jersey or the Royal Court of Guernsey, as the case may be.";

(*d*) in paragraph 6, for the words from "the Lord Chancellor" to the end of the paragraph there shall be substituted the words "the Superior Number of the Royal Court of Jersey or the Royal Court of Guernsey, as the case may be".

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order provides that the Wireless Telegraphy Act, 1949, shall, subject to the modifications set out in the Schedule, extend to the Channel Islands. Part I of the Act has not been brought into operation in the United Kingdom; it will not come into operation in the Channel Islands until an order to that effect has been made under section eight as extended by this Order.