The regulations impose certain limitations on the application of sections 1 to 5 of the Act to stations and apparatus for wireless telegraphy on ships and aircraft in category (ii) above only.

While the ship or aircraft is in or over the place of registration or its territorial waters, those sections will not apply to such stations and apparatus on board (Regulation 3). While the ship or aircraft is elsewhere outside the United Kingdom, the Channel Islands, the Isle of Man, or their territorial waters, the use of the stations or apparatus will not be an offence under sections 1 or 3 of the Act if it is in accordance with a valid licence granted in the place of registration of the ship or aircraft.

1954 No. 540

The Wireless Telegraphy (Foreign Ships and Aircraft) Regulations, 1954

Made - - - -	27*th April*, 1954
Laid before Parliament	3*rd May*, 1954
Coming into Operation	1*st June*, 1954

I, the Right Honourable Herbrand Edward Dundonald Brassey, Earl De La Warr, Her Majesty's Postmaster-General, by virtue of the powers vested in me by subsection (2) of section six of the Wireless Telegraphy Act 1949(a), by the said subsection as extended to the Channel Islands by the Wireless Telegraphy (Channel Islands) Order, 1952(b) and by the said subsection as extended to the Isle of Man by the Wireless Telegraphy (Isle of Man) Order 1952(c), and of every other power enabling me in that behalf, do hereby make the following Regulations, that is to say:—

Interpretation

1.—(1) In these regulations the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"the British Islands" means the United Kingdom, the Channel Islands, and the Isle of Man;

"foreign sea-going ship" and "foreign aircraft" do not include a ship or aircraft forming part of the armed forces of a foreign state;

"harbour" includes harbours properly so called, whether natural or artificial, estuaries, navigable rivers, piers, jetties, and other works in or at which ships can obtain shelter, or ship or unship goods or passengers;

"radiolocation" means the determination of a position or of a direction by means of the constant velocity or rectilinear propagation properties of Hertzian waves;

and other expressions have the same meanings as they have in the Wireless Telegraphy Act 1949.

(2) The Interpretation Act 1889(d) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

(a) 12, 13 & 14 Geo. 6. c. 54.
(b) S.I. 1952/1900 (1952 III, p. 3414).
(c) S.I. 1952/1899 (1952 III, p. 3418).
(d) 52 & 53 Vict. c. 63.

Interference

2. All apparatus for wireless telegraphy on board a foreign sea-going ship or foreign aircraft within the limits of the British Islands and the territorial waters adjacent thereto shall be so used as not to interrupt or interfere with the sending or receiving of any messages by means of any station or apparatus for wireless telegraphy.

Communication with Land Stations

3. All persons using apparatus for wireless telegraphy on board such ship or aircraft as aforesaid within the said limits for communication with a land station shall comply with the instructions given by the land station in all questions relating to the order and time of transmission, to the choice of frequency and of the class of emission, and to the duration and suspension of communication.

Use by ships in harbour and by aircraft not in flight

4.—(1) Except as may be expressly permitted by or under any Act or by or under any International Convention to which Her Majesty is for the time being a party, or with the permission in writing of the Postmaster-General, no apparatus for wireless telegraphy on board a foreign sea-going ship or foreign aircraft shall be used for emission (as opposed to reception) while such ship is in any harbour in the British Islands, or while such aircraft is within the limits of the British Islands and the territorial waters adjacent thereto but is not in flight.

(2) This regulation shall not apply to the use on board a ship in harbour of any apparatus for wireless telegraphy at frequencies between 30,000 kilocycles per second and 300 megacycles per second, or of any such apparatus for the purpose of radiolocation.

Distress signals

5. Nothing in the foregoing regulations shall restrict the use of wireless telegraphy for the purpose of making or answering signals of distress.

Penalties

6.—(1) Any person who shall offend against any provision of these regulations shall be liable on summary conviction for every such offence to a penalty not exceeding one hundred pounds, and upon such conviction the Court may order that any apparatus for wireless telegraphy in respect of which the offence was committed shall be seized and forfeited.

(2) For the purposes of any proceedings under these regulations the master or person being or appearing to be in command or charge of any foreign sea-going ship or foreign aircraft shall be deemed to have authorised and to be responsible for the use of any apparatus for wireless telegraphy on board such ship or aircraft.

(3) Any summons, complaint or other document in any proceedings under these regulations shall be deemed to have been duly served on the person to whom the same is addressed by being left with the person being or appearing to be in command or charge of the ship or aircraft in which the offence is charged to have been committed.

Application to Northern Ireland

7. In the application of these regulations to Northern Ireland, the expression " summary conviction " means conviction subject to and in accordance with the Summary Jurisdiction Acts, including any Act of the Parliament of Northern Ireland, whether passed before or after the date on which these regulations come into operation, amending those Acts.

Application to the Channel Islands

8. In the application of these regulations to the Channel Islands, the word " summary " in paragraph (1) of regulation six shall be omitted.

Application to the Isle of Man

9. In the application of these regulations to the Isle of Man, the expression " summary conviction " means conviction subject to, and in accordance with, the provisions of the Petty Sessions and Summary Jurisdiction Acts 1927 and 1946 (being Acts of Tynwald), and any Act, whether passed before or after the date on which these regulations come into operation, amending the same.

Commencement and Citation

10. These Regulations shall come into operation on the first day of June, 1954, and may be cited as The Wireless Telegraphy (Foreign Ships and Aircraft) Regulations, 1954.

Dated this 27th day of April, 1954.

De La Warr,
Her Majesty's Postmaster-General.

EXPLANATORY NOTE

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

The Wireless Telegraphy Act, 1949, s. 6 (2), empowers the Postmaster-General to make regulations for regulating the use, within the limits of the United Kingdom and its territorial waters, of wireless telegraphy apparatus on board foreign sea-going ships and foreign aircraft. Similar power is conferred on him by the same section as extended to the Channel Islands and the Isle of Man by the Wireless Telegraphy (Channel Islands) Order, 1952, and the Wireless Telegraphy (Isle of Man) Order, 1952. These Regulations contain provisions for regulating the use of wireless telegraphy apparatus on board any foreign sea-going ship or foreign aircraft within the limits of the United Kingdom, the Channel Islands, and the Isle of Man, and the territorial waters adjacent thereto, with respect to interference, communication with land stations and use by ships in harbour and by aircraft not in flight. The Regulations provide for penalties for offences against their provisions.