

BERMUDA STATUTORY INSTRUMENT

SR&O 4/1961

WIRELESS TELEGRAPHY (LICENCE) REGULATIONS 1961

*[made under section 11 of the Wireless Telegraphy Act 1960 [repealed] and
brought into operation on 1 July 1961]*

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SCHEDULE

[omitted]

Citation

- 1 These Regulations may be cited as the Wireless Telegraphy (Licence) Regulations 1961.

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Interpretation

2 In these Regulations symbols used to denote types of wireless telegraphy emission shall have the same meaning as are contained in the final Acts of the International Telecommunications and Radio Conference, Buenos Aires, signed on 22nd December, 1952, as from time to time revised.

Classification of licences

3 Without derogating from the generality of section 5 of the Wireless Telegraphy Act 1960 (hereinafter referred "the Act"), licences of the following classes shall be issued under the provisions of that section—

- (a) Class 1 - for a public broadcasting service;
- (b) Class 2 - for a private experimental station;
- (c) Class 3 - for an amateur transmitting station;
- (d) Class 4 - for a radio-telephone system whether fixed or mobile and used for commercial or private purposes;
- (e) Class 5 - for a radio-telephone or radio/radar apparatus installed in any vessel other than a vessel referred to in the provision of subsection (2) of section 4, or of subsection (5) of section 5, of the Act;
- (f) Class 6 - for a radio-telephone or radio/radar apparatus in any aircraft or airborne vehicle registered in Bermuda.
- (g) Class 7 - for a radio/radar special service installation including such an installation used for navigational purposes.

Applications for licences

4 Applications for the licences referred to in regulation 3 shall be made in writing to the Inspector and shall, in all cases, contain particulars of the applicant's name, address and nationality and, in addition, the following information,—

- (a) in respect of an application for a Class 1 licence—
 - (i) the proposed location of the station;
 - (ii) the proposed output power; and
 - (iii) the proposed frequency band;
- (b) in respect of an application for a Class 2 licence—
 - (i) a description of the nature and scope of the proposed research giving the approximate maximum power to be used and frequencies; and

- (ii) details of the operator's licence or other qualifications of the applicant;
- (c) in respect of an application for a Class 3 licence—
 - (i) the proposed location of the station;
 - (ii) type of equipment to be used;
 - (iii) the proposed input power;
 - (iv) the frequencies and types of emission to be used;
 - (v) details of the relevant qualifications of the applicant;
- (d) in respect of an application for a Class 4 licence—
 - (i) the proposed location of the fixed main station and the number of other stations;
 - (ii) the type of equipment to be used;
 - (iii) the frequencies and type of emission to be used;
 - (iv) the proposed output power;
- (e) in respect of an application for a Class 5 licence—
 - (i) the name of the vessel and the place where such vessel is normally kept;
 - (ii) the proposed working frequencies;
 - (iii) the proposed output power;
 - (iv) the proposed type of equipment;
- (f) in respect of an application for a Class 6 licence—
 - (i) registration letters of aircraft or airborne vehicle;
 - (ii) type of equipment;
 - (iii) mode of emission;
 - (iv) description of antennae;
 - (v) certificate of approval in operation of all equipment signed by a person appointed by the Governor in that behalf;
- (g) in respect of an application for a Class 7 licence—
 - (i) proposed location of station;

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- (ii) description of the nature of the proposed equipment giving approximate maximum power to be used and frequencies in operation.

Permitted frequencies

5 (1) No licence to operate a wireless telegraphy station, in respect of any of the Classes referred to in regulation 3, shall authorise the use of frequencies and power otherwise than in accordance with the following Table—

Class 1 — the frequencies or frequency bands provided for in the final Acts of the International Telecommunications and Radio Conference, Buenos Aires, 22nd December, 1952 as from time to time revised;

Class 2 — within the field of research and on such frequencies as approved by the Minister;

Class 3 —

1800-1825 k/cs.	A1-A3-A3a
1875-1900 k/cs.	ditto
3500 4000 k/cs.	A1-A3-A3a-F3
7000-7300 k/cs.	
14000-14350 k/cs.	
21000-21450 k/cs.	
28.0-29.0 m/cs.	A1-A3-A3a-F3
29.0-29.7 m/cs.	A1-A3-A3a-F1-F2-F3
50.0-51.0 m/cs.	A1-A2-A3-A3a-A4-F3
51.0-52.5 m/cs.	A0-A1-A2-A3-A3a-A4-F3
52.5-54.0 m/cs.	A0-A1-A2-A3-A3a-A4-F1-F2-F3
144.0-148.0 m/cs.	A0-A1-A2-A3-A3a-A4-F1-F2-F3
220-225 m/cs.	A0-A1-A2-A3-A4-F1-F2-F3
420-450 m/cs.	A0-A1-A2-A3-A4-A5-F1-F2-F3
1215-1300 m/cs.	A0-A1-A2-A3-A4-A5-F1-F2-F3
2300-2450 m/cs.)	A0-A1-A2-A3-A4-A5-F1-F2-F3
3300-3500 m/cs.)	P1-P2D-P2E-P3D-P3E
10000-10500 m/cs.	A0-A1-A2-A3-A4-A5-F1-F2-F3 P1-P2D-P2E-P3D-P3E

or the appropriate frequency band or frequencies provided for in the International Radio regulations annexed to the International Telecommunications Conference signed at Buenos Aires on 22nd December, 1952, as from time to time revised;

Class 4 —

166 m/cs.-173 m/cs.

216 m/cs.-220 m/cs.-26.965 m/cs.-27.225 m/cs.

or the appropriate frequency band or frequencies provided for in the International Radio regulations annexed to the International Telecommunications Conference signed at Buenos Aires on 22nd December, 1952 as from time to time revised:

Provided that, for a period of four years from the coming into operation of these regulations, a licence to operate a wireless telegraph station within this class may be issued authorising the use of frequencies within the limits 68-88 m/cs. in any case where such a licence was in existence until it was revoked under the provisions of section 12 of the Act.

Class 5—

1605 k/cs. - 2850 k/cs.

156 m/cs. - 165 m/cs.

or the appropriate frequency band or frequencies provided for in the International Radio regulations annexed to the International Telecommunications Conference signed at Buenos Aires on 22nd December, 1952, as from time to time revised;

Class 6 — frequencies approved by the Governor and in accordance with the provisions of the I. C.A.O. Annex 10 to the Chicago Convention or the appropriate frequency band or frequencies provided for in the International Radio regulations annexed to the International Telecommunications Conference signed at Buenos Aires on 22nd December, 1952, as from time to time revised;

Class 7 — frequency band or frequencies provided for in the International Radio regulations annexed to the International Telecommunications Conference signed at Buenos Aires on 22nd December, 1952, as from time to time revised.

(2) In Class 3, the maximum input to the final stage of a wireless telegraphy transmitter shall not exceed 150 watts and, in the case of pulse operation, the maximum input power shall not exceed 25 watts mean power of 2.5 kilowatts peak power.

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(3) In Class 4, a wireless transmitter shall be operated so that all transmissions in the 166-173 and 216-220 m/cs. bands are made within the band limits denoting the assigned frequency plus 25 k/cs. and the assigned frequency minus 25 k/cs. The maximum input power in the final stage of such a transmitter shall be limited to 50 watts in the case of a control station or 15 watts in the case of a satellite station. A wireless transmitter operating between 26.965 and 27.225 m/cs. shall be operated so that all transmissions are made within the band limits denoting the assigned frequency plus 4 k/cs. and the assigned frequency minus 4 k/cs. The maximum input power in the final stage of such a transmitter shall be limited to 5 watts.

(4) In class 5, a wireless transmitter operated in the band 1605 k/cs. to 2850 k/cs. shall not have a maximum power output exceeding 75 watts.

Records

6 (1) Every person operating a wireless telegraphy station under the provisions of a licence of either Class 1, 2, 3 or 6 shall keep a record in the form of a log showing the time, date and frequency used for each transmission. Such a log will be retained by the licensee for a period of not less than one year after the last entry.

(2) Any person who, being a licence holder in respect of any wireless telegraphy station referred to in paragraph (1), omits or neglects to comply with the provisions of that paragraph commits an offence:

Punishment on summary conviction: a fine of \$180 for every occasion of omission or neglect.

Inspection

7 (1) Every wireless telegraphy station and any record required to be kept under the provisions of regulation 6 shall be open for inspection, at any reasonable time, by any officer appointed in writing by the Minister in that behalf.

(2) Any person who obstructs any officer referred to in paragraph (1) in the execution of his duty or who, being a licence holder under the provisions of these Regulations and having been notified to make available any wireless telegraphy station or records for inspection, fails without reasonable cause so to do commits an offence:

Punishment on summary conviction: a fine of \$180.

Restriction on transmissions

8 (1) No person shall transmit or receive any message from a wireless telegraphy station operating under the provisions of a licence of either Class 3, 4, 5 or 6 except for the purposes set out in the following Table—

Class 3 - sending to or receiving from another station operated by an amateur operator as part of the self-training of the licensee in communication by wireless telegraphy;

Class 4 & 6 - sending or receiving messages concerned exclusively with the commercial enterprise of the licensee;

Class 5 & 6 - messages of a personal nature only or in connection with the navigation of the vessel or aircraft or airborne vehicle in respect of which the licence is issued.

(2) Any person who contravenes any of the provisions of paragraph (1) commits an offence:

Punishment on summary conviction: a fine of \$180 in the case of a first offence or for any second or subsequent offence a fine of \$720 or imprisonment for six months or both such fine and imprisonment.

Operators' licences

9 No Class 2 or Class 3 licence shall be issued to any person who is not in possession of an operator's licence issued under the provisions of regulation 10.

Examinations for operators' licences

10 (1) The Minister may from time to time appoint such number of persons as he considers necessary to be Examiners for the purpose of examining applicants for licences to operate wireless telegraphy stations in Bermuda (in this regulation and regulation 9 referred as to "operators' licenses").

(2) Subject to the provisions of paragraph (3) every applicant for an operator's licence must satisfy an Examiner appointed under the provisions of paragraph (1) —

(a) that he can receive and transmit code signals at the rate of at least 12 words per minute; and

(b) that he has sufficient theoretical and practical knowledge to permit him to operate a wireless telegraphy station efficiently.

(3) Notwithstanding the provisions of paragraph (2), an Examiner, appointed under the provisions of paragraph (1), may accept any of the following licenses [*sic*] as evidence that a person is qualified to hold an operator's licence and may issue such licence to such person without examination—

(a) a commercial Marconi operator's licence;

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- (b) an operator's licence granted by a recognised authority in the United States of America and approved by the Minister, or
- (c) any other licence, or qualification, approved by the Minister.

Forms of licence

11 The licences to which these Regulations refer shall be in the form set out in the Schedule and shall, in every case, bear the call sign allocated for use by the licensee.

Revocation

12 [omitted]

SCHEDULE
[omitted]

[Note: These Regulations should be read in conjunction with S.R. & O. No. 1968 : 39]

*[Amended by
1968 : 48]*