

Serial Number 1947/196



**THE RADIO INTERFERENCE REGULATIONS 1934,  
AMENDMENT NO. 1**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 17th day of  
December, 1947

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Post and Telegraph Act, 1928, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Radio Interference Regulations 1934, Amendment No. 1.

2. These regulations shall be read together with and form part of the Radio Interference Regulations 1934 (hereinafter called the principal regulations).

3. These regulations shall come into force on the 1st day of February, 1948.

4. Clause 3 of the principal regulations is amended—

(a) By inserting, next following the definition of " Department ", the following definition :—

“ ‘ High-frequency apparatus ’ means apparatus or equipment (except apparatus or equipment sold or manufactured for use in a transmitting-station licensed under the Radio Regulations 1932 or installed or used in a transmitting-station so licensed) of a kind or type which is designed to generate or use high-frequency current at frequencies greater than 10,000 cycles per second but less than 100,000 megacycles per second and which employs power in excess of 25 watts measured at the point of input to the apparatus or equipment.”

(b) By deleting the definition of " Interfering equipment ", and substituting the following :—

“ ‘ Interfering equipment ’ means apparatus or equipment of a kind or type which in use generates electric waves likely to interfere with the conduct of wireless communications ” ; and

(c) By adding to the definition of "Minister" the following words: "and includes any officer of the Post and Telegraph Department acting under his authority or by his direction".

5. The principal regulations are amended by inserting, next following clause 3 thereof, the following additional clause:—

"3A. The Minister may authorize or direct any officer of the Post and Telegraph Department to exercise on his behalf any power, function, or discretion conferred upon or vested in the Minister by these regulations."

6. Clause 6 of the principal regulations is revoked, and the following clauses substituted:—

"6. (1) It shall not be lawful for any person to install or use high-frequency apparatus except pursuant to a licence issued under these regulations and in conformity with the terms and conditions thereof.

"(2) It shall not be lawful for any person to manufacture or sell interfering equipment (whether wireless-telegraphic apparatus or not) other than high-frequency apparatus.

"(3) It shall not be lawful for any person to install or use interfering equipment (whether wireless-telegraphic apparatus or not) other than high-frequency apparatus for the use of which a licence under these regulations is for the time being in force.

"(4) It shall be a defence to any person charged with a breach of the provisions of subclause (2) or subclause (3) hereof if he proves that the interfering equipment in question has been the subject of a notice given under clause 7 hereof and that an application for exemption from requirements of the notice has been made under clause 10 hereof and that notice of the decision thereon has not been given.

"(5) An exemption granted by the Minister under clause 15 or clause 16 hereof and for the time being in force shall, so far as it extends, be a defence to any person charged with a breach of the provisions of subclause (2) or subclause (3) of this clause, but shall not be a defence in respect of any act not authorized by the terms of such exemption.

"6A. (1) The Minister may issue a licence for the installation and use or for the use of such high-frequency apparatus as may be specified therein by the person named therein at the premises therein described.

"(2) Such licence shall be in the form set out in the Schedule hereto and shall be subject to such terms and conditions as the Minister may think to require to be inserted therein to prevent interference with the conduct of wireless communications.

"(3) Except in respect of a substituted licence issued under subclause (7) hereof or in such other circumstances as the Minister may determine, a fee of 5s. shall be payable for every licence.

"(4) Any licensee who fails to comply with the terms and conditions of his licence or commits or causes or permits to be committed a breach of these terms and conditions is guilty of an offence against these regulations.

"(5) If the high-frequency apparatus to which the licence refers ceases to be used by the person named therein at the premises therein described, then within thirty days thereafter the licence shall be surrendered to the Minister.

"(6) If the licensee is at any time convicted of an offence against these regulations relating to the high-frequency apparatus referred to in the licence, the licence shall, upon the entering of such conviction, become void and shall forthwith be surrendered to the Minister.

(7) If at any time the Minister has reason to believe that, notwithstanding compliance with the terms and conditions of a licence, the apparatus referred to therein interferes with the conduct of wireless communications, he may authorize a Radio Inspector to give notice as prescribed in clause 7 of these regulations, and unless a complete exemption from the requirements of the notice is granted as hereinafter provided the licence shall be surrendered to the Minister, and if the notice required discontinuance of the use of the apparatus the licence shall become void, and in any other case the licence shall be replaced free of charge by a fresh licence modified so as to contain, besides the terms and conditions of the former licence so far as they continue applicable, such further terms and conditions as shall conform to the requirements of the notice, subject to any exemption granted in respect thereof."

7. The principal regulations are amended by adding thereto the following Schedule :—

" SCHEDULE

" *The Radio Interference Regulations 1934*

" LICENCE TO (INSTALL AND) USE HIGH-FREQUENCY APPARATUS

" THE person hereinafter named is authorized to (install and) use at the premises hereinafter described the high-frequency apparatus hereinafter specified, subject always to the terms and conditions hereof and the provisions of the above-mentioned regulations :—

" Name of licensee : . . . . .

" Premises : . . . . .

" Nature of apparatus : . . . . .

" Make or type and identifying particulars : . . . . .

" Conditions to be observed in (installation and) use : . . . . .

. . . . .  
" *Signature of Minister or person acting under his direction.*"

W. O. HARVEY,  
Clerk of the Executive Council.

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Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 18th day of December, 1947.

These regulations are administered in the Post and Telegraph Department.