

1956/85



THE RADIO REGULATIONS 1953, AMENDMENT NO. 3

H. E. BARROWCLOUGH, Administrator of the Government
ORDER IN COUNCIL

At the Government House at Wellington this 13th day of June 1956

Present:

HIS EXCELLENCY THE ADMINISTRATOR OF THE GOVERNMENT IN COUNCIL

PURSUANT to the Post and Telegraph Act 1928, His Excellency the Administrator of the Government, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Radio Regulations 1953, Amendment No. 3, and shall be read together with and deemed part of the Radio Regulations 1953* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Regulation 14 of the principal regulations is hereby amended by omitting the words "A licence", and substituting the words "Subject to the provisions of these regulations, a licence".

3. The principal regulations are hereby amended by revoking regulation 32, and substituting the following regulation:

"32. Subject to the provisions of these regulations, a radio station licence, except in the case of a licence for a portable or a mobile station, shall be deemed to authorise the erection, construction, establishment, and use of a station, plant, or apparatus capable of transmitting radio-communications and the possession and use of apparatus capable of receiving radiocommunications, at the particular address stated in the licence, but nowhere else."

4. Regulation 82 of the principal regulations is hereby revoked.

*S.R. 1953/80
Amendment No. 1: S.R. 1953/175
Amendment No. 2: S.R. 1954/199

5. Regulation 137 of the principal regulations is hereby amended by revoking the second proviso, and substituting the following proviso:

“Provided also that:

“(i) Where the anode power input of the transmitter does not exceed 50 watts, the Minister may authorise the operation of the station by the holder of a radiotelephone operator’s permit; and

“(ii) Where the frequency of the transmitter is above 30 Mc/s and the anode power input does not exceed 50 watts, the station may be operated by a person not being the holder of an operator’s certificate or permit.”

6. Regulation 170 of the principal regulations is hereby amended by adding the following subclause as subclause (2) thereof:

“(2) Every amateur station licence shall confer on the holder all the rights conferred by these regulations on the holders of broadcast receiving station licences.”

7. Regulation 200 of the principal regulations is hereby amended by adding the following paragraph:

“(f) Observatories, astronomical societies, and similar institutions—in respect of apparatus for the reception of time signals.”

8. The principal regulations are hereby amended by revoking regulation 203, and substituting the following regulation:

“203. In the case of hotels, clubs, hostels, and other guest houses which are under one management, one licence shall be sufficient for all receivers installed in the premises for the use of the proprietor or manager, or his staff, and sets in common rooms and bars. Where the receiving apparatus is extended to serve private rooms of guests, either by means of loudspeakers or by separate receivers, a separate licence shall be required for each such room or suite of rooms in which receiving apparatus is situated, irrespective of the ownership of the apparatus, except that receivers provided by the management may be included in a multiple broadcast receiving station licence:

“Provided that the required number of ordinary licences may be taken out if preferred.”

9. Regulation 204 of the principal regulations is hereby amended by omitting the words “a temporary broadcast receiving station licence”, and substituting the words “either a temporary broadcast receiving station licence or a portable broadcast receiving station licence”.

10. The principal regulations are hereby amended by inserting, after regulation 206, the following regulation:

“206A. (1) With respect to broadcast receiving station licences, the following provisions shall apply:

“(a) Where a licence is issued in respect of a station situated in a family residence, that licence shall be sufficient in respect of all stations in that residence other than stations owned and used by subtenants or lodgers occupying part of the premises in the residence:

- “(b) Where the holder of a licence occupies a holiday residence in addition to his usual residence, no additional licence shall be required in respect of any station operated by him at the holiday residence:
- “(c) In the case of private hospitals, one licence shall be sufficient to cover all stations in one or more parts of the same premises:
- “(d) In the case of schools and colleges, one licence shall be sufficient to cover all stations (other than stations to which regulation 200 (e) hereof applies) in one or more parts of the same premises:
- “(e) One licence shall be sufficient to cover all stations in ships registered in New Zealand and in those ships not so registered but keeping within New Zealand territorial waters:
“Provided that the licence contains the name of the ship and the name and address of the ship’s owner:
- “(f) Where a person is the holder of a licence in respect of a station at his home address, a further licence shall not be required for a station installed in his motor vehicle or pleasure craft except in the case where the vehicle or craft carries passengers for hire:
- “(g) In the case of a portable station a licence endorsed ‘portable’ is required except where a person is the holder of a licence in respect of a station at his home address:
“Provided that nothing in this paragraph shall affect the provisions of regulation 204 hereof with respect to stations at showgrounds, exhibitions, and other places of a like nature:
- “(h) In the case of stations installed in shops, offices, and factories by the occupier, one licence shall be sufficient to cover all stations in one or more parts of the same premises:
- “(i) Where, in respect of any station for which a licence fee has been paid, any person is or becomes the owner of the station in such circumstances as to render a licence unnecessary for the station, or discontinues the use of the station, the Department may make a refund to the person who has paid the licence fee of a proportion of the fee calculated in relation to the period in respect of which no fee is payable:
“Provided that where any person discontinues the use of a station, a refund shall be made only in respect of an annual licence and no such refund shall be made for any period exceeding six months.

“(2) For the purposes of this regulation the term ‘station’ means an ordinary broadcast receiving station and the term ‘licence’ means an ordinary broadcast receiving station licence.”

11. Regulation 214 of the principal regulations is hereby amended by adding the following proviso:

“Provided that any dealer in motor vehicles who in the course of his business sells one or more motor vehicles already fitted with radio receiving apparatus but who does not otherwise sell radio apparatus shall not be required to hold a dealer’s licence.”

12. The First Schedule to the principal regulations is hereby amended by adding to clause 1 the following paragraphs:

- “(k) First class radiotelegraph operator’s certificate, provided the candidate has passed or obtained a partial pass in the examination for a second class radiotelegraph operator’s certificate 10s.
- “(l) First class certificate in radiotechnology, provided the candidate has passed the examination for a second class certificate in radiotechnology 10s.
- “(m) Morse operating only 5s.”

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations contain miscellaneous amendments to the principal regulations.

The provision limiting the issue of a first or second class radiotelegraph operator’s certificate or a radiotelegraph operator’s special certificate to a natural born British subject is revoked. Now any such certificate may be issued to any British subject.

Provision is made for the operation of a transmitting station by a person not being the holder of an operator’s certificate or permit, where the frequency of the transmitter is above 30 Mc/s.

A new provision containing rules relating to the issue of radio licences in cases where more than one station is owned by the same person or where several stations are situated in the same institution has been inserted.

Certain additional fees are prescribed in respect of examinations for certificates as radio operators.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 14 June 1956.

These regulations are administered in the Post and Telegraph Department.