



THE RADIO REGULATIONS 1970, AMENDMENT NO. 16

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 14th day of July 1986

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Post Office Act 1959, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

- | | |
|---|---|
| <ol style="list-style-type: none">1. Title and commencement2. Interpretation3. Commencing date for licensing year4. Examinations for amateur operators certificates5. Examination to qualify as novice amateur operator6. Persons to whom licences may be issued7. Issue of licences to novice amateur operators8. Qualifications of operator9. Handling of third party messages prohibited | <ol style="list-style-type: none">10. Limitation on class of message11. Transmission of news, entertainment, or recordings prohibited without prior approval12. Power permitted13. Fees payable in respect of licences issued under the Radio Regulations 197014. Fees payable in respect of certificates issued under Part II of principal regulations |
|---|---|

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Radio Regulations 1970, Amendment No. 16, and shall be read together with and deemed part of the Radio Regulations 1970* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 21st day of July 1986.

2. Interpretation—(1) Regulation 2 of the principal regulations is hereby amended by revoking the definition of the expression “amateur service”, and substituting the following definition:

“‘Amateur service’ means a radiocommunication service for the purpose of self-training, intercommunication, and technical investigations carried out by amateurs, that is, by duly authorised persons interested in radio technique solely with a personal aim and without pecuniary interest.”

(2) Regulation 2 of the principal regulations is hereby further amended by omitting from the definition of the expression “International Radio Regulations” (as amended by regulation 2(1) of the Radio Regulations 1970, Amendment No. 7), the expression “Malaga-Torremolinos 1973”, and substituting the expression “Nairobi, 1982”.

(3) Regulation 2(1) of the Radio Regulations 1970, Amendment No. 7 is hereby consequentially revoked.

3. Commencing date for licensing year—(1) Regulation 22 of the principal regulations is hereby amended by revoking subclause (3) (as added by regulation 4 of the Radio Regulations 1970, Amendment No. 7).

(2) Regulation 4 of the Radio Regulations 1970, Amendment No. 7 is hereby consequentially revoked.

4. Examinations for amateur operators certificates—(1) The principal regulations are hereby amended by revoking regulation 82 (as amended by regulation 6 of the Radio Regulations 1970, Amendment No. 2 and regulation 2 of the Radio Regulations 1970, Amendment No. 3), and substituting the following regulation:

“82. (1) There shall be 3 grades of amateur operators certificates—

“(a) General:

“(b) Limited:

“(c) Novice.

“(2) To qualify for a general certificate a candidate shall pass—

“(a) A written examination in the principles of electricity, radio-telegraphy, and radiotelephony, and in the adjustment and operation of radio apparatus used in a typical amateur station; and

*S.R. 1970/40 (Reprinted with Amendments Nos. 1 to 6: S.R. 1976/145)
 Amendment No. 7: S.R. 1977/79
 Amendment No. 8: S.R. 1977/256
 Amendment No. 9: S.R. 1979/197
 Amendment No. 10: S.R. 1979/209
 Amendment No. 11: S.R. 1982/7
 Amendment No. 12: S.R. 1982/115
 Amendment No. 13: S.R. 1984/208
 Amendment No. 14: S.R. 1985/187
 Amendment No. 15: S.R. 1986/85

“(b) A written examination in such of these regulations, and in those operating procedures, service codes, and abbreviations as are applicable to the amateur service; and

“(c) A morse operating test, both sending and receiving, at a speed of 12 words a minute.

“(3) To qualify for a limited certificate a candidate shall pass the examinations prescribed in subclause (2) (a) and (b) of this regulation.

“(4) To qualify for a novice certificate a candidate shall pass—

“(a) The examination prescribed in subclause (2) (a) of this regulation at a standard to be determined by the Director-General from time to time which shall be less than the standard necessary to obtain the general certificate referred to in subclause (2); and

“(b) The examination prescribed in subclause (2) (b) of this regulation; and

“(c) A morse operating test, both sending and receiving, at a speed of 6 words a minute.

“(5) Except in the case of the holder of an amateur operators limited certificate, who may qualify for an amateur operators novice certificate by passing the morse test prescribed in subclause (4) (c) of this regulation, the holder of an amateur operators certificate shall not be eligible to enter for the examination for an amateur operators novice certificate.

“(6) Every person who is the holder of an amateur operators general certificate, an amateur operators limited certificate, or an amateur operators novice certificate shall, subject to the granting of an amateur station licence, be entitled to operate on such frequencies and in accordance with such conditions, as the Director-General may from time to time specify in that behalf for each grade of certificate.

“(7) Notwithstanding anything in these regulations—

“(a) Every person who is the holder of—

“(i) An amateur radio operators certificate, together with an amateur high-frequency permit, issued under the Radio Regulations 1953; or

“(ii) An amateur radio operators certificate issued under the Radio Regulations 1953; or

“(iii) An amateur operators certificate Grade I or Grade II, issued under the provisions of this regulation (as in force before the 14th day of July 1986),—

shall be deemed to be the holder of an amateur operators general certificate issued under this regulation:

“(b) Every person who is the holder of—

“(i) An amateur radio operators certificate endorsed for operating exclusively on frequencies above 144 Mc/s issued under the Radio Regulations 1953; or

“(ii) An amateur operators certificate Grade III issued under the provisions of this regulation (as in force before the 14th day of July 1986),—

shall be deemed to be the holder of an amateur operators limited certificate issued under this regulation:

“(c) Every person who is the holder of a valid pass in the examination to qualify as a novice amateur operator, under the terms of

regulation 82A of these regulations (as in force before the 14th day of July 1986) shall be deemed to be the holder of an amateur operators novice certificate issued under this regulation.

“(8) A candidate who has successfully completed all portions of the examination required to achieve a pass in the appropriate certificate shall be issued with an examination result notification to that effect, and such notification shall, for the purposes of these regulations and where the context requires, be deemed to be an amateur operators certificate of the appropriate grade:

“Provided that the holder of an examination result notification as aforesaid may, on payment of the appropriate fee prescribed in the Second Schedule hereto, be issued with a formal amateur operators certificate of the appropriate grade.”

(2) The following regulations are hereby consequentially revoked:

- (a) Regulation 6 of the Radio Regulations 1970, Amendment No. 2;
- (b) Regulation 2 of the Radio Regulations 1970, Amendment No. 3.

5. Examination to qualify as novice amateur operator—(1) The principal regulations are hereby amended by revoking regulation 82A (as inserted by regulation 7 of the Radio Regulations 1970, Amendment No. 7).

(2) Regulation 7 of the Radio Regulations 1970, Amendment No. 7 is hereby consequentially revoked.

6. Persons to whom licences may be issued—Regulation 138 of the principal regulations is hereby amended by inserting, after the words “amateur operators certificates”, the words “or to the holders of operators certificates of a class or classes that, in the opinion of the Director-General, are of such standard that they may be deemed to be amateur operators certificates for the purpose of this regulation”.

7. Issue of licences to novice amateur operators—(1) The principal regulations are hereby amended by revoking regulation 138A (as inserted by regulation 9 of the Radio Regulations 1970, Amendment No. 7).

(2) Regulation 9 of the Radio Regulations 1970, Amendment No. 7 is hereby consequentially revoked.

8. Qualifications of operator—(1) Regulation 139 (1) of the principal regulations (as amended by regulation 10 of the Radio Regulations 1970, Amendment No. 7) is hereby amended—

- (a) By omitting the expression “(1)”; and
- (b) By inserting, after the words “holds an amateur operators certificate”, the words “or an operators certificate which is deemed to be an amateur operators certificate under the provisions of regulation 138 of these regulations”.

(2) Regulation 139 of the principal regulations is hereby further amended by revoking subclause (2).

(3) Regulation 10 of the Radio Regulations 1970, Amendment No. 7 is hereby consequentially revoked.

9. Handling of third party messages prohibited—Regulation 143 of the principal regulations is hereby amended by inserting before the words

“Licensees of amateur”, the expression “(1)”, and by adding, as subclause (2), the following subclause:

“(2) For the purposes of subclause (1) of this regulation, the expression “third party” means any person, group, or organisation, whether or not holders of amateur operators certificates in their own right, who are not for the time being holders of valid amateur station licences.”

10. Limitation on class of message—Regulation 145 of the principal regulations is hereby amended by omitting the words “, whether by speech or in Morse code,”.

11. Transmission of news, entertainment, or recordings prohibited without prior approval—Regulation 146 of the principal regulations is hereby amended by inserting before the word “kind”, the word “such”.

12. Power permitted—The principal regulations are hereby amended by revoking regulation 147, and substituting the following regulation:

“147. (1) Except as may be authorised by the Director-General, the power permitted to be used in transmitting apparatus at an amateur station shall be as follows:

“(a) In the case of a station established by the holder of an amateur operators novice certificate, the radio frequency output shall not exceed 10 watts mean power output, except where the power output varies with the modulation in which case the radio frequency output shall not exceed 30 watts peak envelope power:

“(b) In the case of a station established by the holder of an amateur operators limited certificate or general certificate, the radio frequency output shall not exceed 120 watts mean power output, except where the power output varies with the modulation in which case the radio frequency output shall not exceed 400 watts peak envelope power.

“(2) For the purposes of this regulation—

“(a) The power shall be measured at the output terminals of the final amplifying stage, including any separately connected amplifier, supplying the power to the aerial:

“(b) The expression ‘mean power’ means the average power supplied to the antenna transmission line by a transmitter during an interval of time sufficiently long compared with the lowest frequency encountered in the modulation taken under normal operating conditions:

“(c) The expression ‘peak envelope power’ means the average power supplied to the antenna transmission line by a transmitter during one radio frequency cycle at the crest of the modulation envelope taken under normal operating conditions:

“(d) Where the transmitter (which shall be deemed to include any separately connected amplifier as referred to in subclause (2) (a) of this regulation, if fitted) at any amateur radio station is capable of exceeding the power limits prescribed in subclause (1) (a) and (b) of this regulation, the licensee shall provide as an integral part of the equipment of the station so that it is in an operating state when the transmitter is operating, a power

measuring device which shall indicate when the said power levels are being exceeded:

“(e) The power measuring device referred to in paragraph (d) of this subclause shall be installed in such a position that, if a visual indicator is used, it shall be clearly readable by the operator, or if an audio indicator is used, it shall be clearly audible to the operator, when seated at the usual operating position.”

13. Fees payable in respect of licences issued under the Radio Regulations 1970—The First Schedule to the principal regulations (as substituted by regulation 2 of the Radio Regulations 1970, Amendment No. 15) is hereby amended by revoking clause 14.

14. Fees payable in respect of certificates issued under Part II of the principal regulations—(1) Clause 1(1) of the Second Schedule to the principal regulations (as substituted by regulation 3 of the Radio Regulations 1970, Amendment No. 15) is hereby amended by revoking paragraph (f), and substituting the following paragraph:

“(f) Amateur operators certificates—

“(i) Section A . . . \$10

“(ii) Sections B and C . . . \$9 for each section.”

(2) Clause 1 of the Second Schedule to the principal regulations (as so substituted) is hereby further amended by adding the following subclause:

“(4) For the purpose of subclause (1)(f) of this clause, the meanings of sections A, B, and C and the conditions relating to the sitting thereof, shall be as specified in an examination syllabus published in that behalf by the Director-General from time to time.”

(3) The Second Schedule to the principal regulations (as so substituted) is hereby further amended by inserting, after clause 1, the following clause:

“1A. For the issue of a formal amateur operators certificate \$15.”

P. G. MILLEN,
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 amend the Radio Regulations 1970 and come into force on 21 July 1986.

Regulation 2 replaces the existing definition of "amateur service" to conform with that used in the International Radio Regulations, and amends the term "International Radio Regulations" to take account of New Zealand's ratification of the International Telecommunication Convention, Nairobi 1982, which supersedes the Convention of Malaga-Torremolinos 1973.

Regulation 3 removes the special provisions relating to the period of validity which applied to amateur station licences issued to holders of the non-permanent novice qualification.

Regulation 4 provides for examinations for 3 grades of amateur operators certificates, namely, novice, limited, and general, to replace the existing certificates Grade I, Grade II, and Grade III, as well as the non-permanent novice qualification. Provision is also made for the continuing validity for amateur certificates and qualifications in force at the time of the introduction of these new provisions. The regulation also provides for a charge to be made for the issue of a formal amateur operators certificate.

Regulation 5 abolishes the regulation under which holders of the old non-permanent novice qualification could obtain an amateur station licence.

Regulation 6 allows other radio operators certificates to be recognised as the equivalents of amateur operators certificates at the discretion of the Director-General.

Regulation 7 abolishes the regulation under which holders of the old non-permanent novice qualification could obtain an amateur station licence.

Regulation 8 deletes references to the non-permanent novice qualification abolished by *regulation 5*.

Regulation 9 inserts a definition of the term "third-party" as it relates to the amateur service.

Regulation 10 deletes references to codes which may be used in the amateur service.

Regulation 11 makes a minor amendment to clarify that the embargo on the transmission of recordings by amateur stations refers specifically to recordings of news, music, or of an entertainment nature.

Regulation 12 introduces new methods of defining the power permitted at amateur stations, and introduces a requirement for installation and monitoring of a power-measuring device if the station equipment is capable of exceeding the specified power limit.

Regulations 13 and 14 amend the First and Second Schedules to reflect the changes in the fee structures arising from the changed amateur certificates now available, and set the fee for the issue of an amateur certificate.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 17 July 1986.

These regulations are administered in the Post Office.