

Regulations for Control of Ships carrying Wireless-telegraph Apparatus while within Territorial Waters or Harbours of New Zealand.

LIVERPOOL, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this thirtieth day of January, 1918.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

WHEREAS by Order in Council dated the thirteenth day of July, one thousand nine hundred and fourteen, and published in the *New Zealand Gazette* of the sixteenth day of July, one thousand nine hundred and fourteen, regulations were made, under the authority of section nine of the Post and Telegraph Amendment Act, 1913 (hereinafter termed "the said Act"), for the control of ships carrying wireless-telegraph apparatus while within the territorial waters of New Zealand :

And whereas it is desired to revoke such regulations, and to make others in lieu thereof :

Now, therefore, His Excellency the Governor-General of the Dominion of New Zealand, in pursuance and exercise of the power and authority conferred upon him by the said Act, and acting by and with the consent of the Executive Council of the said Dominion, doth hereby revoke the regulations hereinbefore mentioned, and in lieu thereof doth hereby make the regulations set forth in the Schedule hereto ; and doth hereby order that such regulations shall have effect on and from the date of publication of this Order in Council in the *New Zealand Gazette*.

SCHEDULE.

REGULATIONS.

1. In these regulations, if not inconsistent with the context,—
 - "Territorial waters of New Zealand" means and includes all tidal waters included within the Dominion of New Zealand, and all parts of the open sea within one marine league of the coasts of that Dominion measured from low-water mark :
 - "In harbour" means inside any harbour in New Zealand or within three miles of the entrance of any such harbour which a ship is about to enter or leave :
 - "Minister of Telegraphs" means the Minister of Telegraphs for the time being :
 - "Wireless telegraphy" has the same meaning as in section 162 of the Post and Telegraph Act, 1908 :
 - "Telegraph" has the same meaning as in section 119 of the Post and Telegraph Act, 1908 :
 - "Naval signalling" means signalling by means of any system of wireless telegraphy between two or more ships of His Majesty's Navy, between ships of His Majesty's Navy and naval stations, or between a ship of His Majesty's Navy or a naval station and any other wireless-telegraph station, whether a coast station or a ship station :
 - "The Admiralty" means the Commissioners for executing the office of Lord High Admiral of the United Kingdom of Great Britain and Ireland :
 - "Coast station" means a wireless-telegraph station which is established on land or on board a ship permanently moored, and which is open for the service of correspondence between the land and ships at sea :
 - "Ship station" means a wireless-telegraph station established on board a ship which is not permanently moored.
2. These regulations shall apply only to foreign merchant ships and to British merchant ships not registered in New Zealand, while such British or foreign ships are within the territorial waters of New Zealand, or in harbour.
3. These regulations shall not apply to the use of wireless telegraphy for the purpose of making or answering signals of distress.

Ships in Territorial Waters.

4. All apparatus for wireless telegraphy on board a merchant ship while in the territorial waters of New Zealand shall be worked in such a way as not to interfere with Naval signalling, or with the working of any wireless-telegraph station lawfully established, installed, or worked in the Dominion of New Zealand or the territorial waters thereof ; and, in particular, the said apparatus shall be so worked as not to interrupt or interfere with the transmission of messages between wireless-telegraph stations established on ships at sea and wireless-telegraph coast stations.

5. If and whenever an emergency shall have arisen in which it is expedient in the public interest that His Majesty's Government shall have control over the transmission of messages by the said apparatus, it shall be lawful for any officer of His Majesty's Navy or Army, or for any other person authorized in that behalf by the Admiralty, or by the Minister of Telegraphs, to take possession of or to cause the said apparatus or any part thereof to be taken possession of in the name and on behalf of His Majesty, and to be used for His Majesty's service, and, subject thereto, for such ordinary services as to the said officer or person may seem fit ; and in that event any person authorized by the said officer or person may enter upon any ship on which such apparatus is installed and take possession of the said apparatus and use the same as aforesaid.

6. Any such officer or person may in such event as aforesaid, instead of taking possession of the said apparatus as aforesaid, direct and authorize such persons as he may think fit to assume the control of the transmission of messages by the said apparatus, either wholly or partly, and in such manner as he may direct, and such persons may enter upon any ship on which the said apparatus is installed accordingly ; or the said officer or person may direct the person or persons in charge of the said apparatus to submit to him, or any person authorized by him, all messages tendered for transmission or arriving by the said apparatus, or any class or classes of such messages, to stop or delay the transmission of any messages, or deliver the same to him or his agent, and generally to obey all such directions with reference to the transmission of messages as the said officer or person may prescribe, and the said person or persons in charge of the said apparatus shall obey and conform to all such directions.

Ships in Harbour.

7. No apparatus for wireless telegraphy on board a merchant ship shall be worked or used while such ship is in harbour, except with the consent in writing of the Minister of Telegraphs.

8. When a British ship arrives in harbour, the aerial leads of its wireless-telegraph apparatus shall be disconnected from the leading-in insulators, and be made fast to and be placed in good metallic connection with the nearest metallic portion of the ship's structure in direct connection with the ship's hull. This disconnection shall continue during the whole time the ship is in harbour.

9. Except as otherwise provided for, the wireless cabin shall be vacated and locked while the ship is in harbour, and the Customs shall seal the cabin as soon as practicable. The seal shall not be broken by any one other than a Customs officer until the ship is no longer in harbour. Entry shall be made in the ship's log of the time of locking the cabin and of making and breaking the seal.

10. In cases where wireless cabins include silence cabinets containing parts of the transmitting apparatus, the wireless cabin shall not be required to be locked and sealed. The transmitting apparatus in the silence cabinet shall be disconnected from the time of the ship's arrival in harbour, and the silence cabinet shall be locked. It shall be sealed by the Customs as soon thereafter as practicable. The seal shall not be broken by any person other than the Customs until the ship is outside of harbour limits. The auxiliary wireless apparatus shall at the time of the ship's arrival in harbour be rendered inoperative by the hammer-break of the coil being tied back and sealed with a seal approved by the master. The Customs seal shall be applied to the auxiliary wireless apparatus when the sealing of the silence cabinet is being effected. An entry shall be made in the ship's log of the time at which the silence cabinet was locked and the seals made and broken.

11. Foreign ships, whether flying allied or neutral flags, shall be subject to the foregoing regulations numbered 9 and 10. At the time of their arrival in harbour their aerial wires shall be taken down completely, and shall be disconnected from the leading-in insulator. The aerial wires shall remain down and disconnected from the leading-in insulator until the vessel is outside of harbour limits.

12. Notwithstanding anything contained in regulations 7 to 11 inclusive, it shall be permissible for authorized Government officers to inspect and to permit repairs to be effected to the wireless apparatus of vessels from time to time, proper precaution being taken for the locking and sealing of the wireless cabin, of the silence cabinet, and of the auxiliary apparatus.

Penalties.

13. If any breach of these regulations is committed by any person on board any ship while in the territorial waters of New Zealand or in harbour, the person so committing the same and the owner and master of the ship shall be severally liable on summary conviction to a fine not exceeding £100.