



# Wireless Telegraphy Act 2006

## 2006 CHAPTER 36

### PART 2

#### REGULATION OF RADIO SPECTRUM

### CHAPTER 5

#### MISCELLANEOUS

##### *Miscellaneous*

#### **50 Apparatus on foreign-registered ships etc**

- (1) The Secretary of State may make regulations for regulating the use, on board a foreign-registered ship or aircraft while it is within the limits of the United Kingdom and UK territorial sea, of wireless telegraphy apparatus on board the ship or aircraft.
- (2) The regulations may provide—
  - (a) for the punishment of persons contravening the regulations by a fine;
  - (b) for the forfeiture of any wireless telegraphy apparatus in respect of which an offence under the regulations is committed.
- (3) The maximum fine for each offence under the regulations is—
  - (a) an amount not exceeding level 5 on the standard scale; or
  - (b) a lesser amount.
- (4) The regulations may make different provision for ships or aircraft registered in different countries.
- (5) Except as provided by this section or in consequence of an Order in Council under section 119(3), nothing in sections 8 to 11, 35 to 38, 45 to 49, 105 and 119 operates so as to impose any prohibition or restriction on persons using wireless telegraphy apparatus on board a foreign-registered ship or aircraft.

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*Status: This is the original version (as it was originally enacted).*

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- (6) A foreign-registered ship or aircraft is one that—
- (a) is not registered in the United Kingdom; and
  - (b) is registered in a country other than the United Kingdom, the Isle of Man or any of the Channel Islands.

## **51 Apparatus in vehicles**

- (1) This section applies to the power of the Secretary of State under section 7(1) of the Vehicle Excise and Registration Act 1994 (c. 22) to specify—
- (a) the declaration to be made, and
  - (b) the particulars to be furnished,
- by a person applying for a vehicle licence (within the meaning of that Act).
- (2) The power of the Secretary of State includes power to require that the declaration and particulars extend to any matters relevant for the enforcement of section 8 of this Act in respect of any wireless telegraphy apparatus installed in the vehicle.
- (3) Accordingly, the Secretary of State is not required to issue a vehicle licence under the Vehicle Excise and Registration Act 1994 where the applicant fails to comply with a requirement imposed because of subsection (2).
- (4) A person commits an offence if in providing information that he is required to provide because of subsection (2)—
- (a) he makes a statement that he knows to be false in a material particular; or
  - (b) he recklessly makes a statement that is false in a material particular.
- (5) A person who commits an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (6) Where subsection (4) applies, it applies instead of section 45 of the Vehicle Excise and Registration Act 1994 (c. 22) (false or misleading declarations and information).

## **52 Wireless personnel**

- (1) The Secretary of State may—
- (a) hold examinations to determine the competence of the persons examined to fill positions in connection with the operation of wireless telegraphy stations or wireless telegraphy apparatus;
  - (b) issue certificates of competence to persons successful in such examinations.
- (2) The certificates of competence are to be of such types as the Secretary of State may from time to time determine.
- (3) The Secretary of State may issue written authorities to such persons as he thinks fit authorising them to fill such positions in connection with the operation of wireless telegraphy stations or wireless telegraphy apparatus as may be specified in the authority.
- (4) The positions that may be so specified are positions for the holding of which the possession of an authority under subsection (3) is a necessity or a qualification under—
- (a) a wireless telegraphy licence granted under this Act, or
  - (b) a licence granted under a corresponding law of a country or territory under the sovereignty of Her Majesty.

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*Status: This is the original version (as it was originally enacted).*

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- (5) If it appears to the Secretary of State that there are sufficient grounds to do so, he may at any time suspend an authority under subsection (3) with a view to its revocation.
- (6) Schedule 3 has effect where an authority is suspended under subsection (5).
- (7) The Secretary of State may charge such fees, if any, as he may determine—
  - (a) to persons applying to take part in an examination under this section;
  - (b) to applicants for, or for copies of, a certificate or authority issued under this section.

### **53 Surrender of authority**

- (1) Where an authority under section 52(3) has ceased to be in force or has been suspended, it is the duty of—
  - (a) the person to whom the authority was issued, and
  - (b) any other person in whose possession or under whose control the authority may be,to cause it to be surrendered to the Secretary of State if required by the Secretary of State to do so.
- (2) A person commits an offence if—
  - (a) he has a duty under subsection (1) to cause an authority under section 52(3) to be surrendered to the Secretary of State, and
  - (b) without reasonable excuse he fails or refuses to do so.
- (3) A person who commits an offence under subsection (2) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.