

SCHEDULE

PART I

EXCEPTIONS, ADAPTATIONS AND MODIFICATIONS IN THE EXTENSION OF PROVISIONS OF THE TELECOMMUNICATIONS ACT 1984 TO GUERNSEY

1. Any reference to an Act of Parliament (including the Telecommunications Act 1984), or to a provision thereof, shall be construed, unless the contrary intention appears, as a reference to that Act or provision as it has effect in Guernsey.
 2. For any reference to a constable there shall be substituted a reference to an officer of police.
 3. Section 74 shall be omitted.
 4. In section 75—
 - (a) subsection (1) shall be omitted;
 - (b) in subsection (2), the words from “for the purpose of” to the end shall be omitted, and
 - (c) in subsection (3), for “comes into force” there shall be substituted “is extended to Guernsey”.
 5. Section 76(3) shall be omitted.
 6. Section 77 shall be omitted.
 7. In section 79(6)(b) the words “or 81” shall be omitted.
 - 8.—(1) In section 80(1) the words “and section 81 below” shall be omitted.
(2) In section 80(2), for the words from “a justice” to “relevant petty sessions areas)” there shall be substituted “the Magistrates Court (referred to below in this section as “the court””.
 - (3) In section 80(4)—
 - (a) for the words from the beginning to “is made” there shall be substituted the words “Where an application is made under this section, the court”;
 - (b) for “to him” there shall be substituted “to it”, and
 - (c) for “a magistrates court acting for the relevant petty sessions area” there shall be substituted “the court”.
 - (4) In section 80(6)—
 - (a) for “a magistrates court” there shall be substituted “the court”, and
 - (b) for “Secretary of State” there shall be substituted “Crown for the benefit of the Crown revenues in Guernsey”.
 - (5) In section 80(8), for “Crown Court” there shall be substituted “Royal Court sitting as an Ordinary Court”.
 - (6) In section 80(9)(b), the words from “(whether” to “High Court)” shall be omitted.
 - (7) In section 80(10), for “a magistrates court” there shall be substituted “the court”.
 - (8) In section 80(11), for “Secretary of State” there shall be substituted “Receiver-General of the Crown revenues in Guernsey”.
 - (9) Section 80(12) to (14) shall be omitted.
9. Section 81 shall be omitted.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

10.—(1) Section 82 shall be modified in accordance with the following provisions of this paragraph.

(2) In the subsections which section 82 substitutes for section 14(3) of the Wireless Telegraphy Act 1949(1)—

(a) in subsection (3A)—

(i) for “Secretary of State” there shall be substituted “Crown for the benefit of the Crown Revenues in Guernsey”, and

(ii) for “section 7 of the Wireless Telegraphy Act 1967” there shall be substituted “the Wireless Telegraphy Apparatus (Bailiwick of Guernsey) Law 1994”;

(b) in subsection (3B), for “by the Secretary of State in such manner as he thinks fit” there shall be substituted “in such manner as the Receiver-General of the Crown revenues in Guernsey thinks fit”;

(c) subsection (3C) shall be omitted, and

(d) in subsections (3D) and (3E), for “the Secretary of State” there shall be substituted “an officer of police”.

11. In section 83(1)(b) and (2)(b), the words “or 81” shall be omitted.

12. In section 88, after “the Director” there shall be inserted “General of Telecommunications appointed under section 1 of this Act (as that section has effect in the United Kingdom)”.

13. In section 91(1)—

(a) the words “or 81” shall be omitted, and

(b) the words “whether by way of case stated or otherwise and” shall be omitted.

14. In section 92—

(a) in subsection (1) there shall be inserted, in the appropriate place, the following definition:

““officer of police” means—

(a) in relation to the Islands of Guernsey, Herm and Jethou, a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;

(b) in relation to the Island of Alderney, a member of the said salaried police force, a member of any police force which may be established by the States of Alderney and, within the limits of his jurisdiction, a special constable appointed by the Court of Alderney under section 15 of the Government of Alderney Law 1987;

(c) in relation to Sark, the Constable, the Vingtenier and a member of the said police force of the Island of Guernsey;”; and

(b) after subsection (1) there shall be inserted the following subsection:

“(1A) References in this Part to section 7 of the 1967 Act shall be construed as references to the Wireless Telegraphy Apparatus (Bailiwick of Guernsey) Law 1994.”.

15. After section 92 there shall be inserted the following section:

“**92A.** Any order of the Secretary of State under section 85 or 86 above, and any rules made by him under paragraph 6 of Schedule 2 to the 1949 Act shall have effect in Guernsey if registered by the Royal Court of Guernsey and as from the date of such registration.”

(1) Subsection (3) as substituted by section 82 is no longer in force having been replaced by the subsection (3) subsequently substituted by section 172 of the Broadcasting Act 1990 (see paragraph 2 of Part II of this Schedule).

16. In section 106(4), after the words “country or territory outside the United Kingdom” there shall be inserted “and the Bailiwick of Guernsey”.

17. Section 109(6) shall have effect only so far as it relates to Part IV of Schedule 7.

18.—(1) Schedule 3 shall be modified in accordance with the following provisions of this paragraph.

(2) In the subsections which paragraph 1 substitutes for section 14(1) of the Wireless Telegraphy Act 1949, subsection (1A)(e) and (f) shall be omitted.

(3) For the subsections which paragraph 2 adds at the end of the said section 14 there shall be substituted the following subsection:

“(8) In this section “officer of police” means—

- (a) in relation to the Islands of Guernsey, Herm and Jethou, a member of the salaried police force of the Island of Guernsey and, within the limits of his jurisdiction, a member of the special constabulary of the Island of Guernsey;
- (b) in relation to the Island of Alderney, a member of the said salaried police force, a member of any police force which may be established by the States of Alderney and, within the limits of his jurisdiction, a special constable appointed by the Court of Alderney under section 15 of the Government of Alderney Law 1987;
- (c) in relation to Sark, the Constable, the Vingtenier and a member of the said police force of the Island of Guernsey.”.

(4) Paragraph 3 shall be omitted.

19. Part IV of Schedule 7 shall have effect in relation only to such of the enactments specified there as have effect in Guernsey.