

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 152.

Radiocommunications.

GENERAL ANNOTATION.

ADMINISTRATION.

The administration of this Chapter was vested in the Minister for Posts and Telecommunications at the date of its preparation for inclusion.

The present administration may be ascertained by reference to the most recent Determination of Titles and Responsibilities of Ministers made under Section 148(1) of the Constitution.

NOTE: The *Post and Telecommunication Corporation Act 1982* (No. 6 of 1982) created the Post and Telecommunication Corporation. The *Post and Telecommunication Corporation (Consequential Amendments) Act 1982* (No. 7 of 1982) amended the *Radiocommunications Act* in the main by substituting "Board" for "Minister" and "Managing Director" for "Departmental Head". The Regulations made under this Act were not similarly amended and the necessary substitutions should be made.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER No. 152.

Radiocommunications Act.

ARRANGEMENT OF SECTIONS.

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 - "broadcasting service"
 - "Corporation"
 - "master"
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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 152.

Radiocommunications Act.

Being an Act relating to radiocommunications in Papua New Guinea—

- (a) to authorize the Government to establish, maintain and operate radiocommunication stations; and
- (b) to permit the operation of radiocommunication stations under licence; and
- (c) to regulate the use of radiocommunications generally.

1. Interpretation.

In this Act, unless the contrary intention appears—

- “aircraft” includes an airship and a balloon;
- “apparatus” means any equipment capable of effecting radiocommunication, whether by transmission or reception or both;
- “Board” means the Board of the Corporation;
- “broadcasting service” means a radiocommunication service in which the transmissions (whether sound transmissions, television transmissions or other transmissions) are intended for direct reception by the general public;
- “Corporation” means the Post and Telecommunication Corporation established under the *Post and Telecommunication Act*;
- “master”, in relation to a vessel or an aircraft, means the person in charge or in command of the vessel or aircraft;
- “Managing Director” means the Managing Director of the Corporation;
- “radiocommunication” means any transmission, emission or reception of signs, signals, impulses, writings, images or intelligence of any nature by means of electromagnetic waves between 10kHz and 3 000 000kHz over paths that are not provided by a material substance constructed or arranged for that purpose, and includes transmission for the actuation, control or observance of machinery or other equipment;
- “the regulations” means any regulations made under this Act;
- “station” means one or more transmitters or receivers at a single location, including the accessory equipment needed for carrying on a radiocommunication service;
- “this Act” includes the regulations;
- “unauthorized broadcast” means the transmission otherwise than as authorized by or under this Act of radiocommunications intended for direct reception by the general public in Papua New Guinea;
- “vessel” includes all vessels used in navigation by water.

(Amended by No. 7 of 1982, s. 4.)

2. Act binds the State.

This Act binds the State.

3. Application.

This Act applies both inside and outside the country.

4. Exemptions.

This Act does not apply to—

- (a) the Defence Force, except in relation to operating frequencies, transmitter powers and types and band widths of emissions; or
- (b) the possession of apparatus that is primarily intended for the reception of broadcasting services.

5. Right to establish radiocommunication stations.

Subject to Section 4, the Minister has the exclusive privilege of establishing, erecting, maintaining and operating stations and apparatus for the purpose of—

- (a) transmitting radiocommunications to, and receiving radiocommunications from, any place, vehicle, vessel or aircraft in the country; and
- (b) transmitting radiocommunications to, and receiving radiocommunications from, any space station, or place, vehicle, vessel or aircraft outside the country.

6. Licences.

(1) The Board, in accordance with the regulations, may grant licences—

- (a) to establish, erect, maintain and operate stations and apparatus for the purpose of transmitting and receiving radiocommunications; or
- (b) to deal in, or let on hire or loan, apparatus, or to repair or adjust apparatus.

(2) A licence shall be in such form, for such period and subject to such conditions as the Board thinks fit.

(Amended by No. 7 of 1982, Schedule 2.)

7. Emergencies.

(1) Whenever in the opinion of the Minister an emergency exists that makes action under this section desirable, the Minister or a person authorized by him may take possession of, maintain and operate any apparatus or, by order, may prohibit or restrict all or any radiocommunications.

(2) A person who—

- (a) hinders or obstructs a person in the exercise of the powers conferred by Subsection (1); or
- (b) fails to comply with an order given under that subsection,

is guilty of an offence.

Penalty: Imprisonment for a term not exceeding five years.

(3) Where action is taken under Subsection (1) in relation to any apparatus owned or operated by a person who is a licensee under this Act, the State is liable to pay compensation for any loss or damage sustained by the licensee.

(4) The amount of the compensation shall be as agreed between the Minister and the licensee or, in default of agreement, as fixed by arbitration.

8. Illegal use of stations and apparatus.

(1) Subject to Section 4, a person who establishes, erects, maintains or operates a station or possesses or uses any apparatus otherwise than under a licence under Section 6

and in accordance with the conditions of the licence and the provisions of this Act is guilty of an offence.

Penalty: A fine not exceeding K1 000.00.

(2) Notwithstanding Section 24 of the *Criminal Code*, if a contravention of Subsection (1) occurs in relation to a merchant ship or civil aircraft the owner and the master are each guilty of an offence.

Penalty: A fine not exceeding K1 000.00.

(3) The vessel or aircraft is liable to be seized by or by order of the Minister and held until the amount of any fine imposed is paid.

9. Pirate stations.

A person who—

- (a) establishes, maintains or operates on a vessel a station or apparatus for the purpose of making unauthorized broadcasts; or
- (b) makes an unauthorized broadcast,

is guilty of an offence.

Penalty: A fine not exceeding K1 000.00 or imprisonment for a term not exceeding five years.

10. Supply of certain goods, etc.

A person who—

- (a) sells or supplies to another person any goods knowing, or having reasonable cause to believe, that they are for use—
 - (i) in connexion with the making of unauthorized broadcasts; or
 - (ii) in or in connexion with the navigation, operation or maintenance of a vessel used or to be used in or in connexion with the making of unauthorized broadcasts; or
- (b) maintains or installs or does any act or thing in or in connexion with the maintenance or installation of, any appliance, apparatus or thing knowing, or having reasonable cause to believe, that the appliance, apparatus or thing is used, or is to be used, in or in connexion with the making of unauthorized broadcasts; or
- (c) does any act or thing in or in connexion with the navigation, operation or maintenance of a vessel that he knows, or has reasonable cause to believe, is used, or is to be used, in connexion with the making of unauthorized broadcasts; or
- (d) transports any goods to a vessel that he knows, or has reasonable cause to believe, is used, or is to be used, in connexion with the making of unauthorized broadcasts,

is guilty of an offence.

Penalty: A fine not exceeding K1 000.00 or imprisonment for a term not exceeding five years.

11. Search and seizure.

(1) Where a Magistrate of a District Court or Local Court is satisfied by information on oath that there are reasonable grounds for suspecting that any apparatus in connexion with

which an offence against this Act has been or is being committed is on or in any place, vehicle, vessel or aircraft, he may grant a search warrant to any person.

(2) A warrant under Subsection (1) authorizes the person to whom it is addressed to enter and search, by force and with assistants if necessary, the place, vehicle, vessel or aircraft the subject of the warrant, and to seize and remove any apparatus in or on it in connexion with which an offence against this Act appears to him to have been committed.

12. Presumptions as to apparatus.

(1) For the purposes of this Act, the occupier of any place, and the person in charge of any vehicle, vessel or aircraft, on or in which there is any apparatus shall be presumed to be in possession of and to be using the apparatus until the contrary is proved.

(2) For the purposes of this Act, any apparatus shall be deemed to remain capable of receiving or transmitting radiocommunications notwithstanding the fact that it is temporarily incapable of doing so, unless the Managing Director or a person authorized by him is satisfied that it has been dismantled or rendered completely inoperative.

(Amended by No. 7 of 1982, Schedule 2.)

13. Forfeiture.

Where a person is convicted of an offence against this Act in connexion with any apparatus, the apparatus is forfeited to the State and shall be dealt with in such manner as the Managing Director thinks proper.

(Amended by No. 7 of 1982, Schedule 2.)

14. Regulations.

The Head of State, acting on advice, may make regulations, not inconsistent with this Act, prescribing all matters that by this Act are required or permitted to be prescribed, or that are necessary or convenient to be prescribed, for carrying out or giving effect to this Act, and in particular for—

- (a) prescribing the conditions under which apparatus will be accepted for licensing purposes; and
- (b) providing for examinations for persons wishing to operate apparatus and for the issue, cancellation or suspension of certificates of competency; and
- (c) * * * * *
- (d) providing for the control of any apparatus or other equipment that causes or is likely to cause interference to the working of radiocommunication and other services; and
- (e) prescribing penalties of fines not exceeding K1 000.00 for offences against the regulations.

(Amended by No. 63 of 1983.)

15. Licences to continue.

All licences issued by the Minister under Section 6 and still in force at 1 July 1982, being the date on which the *Post and Telecommunication Corporation (Consequential Amendments) Act* came into force, shall continue in force until the date of expiry or until their termination in course of law, whichever first happens.

(Amended by No. 7 of 1982, s. 5.)

INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 152.

Radiocommunications Regulation.

ARRANGEMENT OF SECTIONS.

PART I.—PRELIMINARY.

1. Interpretation—

“aeronautical mobile service”
“aeronautical station”
“aircraft station”
“amateur service”
“amateur station”
“amateur station licence”
“approved apparatus”
“authorized officer”
“authorized station”
“base station”
“broadcast station”
“Certificate of Proficiency” or “certificate”
“earth station”
“fixed receiving station”
“fixed station”
“Government message”
“handphone station”
“harbour”
“harmful interference”
“interior paging service”
“land mobile service”
“land mobile station”
“land station”
“licence”
“licensee”
“limited coast station”
“mobile service”
“mobile station”
“permit”
“public correspondence”
“radio controlled apparatus station”
“radio dealer’s licence”
“radiodetermination”
“radiodetermination service”
“radiodetermination station”
“Radio Inspector”
“radio-linked microphone service”
“the Radio Regulations”
“repeater station”
“the Safety Convention”
“ship”

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"ship station"

"telegraphy".

2. Saving of discretion of Minister.

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INDEPENDENT STATE OF PAPUA NEW GUINEA.

CHAPTER NO. 152.

Radiocommunications Regulation.

MADE under the "*Radiocommunications Act.*"

PART I.—PRELIMINARY.

1. Interpretation.

(1) In this Regulation, unless the contrary intention appears—

"aeronautical mobile service" means a mobile service between aeronautical stations and aircraft stations or between aircraft stations;

"aeronautical station" means a land station in an aeronautical mobile service;

"aircraft station" means a mobile station in the aeronautical mobile service on board an aircraft or an air-space vehicle;

"amateur service" means a service of self-training, inter-communication and technical investigations carried on by persons interested in radio technique solely with a personal aim and without pecuniary interest;

"amateur station" means a station operating in the amateur service;

"amateur station licence" includes a novice amateur station licence and a limited amateur station licence; (*Amended by No. 9 of 1976, s. 1.*)

"approved apparatus" means apparatus approved for the purposes of this regulation under Section 28;

"authorized officer" means a person appointed under Section 3(1) to be an authorized officer, and includes a Radio Inspector;

"authorized station" means a station in respect of which a licence is in force;

"base station" means a land station in the land mobile service carrying on a service with land mobile stations;

"broadcast station" means a station in the broadcasting service;

"Certificate of Proficiency" or "certificate" means a Certificate of Proficiency under Part IV.;

"earth station" means a station located on the earth's surface, or within the earth's atmosphere, to a limit where its effect on the mean orbital height of a space station is negligible, for radiocommunication with one or more space stations, or with one or more stations of the same kind by means of one or more passive satellites or other objects in space;

"fixed receiving station" means a fixed station for the receipt only of radiocommunication messages;

"fixed station" means a station established at a fixed location for the exchange of radiocommunication messages with other stations similarly established and with such other stations as the Head of State, acting on advice, determines;

"Government message" means a message transmitted on behalf of the Government;

- “handphone station” means a low-powered short-range mobile station intended use whilst being carried by hand, on a person or in such manner as is authorized by the Head of State, acting on advice;
- “harbour” means any harbour properly so-called, whether natural or artificial, or an estuary, navigable river, pier, jetty or other work in or at which a ship can obtain shelter or ship or unship goods or passengers;
- “harmful interference” means any emission, radiation, or induction that—
- (a) endangers the functioning of a radionavigation service or other safety service; or
 - (b) seriously degrades, obstructs or repeatedly interrupts a radiocommunication service operating in accordance with the Radio Regulations;
- “interior paging service” means a service comprising a control transmitter and a number of receivers operating within specific premises or an area to alert personnel;
- “land mobile service” means a mobile service between base stations and land mobile stations or between land mobile stations;
- “land mobile station” means a mobile station in the land mobile service capable of surface movement within the geographical limits of the country;
- “land station” means a station on land;
- “licence” means a licence issued under this Regulation;
- “licensee” means the holder of a licence;
- “limited coast station” means a land station for the exchange of private or official radiocommunications of a special nature with ship stations;
- “mobile service” means a radiocommunication service in which a mobile station participates;
- “mobile station” means an aircraft station, a handphone station, a harbour mobile station, a land mobile station or a ship station where the station is for use while in motion or during halts at unspecified points;
- “permit” means a permit under Section 9;
- “public correspondence” means messages passed or to be passed on behalf of members of the general public;
- “radio controlled apparatus station” means a low-powered short-range station for the remote control of models and mechanical devices; (*Added by No. 9 of 1976, s. 1.*)
- “radio dealer’s licence” includes a limited radio dealer’s licence;
- “radiodetermination” means the determination of position, or the obtaining of information relating to position, by means of the propagation properties of radio waves;
- “radiodetermination service” means a service involving the use of radiodetermination;
- “radiodetermination station” means a station in the radiodetermination service;
- “Radio Inspector” means a person appointed under Section 3(1) to be a Radio Inspector;
- “radio-linked microphone service” means a service comprising a central receiver and a number of transmitter units for use in connexion with program production, public address or other uses authorized by the Head of State, acting on advice;

"the Radio Regulations" means the Radio Regulations published by the International Telecommunications Union in pursuance of a recommendation of the World Administrative Radio Conference at Geneva, 1967, as in force from time to time, and includes the appendices to those regulations and any additional regulations;

"repeater station" means a station established at a fixed location for the automatic transmission of radiocommunication messages received by it from other stations operating in the same frequency band;

"the Safety Convention" means the International Convention for the Safety of Life at Sea, 1960 signed at London on 17 June 1960, and includes any subsequent regulations made in amendment, addition or substitution;

"ship" includes every kind of vessel or floating craft of any size, not being a ship that is permanently moored;

"ship station" means a mobile station in a ship;

"telegraphy" means a system of radiocommunications for the transmission of written matter by means of a signal code.

(2) For the purposes of this Regulation, any apparatus in a lifeboat or raft or other survival device carried on or in an aircraft or ship station shall be deemed to be part of the apparatus of the station.

2. Saving of discretion of Minister.

This Regulation does not affect the discretion of the Minister under Section 6 of the Act.

PART II.—ADMINISTRATION.

3. Radio Inspectors and authorized officers.

(1) The Minister may, by notice in the National Gazette, appoint persons to be—

- (a) Radio Inspectors for the purpose of inspecting and examining apparatus that is part of a station and documents relating to any such apparatus; and
- (b) authorized officers for the purposes of this Regulation.

(2) The Minister has and may exercise and perform all the powers and functions of a Radio Inspector or authorized officer.

4. Functions of Radio Inspectors.

(1) In addition to his other powers and functions under this Regulation, a Radio Inspector may enter and inspect any station, vessel, aircraft, vehicle, premises or place in which any apparatus is installed or is being installed, and any thing in or on it, and may—

- (a) test the apparatus; and
- (b) examine and take copies of or extracts from any documents, messages or registers relating to the apparatus.

(2) The owner, licensee or person in charge of the station, vessel, aircraft, vehicle, premises or place must afford a Radio Inspector all necessary facilities for a test examination under Subsection (1).

(3) If in the opinion of a Radio Inspector a breach of the Act or of this Regulation has been committed in respect of the installation or operation of any apparatus, the Inspector may—

- (a) order the owner, licensee, operator or person in charge of the apparatus to cease the operation of, or to dismantle to the satisfaction of the Inspector, the apparatus; and
- (b) if he thinks it necessary—
 - (i) take possession of the apparatus; or
 - (ii) make it incapable of operation.

(4) A person aggrieved by an order of a Radio Inspector under Subsection (3) may appeal to the Minister, whose decision is final¹.

(5) Subject to Subsection (4), an order under Subsection (3) remains in force until countermanded by the Minister.

PART III.—LICENSING.

Division 1.—General.

5. Application of Part III.

Except as otherwise provided by the Act or this Regulation, but subject to any other law, this Part applies to and in respect of all stations in Papua New Guinea, including—

- (a) all stations on ships or aircraft registered in Papua New Guinea, and aircraft registered under the Air Navigation Regulations of Australia in that part of the register of Australian aircraft that is kept in Papua New Guinea; and
- (b) all stations on other ships or aircraft operating in Papua New Guinea waters.

6. Classes of licences.

(1) Licences in such forms as are approved by the Minister may be granted by the Minister in respect of the classes of stations specified in Schedule 1.

(2) Special licences in such forms as are approved by the Minister may be granted by the Minister in respect of—

- (a) stations of a class not specified in Schedule 1; or
- (b) stations in respect of which, in the opinion of the Minister, a licence to which Subsection (1) applies would not be appropriate.

(3) A licence shall specify the premises, ship, aircraft or vehicle, and the apparatus, to which it relates.

7. Period of licence.

A licence remains in force for such period, not exceeding one year, as is specified in the licence and may be renewed by the Minister from time to time for periods each not exceeding one year.

8. Licence fees.

(1) The fees payable for the issue or renewal of a licence (other than a special licence) are in accordance with Schedule 1.

(2) The fee payable for a special licence is as determined by the Minister.

¹ But see Constitution, Section 155.

(3) A fee is not payable for the issue or renewal of a licence for a station working solely into the radiocommunication system operated by or on behalf of the Department.

9. Permits.

(1) Where the Minister is satisfied that a station or apparatus is to be used for a short period only, he may issue a permit in a form approved by him authorizing the use of the station or apparatus for a period specified in the permit.

(2) A permit shall be issued without fee.

(3) The provisions of this Regulation relating to licences apply to and in respect of permits.

10. Applications for licences and permits.

An application for a licence or a permit shall—

(a) be in a form approved by the Minister; and

(b) contain the information and particulars specified in the form, or as are required in any particular case by the Minister.

11. Conditions of licences.

A licence is subject to this Regulation and the prescribed terms, conditions and restrictions, and to such other terms, conditions and restrictions as the Minister thinks appropriate to meet the circumstances of a particular case.

12. Lost, etc., licences.

Where the Minister is satisfied that a licence has been lost, destroyed or defaced, he may issue a replacement licence or permit on payment of a fee of K2.00.

13. Variation of conditions of licences.

(1) The Minister may at any time, in his discretion, by written notice to the licensee, vary or revoke the conditions of a licence, or impose conditions or additional conditions.

(2) Before taking action under Subsection (1), the Minister shall—

(a) give notice of his intention to do so to the licensee; and

(b) give the licensee an opportunity to make such written representations as he thinks fit within such period as is specified in the notice.

14. Stand-by apparatus.

A licensee may keep stand-by apparatus approved by the Minister for use during any period during which the apparatus the subject of his licence is out of operation for maintenance or adjustment, and may use it during any such period.

15. Suspension or revocation of licences.

(1) Where—

(a) the licensee fails to comply with the Act or this Regulation, or with a term or condition of his licence; or

(b) the Minister considers that it would be in the public interest to do so,

the Minister may, by written notice to the licensee, suspend for a period specified in the notice, or revoke, a licence.

(2) Before suspending or revoking a licence the Minister shall—

(a) give notice of his intention to do so to the licensee; and

(b) give the licensee an opportunity to make such written representations as he thinks fit within such period as is specified in the notice.

(3) The period of the licence continues to run during a period of suspension.

16. Assignment of licence.

Except with the consent of the Minister, a licensee shall not transfer his licence or assign, sublet or otherwise dispose of, or admit any other person to participate in, any of the benefits of his licence or the powers or authorities granted by his licence.

17. Refusal of licence.

The Minister, in his discretion, may refuse to grant or renew a licence.

18. Form of licences.

A licence shall be in the form of a document or a label or both, as determined by the Minister.

19. Exhibition and inspection of licences.

(1) Except in the case of a licence to which Subsection (3) applies, a licensee must clearly exhibit his licence at all times in the room or place where the apparatus the subject of the licence is situated.

(2) In the case of a licence in the form of a label, the licence must be kept affixed at all times to part of the apparatus the subject of the licence.

(3) In the case of—

(a) an aircraft station licence; or

(b) a handphone station licence; or

(c) a harbour mobile station licence; or

(d) an interior paging service licence; or

(e) a land mobile station licence; or

(f) a radiodetermination station licence; or

(g) a radio-linked microphone service,

the licensee must make his licence available for inspection at all reasonable times on demand by a Radio Inspector.

20. Use of authorized stations.

(1) A licence shall indicate the purpose for which or the service in which the authorized station may be used, and the licensee, without the written consent of the Minister, must not use the authorized station, or allow it to be used, for any other purpose or in any other service.

(2) Except with the written consent of the Minister, a licensee must not alter, modify or re-position the authorized station in respect of any matter specified in the licence.

21. Operators.

(1) Except as otherwise provided by or under this Regulation, or in case of emergency involving safety of life or property, the owner, licensee or person in charge of an authorized

station must not allow any apparatus in or on it to be operated by any person other than the holder of the appropriate certificate under Part IV.

(2) For the purposes of Subsection (1), the Minister shall determine what is the appropriate certificate in relation to each class of licence.

22. Handling of messages on behalf of the general public.

(1) Except as provided by this Regulation or with the consent of the Minister, the licensee of an authorized station that is licensed to transmit and receive messages on behalf of the public must not refuse—

- (a) to accept telegraphic messages from the public for transmission by his station to another station with which he is authorized to communicate; or
- (b) to receive telegraphic messages for delivery to the public from another station with which he is authorized to communicate.

(2) The messages must be transmitted on equal terms without favour or preference, whether as regards rates of charge, order of transmission or otherwise, except that signals of distress and messages in connexion with such signals shall receive priority.

23. Requests for assistance, etc.

As far as practicable, the licensee and all persons employed in or about an authorized station must acknowledge and pass on to the appropriate authority—

- (a) all requests for assistance; and
- (b) all signals of distress received from other stations,

with the least possible delay.

24. Fees for transmitting or receiving public correspondence.

The licensee of an authorized station that is licensed to transmit and receive messages on behalf of the public may make such charges for the transmission or receipt as are approved by the Minister.

25. Service of notices.

Any notice or other document required or permitted by this Regulation to be given to or served on a licensee or the holder of a certificate of proficiency may be given or served either personally or by A.R. registered post addressed to his usual or last-known postal address.

26. Privacy of communications.

Except as provided by the *Protection of Private Communications Act* or as required or permitted by or under any law, a licensee, operator or other person who, by virtue of his connexion with a station or with any apparatus has access to messages passed by radiocommunications and not intended for his action, information or use, discloses, communicates, records or makes use in any way of any such message or the information contained in any such message is guilty of an offence.

27. Improper signalling, etc.

(1) A person, by the use of a station, must not—

- (a) impersonate another person or another station; or
- (b) use the call-sign of another station,

whether or not that other station is in Papua New Guinea.

(2) A person must not transmit, or make a signal containing, any profane or obscene language.

(3) The owner, licensee, person in charge or operator of a station must not knowingly transmit or cause or allow to be transmitted any message of a false or misleading character.

(4) A person must not transmit or cause or allow to be transmitted a false or deceptive distress signal or call.

28. Standards for and approval of apparatus.

(1) The Minister may from time to time fix minimum requirements and performance standards to be met by apparatus for use in or in connexion with authorized stations.

(2) Any person may submit to the Department or to a person or body, and at any place appointed by the Minister for the purpose, any apparatus, and the Minister may approve the apparatus subject to such conditions and restrictions as he thinks necessary.

(3) For the purposes of Subsection (2) the fee for examining any apparatus is K30.00, and where any apparatus is not approved the fee for a re-examination (whether after modification or otherwise) is K10.00.

(4) The Head of State, acting on advice, may declare any apparatus to be approved apparatus for the purposes of this Regulation.

29. Apparatus.

(1) Except in the case of an amateur station, only approved apparatus may be used in connexion with an authorized station, and the apparatus shall—

- (a) be installed and maintained to the satisfaction of the Minister; and
- (b) not be altered in any way without the consent of the Minister and subject to such conditions as he thinks proper.

(2) All apparatus must operate within the ranges of tolerances prescribed by this Regulation or approved by the Minister for the purpose.

30. Spare parts.

The licensee of the authorized station must have available for immediate use by the station such spare parts as are directed by the Minister.

31. Call-signs.

The Minister shall allot to every authorized station a call-sign or other means of identification by which the station may be identified, which must be used as directed by the Minister.

32. Stations causing interference.

(1) The licensee of an authorized station must—

- (a) operate the station in such a manner as not to cause harmful interference to other stations; and
- (b) comply with any direction of the Minister in that regard.

(2) An offence against Subsection (1) is not committed if the harmful interference is due, in the opinion of a Radio Inspector, to deficiency as regards design, maintenance or operation in the affected receiving station.

33. Testing and adjustment.

(1) Tests or adjustments of any station or apparatus shall be made in such a way as not to cause harmful interference to other stations.

(2) Test and adjustment signals shall be of such a character as not to be confused with a message, abbreviation or other signal having special signification in any radiocommunication system.

34. Directional aerial systems.

If in his opinion it is necessary or desirable, the Minister may approve the use of directional aerial systems for the transmission or reception of radiocommunications from an authorized station.

35. Interference by receiving apparatus.

A person operating receiving apparatus must ensure, that the energy radiated by the apparatus is reduced to the lowest possible value and that it does not cause harmful interference to any other station.

36. Assignment of frequencies.

(1) The frequency or frequencies on which each authorized station may operate are as determined by the Minister or an authorized officer, and during the operation of the transmitting equipment of the station the licensee must maintain the frequency or those frequencies to the satisfaction of the Minister or an authorized officer.

(2) The same frequency may be assigned to two or more transmitting stations.

37. Siting of aerials.

(1) In this section, "line" means an electric line or telegraph line within the meaning of the *Post and Telegraph (Amalgamated) Act 1975* (Adopted)¹.

(2) Without the consent of the Minister an aerial of any authorized station must not be erected—

(a) above or below any line erected or maintained by the Department; or

(b) sufficiently near to any such line to permit contact with it if—

(i) the line or the aerial breaks or becomes detached from its support; or

(ii) the support fails.

(3) A consent under Subsection (2) does not relieve a person of any liability, civil or criminal, under any other law.

38. Test apparatus.

A licensee of an authorized station or a person who manufactures or maintains apparatus (other than apparatus primarily intended for the reception of broadcasting services) must keep at the station or the place where the apparatus is manufactured or maintained, as the case may be, test equipment approved by the Minister for that purpose.

¹ This Act was not in force at the effective date. See, *Post and Telegraph Act, 1912 of the former Territory of Papua* (Adopted) and *Post and Telegraph Act, 1912 (Papua, adopted) of the former Territory of New Guinea* (Adopted).

39. Log books.

Where the Minister so directs, a licensee must keep a log showing—

- (a) the time of each transmission and reception; and
- (b) the station or stations to or from which messages have been transmitted or received; and
- (c) the frequency and type of emission used.

40. Records of messages.

(1) Where the Minister directs, a licensee (other than the licensee of an amateur station or radio dealer's station) must keep full accounts, records and registers of all messages transmitted by the station.

(2) The licensee must—

- (a) mark each of the messages in the register with an identifying number; and
- (b) specify—
 - (i) the date and full particulars of the places of origin and ultimate destination of the message; and
 - (ii) such further particulars as the Minister or an authorized officer from time to time reasonably requires to be specified.

(3) The licensee shall cause Government messages to be distinguished in the register from other messages.

41. Used message forms.

(1) Unless exempted from doing so by the Minister or an authorized officer, a licensee to whom a direction under Section 40 has been given shall preserve—

- (a) all used message forms, whether written or printed; and
- (b) transcripts of messages; and
- (c) other papers relating to messages,

for not less than 12 months.

(2) A reference in Subsection (1) to a message is a reference to a message received or transmitted during the period during which the direction was in force.

42. Inspection of logs, registers, etc.

(1) A licensee must permit the Minister or an authorized officer at all reasonable times to inspect all logs, accounts, records and registers, and all message forms, transcripts and papers kept under Section 39, 40 or 41 and to take copies of or extracts from them.

(2) A licensee must—

- (a) make all apparatus forming part of or kept for the purposes of the station available for inspection by the Minister or an authorized officer; and
- (b) in the case of a mobile station, make the apparatus available for inspection at a reasonable time and place fixed by the Minister or authorized officer, as the case may be.

Division 2.—Ship and Aircraft Stations.

43. Application of Division 2.

This Division applies to ship and aircraft stations.

44. Distress signals.

This Regulation does not prevent a ship or aircraft station in distress from using any means at its disposal to attract attention, indicate its position and obtain assistance.

45. Ships in harbour.

(1) In this section, "departmental zone station" means a station established by the Department to permit high frequency radiocommunication between ships, aircraft and other authorized stations and other similar stations or telephone subscribers on land.

(2) In this section, a reference to a transmission on minimum radiated power is a reference to the minimum radiated power necessary to transmit the message concerned.

(3) Except as provided by this section, no apparatus on board a ship shall be operated while the ship is in a harbour in Papua New Guinea.

(4) When the ship is not berthed, the apparatus may be used—

(a) for the purpose of communicating, on minimum radiated power, with the nearest coast station or departmental zone station; or

(b) in circumstances in which communication with the nearest coast station is impracticable, to establish communication with another station.

(5) When the ship is berthing, low powered hand-phone-type apparatus may be used if required for berthing or for cargo handling.

(6) When the ship is berthed, in exceptional circumstances such as a failure of the public communication system the apparatus may be used—

(a) to pass urgent messages, on minimum radiated power, to the nearest coast station or departmental zone station; or

(b) in circumstances in which communication with the nearest coast station is impracticable, to establish communication with another station.

(7) When the ship is under way and radiocommunications are required for navigational purposes, the apparatus may be used on minimum radiated power.

(8) When the apparatus is undergoing adjustment or alterations, test calls may be made in such manner as not to cause harmful interference to the service of other stations.

46. General use of apparatus in territorial waters.

Notwithstanding anything in this Regulation (other than Section 45), any ship operating within the territorial limits of Papua New Guinea may use any apparatus to effect the safe handling of the vessel and to communicate with appropriate shore stations.

47. Operation of aircraft stations.

(1) An aircraft station operating within the territorial limits of Papua New Guinea must use its apparatus in accordance with any directions of a person authorized by the Minister for the purpose, and otherwise as necessary to effect safe navigation of the aircraft.

(2) Subject to Subsection (1), an aircraft station operating within the territorial limits of Papua New Guinea and licensed to transmit public correspondence must not transmit such correspondence unless airborne or as directed or approved by the Minister.

48. Books and documents.

Ship and aircraft stations must carry such books and documents relating to the operation of the station as are directed by the Minister.

49. Censorship of messages.

The master of a ship or aircraft in which there is a ship or aircraft station may censor any message addressed to or transmitted by the station.

Division 3.—Amateur Stations.

50. Amateur station licences.

(1) A person shall not operate a station in the amateur service unless he holds an amateur station licence.

(2) A limited amateur station licence authorizes the operation of a station only on frequencies above 52 MHz and not by telegraphy.

(3) A novice amateur station licence authorizes the operation of a station, the frequency control of which is by means of a quartz crystal controlled oscillator and not by a variable frequency oscillator.

(Replaced by No. 9 of 1976, s. 2.)

51. Licences.

(1) An amateur station licence may be granted only to—

(a) a person who is over the age of 14 years and is the holder of—

(i) an Amateur Operator's Certificate of Proficiency; or

(ii) an Amateur Operator's Novice Certificate of Proficiency; or

(iii) an Amateur Operator's Limited Certificate of Proficiency; or

(iv) such other qualification as is approved by the Minister as being equivalent to the qualifications referred to in Subparagraphs (i), (ii) or (iii); or

(Replaced by No. 9 of 1976, s. 3.)

(b) to, or to a person on behalf of, a school, college, club, institute or similar organization.

(2) Where an amateur station licence is granted in accordance with Subsection (1)(b), the apparatus shall, during transmissions, be in the charge of a person specified in Subsection (1)(a).

(3) Where the holder of a limited amateur station licence obtains an Amateur Operator's Novice Certificate of Proficiency in accordance with Section 82A(2), he may be granted a novice amateur station licence in addition to the limited amateur station licence.

(Added by No. 9 of 1976, s. 3.)

52. Restrictions on use.

(1) An amateur station must not be used—

(a) for the purpose of communicating with countries whose governments do not permit the transmission or reception of communications of a type for which amateur stations are intended; or

(b) except with the consent of the Minister or in an emergency, for the transmission or reception of messages for third persons.

(2) For the purpose of Subsection (1), a member of, or of the staff of, a school, college, club, institute or organization to whom, or on whose behalf the licence was granted in accordance with Section 51(1)(b)¹.

53. Power of transmissions.

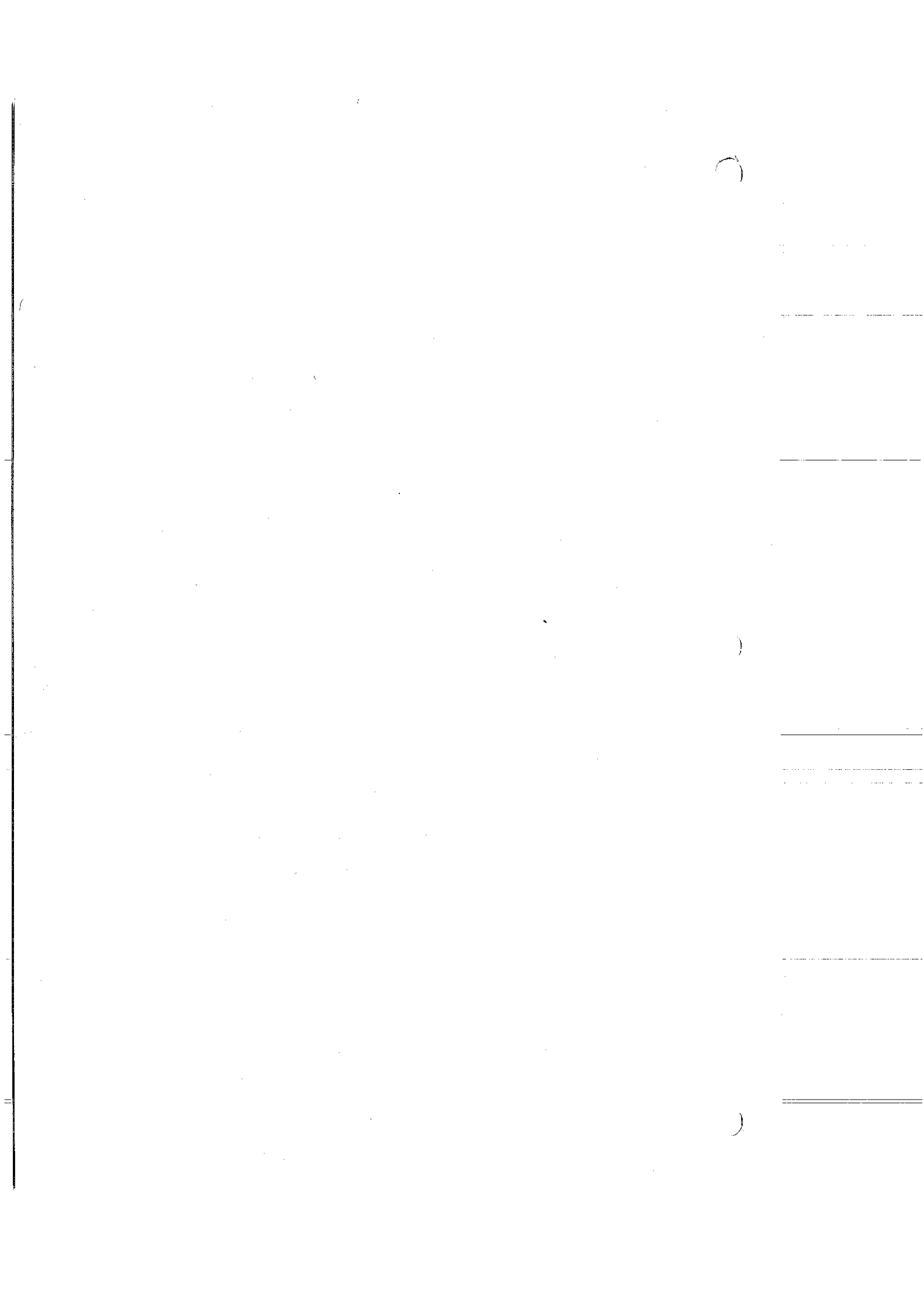
(1) In this section—

“the A3A type of transmission” means a single-sideband transmission in which the carrier wave is transmitted at a power level between 6 dB and 32 dB below the peak envelope power;

“the A3J type of transmission” means a single-sideband transmission in which the carrier wave is transmitted at a power level more than 32 dB below the peak envelope power.

(2) Except as provided by Subsection (3) or with the consent of the Minister, the power of the radio frequency transmitter output measured at the input to the antenna transmission line must not exceed 100 W unmodulated.

¹Obviously, either an omission has occurred or, as appears more likely, the subsection is meaningless and was included in error.



(3) Where an amateur station is utilizing the A3A type of transmission or the A3J type of transmission, the peak envelope power of the radio frequency transmitter output, measured at the input to the antenna transmission line, must not exceed 400 W.

(4) The licensee of an amateur radio station must install and maintain, to the satisfaction of an authorized officer, instruments of a type approved by the Minister for indicating accurately the power used.

(5) Subsections (2) and (3) do not apply to a novice amateur station licence.

(Amended by No. 9 of 1976, s. 4 and 5.)

53A. Power of transmissions in relation to novice amateur station licences.

(1) In this section—

“the A3A type of transmission” means a single-sideband transmission in which the carrier wave is transmitted at a power level between 6 dB and 32 dB below the peak envelope power;

“the A3J type of transmission” means a single-sideband transmission in which the carrier wave is transmitted at a power level more than 32 dB below the peak envelope power.

(2) Subject to Subsection (3), the power of the radio frequency transmitter output of a novice amateur station measured at the input to the antenna transmission line shall not exceed 10W unmodulated.

(3) Where a novice amateur station is utilizing the A3A type of transmission or the A3J type of transmission, the peak envelope power of the radio frequency transmitter output, measured at the input to the antenna transmission line, shall not exceed 30W.

(Added by No. 9 of 1976, s. 5.)

54. Types and frequencies of transmission.

Transmissions from an amateur station must be by such type of emission, and on such frequencies, as are determined by the Minister and specified in the licence.

55. Maintenance of frequencies.

The licensee of an amateur station must—

(a) ensure that all transmissions from the station are on or within the authorized frequency band or bands; and

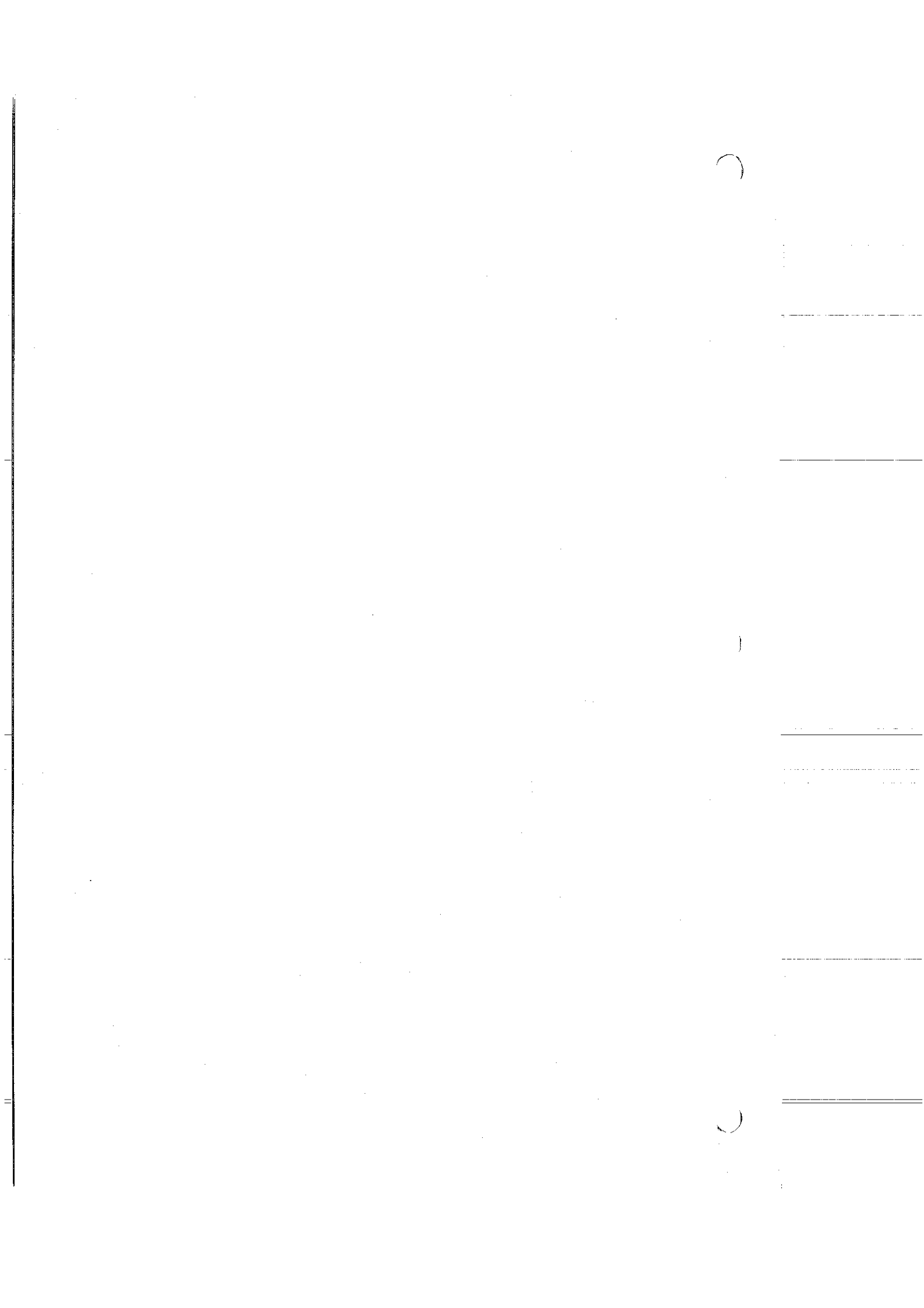
(b) for the purpose of complying with Paragraph (a)—at all times when the station is being operated maintain in good working order and readily available equipment of a type approved by a Radio Inspector.

56. Signalling of call-signs.

The operator of an amateur station must signal, in the English language, the call-sign of his station, at the beginning and at the end of, and not less frequently than once in every five minutes during, each transmission.

57. Carrier wave frequency.

Except for brief tests and adjustments, the licensee of an amateur station must not cause or allow a continuous carrier wave to be emitted from his transmitting apparatus on a frequency lower than 52 MHz per second unless the wave is subjected to intelligible modulation or keying.



58. Frequency variation.

The licensee of an amateur station must employ in his transmitting apparatus such circuits, devices or methods as will ensure freedom from the effects of frequency variation (other than necessary modulation), harmonics, key impacts or other unessential emissions.

59. Avoidance of interference.

(1) The licensee of an amateur station must erect, fix, place and use his apparatus in such a manner as to avoid interference with the efficient and convenient working of other stations, or of any electronic equipment used for any purpose.

(2) When an amateur station causes interference with the reception of broadcasting services by receiving apparatus that is, in the opinion of a Radio Inspector, of reasonable selectivity, the licensee, when so required by a Radio Inspector, must cease to operate the

station on the frequency which causes the interference until the cause of the interference is removed.

(3) If the complete elimination of interference caused by the operation of an amateur station to any receiving apparatus or to electronic equipment used for any purpose is impossible or impracticable, the operation of the station may be resumed only with the permission of a Radio Inspector and on such conditions and at such times as determined by him.

60. Transmission of entertainment, etc.

(1) An amateur station shall not be used for the transmission of music or any other kind of entertainment.

(2) Except with the consent of the Minister, an amateur station must not be used for the transmission of a recording.

61. Movement of apparatus.

(1) Subject to Subsection (2), apparatus the subject of an amateur licence must not be removed from the place specified in the licence except with the permission of an authorized officer.

(2) The licensee of an amateur licence, with the prior approval of the Minister, may operate his station in a mobile capacity at such times and in such places as are approved.

Division 4.—Radio Dealers.

62. Radio dealers' licences.

(1) A radio dealer's licence authorizes the licensee to deal in or let or hire or loan, or to demonstrate, apparatus, or to repair or adjust apparatus.

(2) A limited radio dealer's licence authorizes the licensee to deal in or let or hire or loan, or to demonstrate, apparatus.

63. Exhibition of licence, etc.

The holder of a radio dealer's licence must exhibit—

- (a) in a prominent position on the front of his place of business a sign bearing the words "Licensed Radio Dealer" or "Licensed Limited Radio Dealer", as the case may be; and
- (b) his licence in a prominent position inside his place of business.

64. Records of dealings.

(1) Subject to Subsection (2), the holder of a radio dealer's licence must keep at his place of business a record of—

- (a) all sales, hirings, loans and other dealings of or with apparatus; and
- (b) the date of the dealing; and
- (c) details of the apparatus; and
- (d) the name and address of the other party.

(2) The record under Subsection (1) must be kept until the end of the calendar year following the date of the dealing.

65. Unauthorized dealing with apparatus.

A person other than the holder of a radio dealer's licence must not sell or otherwise dispose of any apparatus without the prior approval of an authorized officer.

66. Types of apparatus that may be dealt in.

(1) Subject to Section 4 of the Act, a licensed radio dealer, without the consent of the Minister, must not have in his possession for the purposes of his business as such, or deal in, any apparatus other than—

(a) apparatus that is approved for the purposes of Division 1; or

(b) apparatus that meets the requirements of Division 3.

(2) Apparatus referred to in Subsection (1)(b) may be sold, let on hire, lent or otherwise disposed of only to the holder of an amateur station licence.

*Division 5.—Broadcasting Stations.***67. Broadcasting station licences.**

(1) A broadcasting station licence authorizes the holder to operate a broadcasting service.

(2) A broadcasting station licence may be granted only after considering a recommendation of the National Broadcasting Commission.

PART IV.—CERTIFICATES OF PROFICIENCY AND EXAMINATIONS.*Division 1.—General.***68. Classes of Certificates of Proficiency.**

(1) Certificates of Proficiency in such forms as approved by the Minister may be granted by the Minister.

(2) The classes of certificates that may be granted are as specified in Schedule 2.

69. Age limitation.

(1) A Certificate of Proficiency, other than—

(a) an Amateur Operator's Certificate of Proficiency; and

(b) an Amateur Operator's Novice Certificate of Proficiency; and

(c) an Amateur Operator's Limited Certificate of Proficiency,

shall not be granted to a person who is under the age of 18 years.

(2) A Certificate of Proficiency of a type referred to in Subsection (1)(a), (b) or (c) shall not be granted to a person who is under the age of 14 years.

(Replaced by No. 9 of 1976, s. 6.)

70. Qualifications for certificates.

A Certificate of Proficiency may be granted—

(a) on the passing of an examination under Section 71; or

(b) on proof to the satisfaction of the Minister that the applicant is the holder of a qualification granted in some other country that is, in his opinion, at least of a standard equal to that of the certificate applied for; or

(c) at the discretion of the Minister, without examination.

71. Examinations.

(1) The Minister or an authorized officer may from time to time conduct examinations for applicants for Certificates of Proficiency.

(2) Examinations shall be held in such manner and subject to such conditions as the Minister determines.

(3) The Minister may, in his discretion, reveal to a person who has sat for an examination, or to any other person, or generally, the marks obtained in an examination.

(4) Subject to Subsection (3), a candidate who fails to pass an examination for a certificate of a particular class is not entitled, as a result of the examination to the grant of a certificate of another class.

(5) In the discretion of the Minister, a candidate who fails to pass an examination for an Amateur Operator's Certificate of Proficiency may be granted an Amateur Operator's Limited Certificate of Proficiency, if he has achieved the necessary standard in the examination.

72. Maintenance of qualifications.

The Minister may, at any time, require the holder of a Certificate of Proficiency to satisfy him, by examination or otherwise, that he has the necessary knowledge and skill for the certificate.

73. Fees.

(1) The fees payable in respect of an examination or for a re-examination in whole or in part for a Certificate of Proficiency (including an examination under Section 72) are as set out in Schedule 2.

(2) Where a certificate is granted in accordance with Section 70(b) or (c), the fee for the certificate is K2.00.

(3) Where the Minister is satisfied that a certificate has been lost, destroyed or defaced, he may issue a replacement certificate on payment of a fee of K2.00.

74. Suspension or revocation of certificates.

The Minister may suspend or revoke a Certificate of Proficiency—

(a) if the holder fails to satisfy the Minister, when required to do so under Section 71, that he has the necessary knowledge and skill for the certificate; or

(b) if the Minister is of the opinion that it is desirable to do so on account of—

(i) the incompetence of the holder; or

(ii) the incapacity of the holder, by reason of physical or mental disability or otherwise, to perform the functions in respect of which the certificate was granted; or

(iii) the holder not being a fit and proper person to hold the certificate.

75. Declaration of secrecy.

(1) Before a Certificate of Proficiency is issued, the person to whom it is to be issued must make and subscribe, in the manner and form approved by the Minister, a declaration that he will observe the provisions of this Regulation relating to the secrecy of messages.

(2) A declaration under Subsection (1) shall be forwarded to, and held by, the Department.

76. Supply of personal particulars.

A successful applicant for a Certificate of Proficiency must supply for inclusion in his certificate—

- (a) a signed photograph approximately 56 mm x 56 mm; and
- (b) such personal particulars as are required by the Minister.

Division 2.—Qualifications for Certificates.

77. Radiocommunication Operator's General Certificate of Proficiency.

The qualifications for a Radiocommunication Operator's General Certificate of Proficiency are—

- (a) knowledge of the principles of electricity and the theory of radio sufficient to allow him to meet the requirements of Paragraphs (b), (c) and (d); and
- (b) a theoretical knowledge of marine radio-telegraph and radiotelephone transmitters and receivers, marine aerial systems, automatic alarm devices, radio equipment for lifeboats and other survival craft, and direction-finding equipment, and of all auxiliary items including power supply (such as motors, alternators, generators, inverters, rectifiers and accumulators) with particular reference to maintaining the equipment and auxiliary items in service; and
- (c) a practical knowledge of the operation, adjustment and maintenance of the equipment and auxiliary items referred to in Paragraph (b), including the taking of direction-finding bearings and knowledge of the principles of the calibration of radio-direction-finding apparatus; and
- (d) the practical knowledge necessary for the location and remedying (with the means available on board) of faults that may occur, during a voyage, in the equipment and items referred to in Paragraph (b); and
- (e) the ability to send correctly by hand, and to receive correctly by ear, Morse code groups of mixed letters, figures and punctuation marks at a speed of 16 groups per minute and a message in plain language at a speed of 20 words per minute; and
- (f) ability to send and receive correctly messages by radiotelephone; and
- (g) a knowledge of—
 - (i) such of the provisions of the Radio Regulations as relate to the exchange of radiocommunications; and
 - (ii) the documents relating to charges for radiocommunication; and
 - (iii) the provisions of the Safety Convention that relate to radio; and
- (h) a knowledge of the geography of the world, especially the principal shipping and telecommunication routes, sufficient for the efficient performance of his functions; and
- (i) a knowledge, both oral and written, of one of the working languages of the International Telecommunication Union, selected by the Head of State, acting on advice.

78. Radiotelephone Operator's General Certificate of Proficiency.

The qualifications for a Radiotelephone Operator's General Certificate of Proficiency are—

- (a) a knowledge of the elementary principles of radiotelephony; and
- (b) a detailed knowledge of the practical operation and adjustment of radiotelephone apparatus; and
- (c) ability to send and to receive correctly messages by radiotelephone; and
- (d) a detailed knowledge of the provisions of the Radio Regulations that relate to radiotelephone communications, and specifically of those provisions that relate to safety of life.

79. Restricted Radiotelephone Operator's Certificate of Proficiency.

The qualifications for a Restricted Radiotelephone Operator's Certificate of Proficiency are—

- (a) a practical knowledge of the working and adjustment of such type or types of radiotelephone installation as is or are specified by the Head of State, acting on advice; and
- (b) ability to send and to receive correctly messages by radiotelephone; and
- (c) a knowledge of the provisions of the Radio Regulations relating to the exchange of radiotelephone communications, to interference and to the Distress, Urgency, Alarm and Safety Signals; and
- (d) a knowledge of the precautions necessary for the safety of the installation referred to in Paragraph (a).

80. Broadcast Station Operator's Certificate of Proficiency.

The qualifications for a Broadcast Station Operator's Certificate of Proficiency are—

- (a) a knowledge of the general principles of electricity and of radio technology and of all the electrical and radiotelephony equipment used by broadcasting stations; and
- (b) a practical knowledge of the working and adjustment of all apparatus normally used by broadcasting stations; and
- (c) ability to adjust and carry out repairs to the apparatus referred to in Paragraph (b).

81. Amateur Operator's Certificate of Proficiency.

The qualifications for an Amateur Operator's Certificate of Proficiency are—

- (a) a knowledge of radiotelegraphy and radiotelephony and electrical principles; and
- (b) a knowledge of the provisions of the Radio Regulations relating to the operation of amateur stations; and
- (c) ability to send correctly by hand, and to receive, in Morse code, a message in plain language at a speed of 10 words per minute.

82. Amateur Operator's Limited Certificate of Proficiency.

The qualifications for an Amateur Operator's Limited Certificate of Proficiency are—

- (a) a knowledge of radiotelephony and electrical principles; and

- (b) a knowledge of the provisions of the Radio Regulations relating to the operation of amateur stations using radiotelephony.

82A. Amateur Operator's Novice Certificate of Proficiency.

(1) The qualifications for an Amateur Operator's Novice Certificate of Proficiency are—

- (a) a knowledge of radiotelegraphy and radiotelephony and electrical principles; and
- (b) a knowledge of the provisions of the Radio Regulations relating to the operation of amateur stations; and
- (c) ability to send by hand, and to receive, in Morse code, a message in plain language at a speed of five words per minute.

(2) The holder of an Amateur Operator's Limited Certificate of Proficiency may, on passing the Morse code qualifications referred to in Subsection (1)(c), be granted an Amateur Operator's Novice Certificate of Proficiency.

(Added by No. 9 of 1976, s. 7.)

83. Administration of the Morse code test.

When a test in Morse code is given for the purposes of this Division—

- (a) code groups shall consist of mixed letters, figures and punctuation marks in groups of five characters, each figure or punctuation mark counting as two characters; and
- (b) the average word in a plain language text shall contain five characters; and
- (c) each test in sending or receiving shall last approximately five minutes.

PART V.—INTERFERENCE TO RADIOCOMMUNICATIONS.

84. Wilfully causing interference.

A person must not, by the use of any apparatus or electrical equipment, without lawful and reasonable excuse (proof of which is on him), knowingly cause interference to reception or radiocommunications at a station.

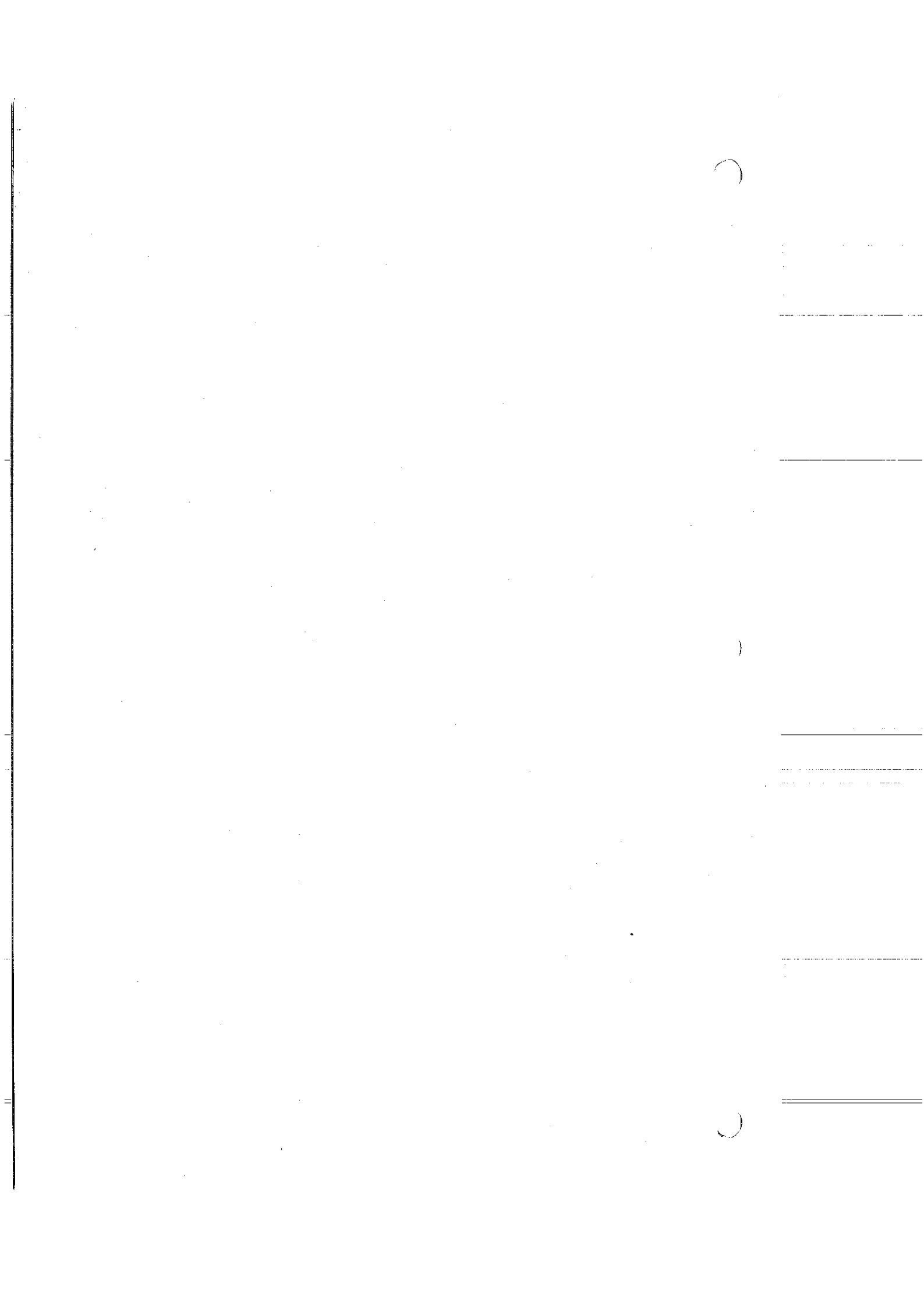
85. Inspections, etc., as to interference.

(1) Where a Radio Inspector has reasonable cause to believe that any apparatus or electrical or other equipment or machinery is causing or likely to cause electrical interference to a station, he may at all reasonable times enter—

- (a) any place on or at which; or
- (b) any vessel, aircraft or vehicles in or on which,

the apparatus, equipment or machinery is or is believed to be, and inspect and test it.

(2) Where any apparatus or electrical or other equipment or machinery is causing electrical interference with a station, and the interference cannot be prevented or suppressed by action at the station concerned at a cost which in the opinion of the Minister is reasonable, the owner or operator of the apparatus, equipment or machinery must take, at his own expense and within such period as is fixed by a Radio Inspector, such action to prevent or suppress the interference as an Inspector directs or approves.



PART VI.—MISCELLANEOUS.

86. Application of the International Telecommunication Convention, etc.

(1) Subject to the Act and this Regulation, the provisions of the International Telecommunication Convention and the Radio Regulations apply to and in relation to all stations as if enacted in this Regulation.

(2) The Minister is responsible for providing all returns and information required by the International Telecommunication Union and its agencies.

87. Indemnity.

The Minister, a Radio Inspector or any authorized officer, or any other person exercising or performing powers or functions under this Regulation, is not responsible for any act or omission done bona fide and without negligence under or for the purposes of this Regulation.

88. Obstruction.

A person must not hinder or obstruct any person in the exercise of his powers or the performance of his functions under this Regulation.

89. False statements.

A person who makes any false statement for any purpose of this Regulation is guilty of an offence.

Penalty: A fine not exceeding K1 000.00.

90. Importing unapproved apparatus.

A person who except as provided for by this Regulation, or with the consent of the Minister, imports any apparatus other than approved apparatus is guilty of an offence.

Penalty: A fine not exceeding K200.00.

91. Failure to comply with directions.

A person who fails to comply with any order, requirement or directive given under this Regulation is guilty of an offence.

Penalty: A fine not exceeding K100.00.

92. Operating without certificate.

A person who operates any apparatus for which a Certificate of Proficiency is required under this Regulation without having the appropriate certificate is guilty of an offence.

Penalty: A fine not exceeding K50.00.

93. General penalty.

(1) A person who contravenes or fails to comply with any provision of this Regulation or, in the case of the holder of a licence or the owner, operator or person in charge of an authorized station, the conditions of the licence, is guilty of an offence.

Penalty where no other penalty is provided: A fine not exceeding K200.00.

(2) Where the owner or importer of any apparatus or the holder of a licence in respect of any apparatus contravenes or fails to comply with any provision of this Regulation, or of the licence, in relation to the apparatus, the court that convicts him, in addition to or in substitution for any other penalty, may order that the apparatus be forfeited to the State.

(3) Apparatus forfeited under Subsection (2) may be seized by an authorized officer and disposed of or otherwise dealt with as the Minister directs.

SCHEDULES.

SCHEDULE 1.

Sec. 6, 8.

CLASSES OF LICENCES AND FEES PAYABLE FOR LICENCES.

Item No.	Class of certificate.	Fee. K.
1	Aeronautical Station	10.00
2	Aircraft Station	6.00
3	Amateur Station, Novice Amateur Station or Limited Amateur Station	6.00
4	Base Station	10.00
5	Broadcast Station	10.00
6	Radio Dealer (Full or Limited)	10.00
7	Earth Station	10.00
8	Fixed Receiving Station	6.00
9	Fixed Station	10.00
10	Handphone Station	6.00
11	Harbour Mobile Station	6.00
12	Interior Paging Service Station	10.00
13	Land Mobile Station	6.00
13A	Radio Controlled Apparatus Station	6.00
14	Radiodetermination Station	6.00
15	Radio-linked Microphone Service Station	10.00
16	Repeater Station	10.00
17	Ship Station	6.00

(Amended by No. 9 of 1976, s. 8.)

SCHEDULE 2.

Sec. 68, 73.

FEES PAYABLE IN RESPECT OF EXAMINATIONS FOR CERTIFICATES OF PROFICIENCY.

Item No.	Class of certificate.	Fee per subject. K.
1	Radiocommunication General Operator's Certificate of Proficiency	5.00
2	Radiotelephone Operator's General Certificate of Proficiency	5.00
3	Restricted Radiotelephone Operator's Certificate of Proficiency	5.00
4	Broadcast Station Operator's Certificate of Proficiency	5.00
5	Amateur Operator's Certificate of Proficiency	5.00
6	Amateur Operator's Limited Certificate of Proficiency	5.00
7	Amateur Operator's Novice Certificate of Proficiency	5.00

(Amended by No. 9 of 1976, s. 9.)



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INDEPENDENT STATE OF PAPUA NEW GUINEA.

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Radiocommunications.

APPENDIXES.

APPENDIX 1.

SOURCE OF THE RADIOCOMMUNICATIONS ACT.

Part A.—Previous Legislation.

Radiocommunications Act

as amended by—

Post and Telecommunication Corporation (Consequential Amendments) Act 1982 (No. 7 of 1982)

Radiocommunications (Amendment) Act 1983 (No. 63 of 1983).

APPENDIX 2.

SOURCE OF THE RADIOCOMMUNICATIONS REGULATION.

Part A.—Previous Legislation.

Radiocommunications Regulations 1973 (Statutory Instrument No. 53 of 1973)
as amended by—

Radiocommunications (Amendment) Regulation 1976 (Statutory Instrument No.
9 of 1976).

Part B.—Cross References.

Section, etc., in Revised Edition.	Previous Reference. ¹	Section, etc., in Revised Edition.	Previous Reference. ¹
1	3	39	41
2	4	40	42
3	5	41	43
4	6	42	44
5	7	43	45
6	8	44	46
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15	17	53	55
16	18	53A	55A
17	19	54	56
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31	33	68	70
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33	35	70	72
34	36	71	73
35	37	72	74
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37	39		
38	40		

¹Unless otherwise indicated, references are to the regulations set out in Part A.

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Part B.—Cross References—*continued.*

Section, etc., in Revised Edition.	Previous Reference ¹ .	Section, etc., in Revised Edition.	Previous Reference ¹ .
73	75	84	86
74	76	85	87
75	77	86	88
76	78	87	89
77	79	88	90
78	80	89	91
79	81	90	92
80	82	91	93
81	83	92	94
82	84	93	95
82A	84A	Schedule 1	First Schedule
83	85	Schedule 2	Second Schedule

