

EXECUTIVE COUNCIL.

No. 78.

Regulations made by the Governor in Council under section 4 (2) and section 6 of the Wireless Telegraphy Ordinance, 1913, Ordinance No. 20 of 1913, this 24th day of February, 1921.

1. The Licence required under the Wireless Telegraphy Ordinance, 1913, Ordinance No. 20 of 1913, for the establishment of a wireless telegraph station or the installation or working of any apparatus for wireless telegraphy on board any British Ship registered in the Colony of Hongkong shall be in the form set out in the first schedule hereto and the period for which such licence shall be granted shall be twelve calendar months from the date of such licence.

2. The special or general permission of the Colonial Secretary required under Regulation 4 of the Wireless Telegraphy Regulations published on pages 906 and 907 of the "Regulations of Hongkong, 1914", shall be in the form set out in the second schedule hereto and the fee for such permission shall be two dollars.

3. The forms of Licence and permit prescribed in Government Notification No: 353 published in the Gazette on the 6th day of August, 1915, are hereby repealed.

S. B. B. McELDERRY,  
Clerk of Councils.

COUNCIL CHAMBER,  
24th February, 1921.

FIRST SCHEDULE.

SHIPS.

Dated the ..... day of ....., 19 ..

THE WIRELESS TELEGRAPHY ORDINANCE, 1913.

(HONGKONG.)

His Excellency the Governor of the Colony of Hongkong

To .....

*Licence to establish Wireless Telegraph Ship Stations.*

TO ALL TO WHOM THESE PRESENTS SHALL COME I .....

.....  
Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same send greeting:

WHEREAS .....

of .....  
(hereinafter called "the Licensee") is desirous of establishing installing working and using on a ship or ships belonging to the Licensee Wireless Telegraphy as defined in Section 2 of the Wireless Telegraphy Ordinance, 1913:

AND WHEREAS by reason of the provisions of the Wireless Telegraphy Ordinance, 1913, it is unlawful to establish any wireless telegraph station or instal or work any apparatus for wireless telegraphy in any place in the Colony or on board any British ship registered in the Colony except under and in accordance with a licence granted in that behalf by the Governor:

AND WHEREAS at the request of the Licensee I have agreed to grant to the Licensee the licences, powers and authorities hereinafter expressed and contained for the period upon the terms and subject to the stipulations and conditions hereinafter appearing:

NOW I the above named

..... Governor and Commander-in-Chief of the Colony of Hongkong and its Dependencies and Vice-Admiral of the same in exercise of all powers and authorities enabling me in this behalf do hereby grant to the Licensee during the term or period commencing on the day of the date hereof and terminating on the ..... day of ....., 19 ....., and thereafter so long as the Wireless Telegraphy Ordinance, 1913, shall continue in force unless and until these presents and the licence or permission hereby given shall be determined as hereinafter provided licence and permission—

(i.) To establish, instal and work for the purposes hereinafter mentioned at the ship station or stations specified in the Schedule hereto apparatus for wireless telegraphy of the kind specified in the Schedule hereto (which apparatus is hereinafter referred to as "the licensed apparatus"):

Provided that—

- (a.) Each ship station shall be of such class mentioned in Article XIII of the Service Regulations annexed to Radiotelegraph Convention, 1912, as is specified in the said Schedule opposite to the name of such station;
- (b.) The apparatus installed at each ship station shall be of the character specified in the said schedule opposite to the name of such station;
- (c.) The sending apparatus used at each ship station shall be of such a character that the waves emitted are as pure and as little damped as possible and the receiving apparatus used at the said station or stations shall be of such a character as to afford the greatest possible protection from disturbance during the reception of signals;
- (d.) The apparatus shall include such emergency installation as may be required according to the class of the ship station under the provisions of Article XI of the Service Regulations annexed to the Radiotelegraph Convention, 1912;
- (e.) The licensed apparatus shall be so constructed as to be capable of using wave lengths of 600 and 300 metres in length as measured by the standard of measurement in use by the Government of the Colony for the time being or as may be otherwise directed by the Governor and such other wave lengths not exceeding 600 metres in length as shall be authorised in writing from time to time by the Governor; Provided always that the wave length of 600 metres shall normally be used for communication and further that the wave length of 1,800 metres may be used in the exceptional case contemplated by Article XXXV (2) (a) of the Service Regulations annexed to the Radiotelegraph Convention, 1912; Provided further that only the wave length of 600 metres shall be used by the Licensee during the period of any war in which the United Kingdom is engaged;
- (f.) The apparatus shall admit of the transmission and reception of messages at the rate of not less than 20 words a minute five letters being counted as one word.
- (g.) Each ship shall be provided with two certified operators together with suitable accommodation for the apparatus and operators and a wireless service shall be maintained at all times during the period of this licence.

(ii.) To send and receive messages by means of the licensed apparatus between the said ship stations and also between the said ship stations and coast stations and other ship stations.

Provided that the Licensee shall not except with the consent in writing of the Colonial Secretary of the Colony send or receive messages from and at the said ship stations when in any of the harbours of the Colony; and

(iii.) To receive money or other valuable consideration for or in respect of the use of the licensed apparatus or for or in respect of the transmission or receipt of messages by means of the said apparatus.

And I do hereby declare that the said licence and permission is granted on and subject to the following conditions and provisions:—

Inter-  
pretation  
clause.

1. In these presents (and in the Schedule hereto) the following words and expressions shall have the several meanings hereinafter assigned to them unless there shall be something either in the subject or context repugnant to such construction (that is to say):—

The expression “wireless telegraphy” has the same meaning as in the Wireless Telegraphy Ordinance, 1913.

The term “telegraph” has the same meaning as in the Wireless Telegraphy Ordinance, 1913.

The expression “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 expression “the Admiralty” means the officer of His Majesty’s Navy who is for the time being in Hongkong in charge of the China Squadron of His Majesty’s Eastern Fleet.

The expressions “the International Telegraph Convention” and “the International Telegraph Regulations” mean respectively the International Convention of St. Petersburg dated the 10th/22nd July, 1875, and the Service Regulations made thereunder and include respectively any modifications of the Convention or regulations made from time to time.

The expression “the Radiotelegraph Convention, 1912” means the Convention signed at London on the 5th day of July, 1912, and the Service Regulations made thereunder and includes any modification of the Convention or Regulations made from time to time.

The expression “coast station” means a wireless telegraph station which has been 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.

The term “ship station” means a wireless telegraph station established on board a ship which is not permanently moored.

Restrictions  
on use of  
apparatus.

2. The licensed apparatus shall not be used by the Licensee or by any other person either on behalf of or by permission of the Licensee for the despatch or receipt of messages except messages authorised by this Licence.

Protection  
of Naval  
signalling.

3.—(1.) The Licensee shall not by the transmission of any message by means of the licensed apparatus or otherwise by the use of the licensed apparatus interfere with Naval signalling.

(2.)<sup>3</sup> If the Admiralty is of opinion that the working of the licensed apparatus at any ship station specified in the Schedule hereto is inconsistent with the free use of Naval signalling the Licensee shall when required in writing by the Governor so to do close the said station.

(3.) These provisions for the protection of Naval signalling shall be construed to be without prejudice to the generality of any other provisions of this Licence.

4. For the purpose of this Licence the Licensee shall observe the International Telegraph Convention and the International Telegraph Regulations so far as the said Convention and Regulations are capable of being applied to wireless telegraphy in common with ordinary land and submarine telegraphy.

Licensee to observe International Telegraph Convention and Regulations.

5. The Licensee shall observe the provisions of any Regulations from time to time made under the provisions of the Wireless Telegraphy Ordinance, 1913 by the Governor in Council in relation to the conduct of wireless telegraph business so far as the same are applicable to the Licensee.

Licensee to observe Regulations as to Wireless Telegraphy.

6. The Licensee shall observe the provisions of the Radiotelegraph Convention, 1912.

Radiotelegraph Convention to be observed.

7. The Licensee shall comply with all such directions and observe all such rules as may be given or made by the Governor from time to time for the purpose of preventing interference with the working of any other wireless telegraph station and for enabling the messages exchanged by means of the licensed apparatus to be distinguished from those emanating from any other wireless telegraph station.

As to interference.

8. The licensed apparatus shall not without the consent of the Governor be altered or modified in respect of any of the particulars mentioned in the Schedule hereto.

Alteration of apparatus.

9. The Licensee shall at all times indemnify the Governor against all actions claims and demands which may be brought or made by any corporation company or person in respect of any injury arising from any act licensed or permitted by these presents.

Indemnity of Governor.

10.—(1.) Subject to the provisions of this Licence the Licensee shall transmit messages by means of the licensed apparatus on equal terms without favour or preference whether as regards rates of charge, order of transmission or otherwise. Provided always that signals of distress and messages in connection therewith shall receive priority over all other messages and that the order of transmission of such other messages shall be governed by the International Telegraph Regulations.

Messages to be transmitted without favour or preference.

(2.) In respect of messages transmitted on behalf of His Majesty's Government the Licensee shall charge rates not in excess of half of the rates charged to the ordinary public.

11. The Licensee shall so far as possible receive from ships and light stations all request for assistance and all signals of distress and shall answer such requests and signals and send them with the least possible delay to the proper authorities by means of the licensed apparatus or any other means in the power of the Licensee.

Licensee to receive signals of distress.

12.—(1.) The licensed apparatus at each of the ship stations mentioned in the Schedule hereto shall be worked only by operators holding certificates issued by the Governor or the Postmaster General of the United Kingdom or the Government of any self-governing Dominion and the Licensee shall provide for the working of each station such operators as are required by the provisions of Article X of the Service Regulations annexed to the Radiotelegraph Convention, 1912, according to the class of the ship station and shall observe the regulations as to the working of the ship station laid down according to its class by Article XIII of the said Regulations.

As to persons employed to work stations and manner of working.

(2.) A certificate shall not be recognized as authorizing the holder to work a ship station under the terms of this Licence unless it bears a statement that it is issued by the Governor or the Postmaster General of the United Kingdom

or the Government of any self-governing Dominion in accordance with the Radiotelegraph Convention, 1912. Such certificates will be valid only during the operation of the said Convention. When issued by the Governor such certificates will be granted to persons of such technical proficiency and will be in such form and will be subject to such conditions as the Governor shall from time to time prescribe and they may be, by whomsoever issued, endorsed or withdrawn at the discretion of the Governor in case of misconduct or breach on the part of the holder of the regulations prescribed for the working of ship stations.

Provisions  
as to  
secrecy.

13. The Licensee shall not divulge to any person (other than properly authorised officials of His Majesty's Government or a competent legal tribunal) or make any use whatever of any message coming to the knowledge of the Licensee and not intended for receipt by means of the licensed apparatus. The Licensee shall exhibit at each of the ship stations specified in the Schedule hereto a copy of Section 11 of the Post Office (Protection) Act, 1884, and any contravention of that section by any person in the employment of the Licensee shall be deemed to be a breach of the provisions of this Licence entitling the Governor under clause 22 hereof to revoke and determine this Licence.

Registers of  
messages to  
be kept.

14. The Licensee shall keep full accounts records and registers of all messages transmitted by means of the licensed apparatus and in such registers each of such messages shall be accompanied by its identifying number and date and full particulars of its place of origin and of ultimate destination and such further particulars as the Governor shall from time to time reasonably require to be shown; messages on His Majesty's service being in such registers distinguished from other messages. The Licensee shall preserve all used message forms written and printed and transcripts of messages and all other papers for a period of at least fifteen months counting from the month following that in which the radiotelegrams were handed in as prescribed by the Radiotelegraph Convention, 1912, and such registers and message papers shall be open to the inspection of the Governor or his officers thereto authorised at the Office of the Licensee in Hongkong or at such other place as may be agreed between the hours of 10 a.m. and 5 p.m. on every day except Sunday or a general or public holiday.

Accounts.

15. The Licensee shall render to the Governor such accounts as the Governor shall direct in respect of all charges, if any, due or payable under the Radiotelegraph Convention, 1912, in respect of messages exchanged between the ship stations hereby licensed and coast stations and shall pay to the Colonial Treasurer at such times and in such manner as the Governor shall direct all sums which shall be due from the Licensee under such accounts.

Power to  
Governor to  
inspect  
apparatus.

16. The Governor and any agent authorised in that behalf in writing by him may at all reasonable times enter upon all or any of the ship stations hereby licensed for the purpose of inspecting and may inspect any apparatus fixed or being in such stations respectively for the purpose of sending and receiving messages by wireless telegraphy and all other telegraphic instruments and apparatus fixed or being in such stations respectively and the working and user of such apparatus and telegraphic instrument respectively.

Licence and  
other  
documents  
to be carried  
by ships.

17. The Licensee shall carry on every ship on which a ship station is established under this Licence a print or copy of the Licence certified under the hand of the Colonial Secretary of the Colony of Hongkong or appropriate officer of the Postmaster General of the United Kingdom or of the Government of any self-governing Dominion to be a true copy and shall produce such print or copy for inspection if required to do so by the competent authorities of the countries where the ship calls. The Licensee shall also carry on every such ship such documents as may be prescribed by the Governor for the purpose of enabling the Licensee to communicate with coast stations and ship stations in accordance with the Radiotelegraph Convention, 1912.

Royalties.

18.—(1.) The Licensee shall pay to the Colonial Treasurer for and in respect of the Licence hereby granted a royalty of \$25 per annum in respect of each ship station at which the licensed apparatus is installed.

(2.) The said royalty shall be payable on the 1st of December in each year during which the Licence remains valid.

19. Except with the consent in writing of the Governor the Licensee shall not assign underlet or otherwise dispose of or admit any other person or body to participate in the benefit of the licences, powers or authorities hereby granted or any of such licences, powers or authorities. Licence not to be assigned.

20.—(1.) If and whenever an emergency shall have arisen in which it is expedient for the public service that His Majesty's Government shall have control over the transmission of messages by the licensed apparatus it shall be lawful for any Naval, Military, Customs or Police officer or any other person authorised by the Admiralty to take possession of the licensed apparatus or any part thereof in the name and on behalf of His Majesty and to use the same for His Majesty's service and in that event any such officer or person so authorised may enter upon any ship on which any such apparatus is installed and take possession of the said apparatus and use the same as aforesaid and subject to such use may use the same or allow it to be used for such ordinary services as may in his discretion seem fit to him or may prohibit and take steps to prevent the use of the same and issue directions which shall be obeyed by the Licensee to prevent such use. Power to take possession of or control apparatus upon emergency.

(2.) Any such officer or person so authorised may in such event as aforesaid instead of taking possession of the licensed apparatus as aforesaid direct and authorise such persons as he may think fit to assume the control of the transmission of messages by the licensed apparatus either wholly or partly and in such manner as he may direct and such persons may enter upon any ship on which any apparatus is installed accordingly or the said officer or person so authorised may direct the Licensee to submit to him or any person authorised by him all messages tendered for transmission or arriving by the licensed 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 so authorised may prescribe and the Licensee shall obey and conform to all such directions.

(3.) The Licensee shall be entitled to reasonable compensation for any damage to the licensed apparatus arising in consequence of the exercise of the powers conferred by this clause.

21. At any time after the                      day of                      , 192    , the Governor may in his absolute discretion give notice in writing to determine these presents and the licence or permission hereby granted at the end of one calendar month from the date of such notice and at the expiration of that period the licence or permission hereby granted shall cease and determine accordingly but without prejudice to any remedy of the Governor under any condition or provision herein contained.

22. In any of the following cases (that is to say):—

(a.) In case any sum of money which ought to be paid by the Licensee to the Colonial Treasurer under or by virtue of these presents shall be in arrear and unpaid for one calendar month after the time at which the same ought to be paid under or by virtue of the provisions herein contained; or

(b.) In case of any breach non-observance or non-performance by or on the part of the Licensee of any of the provisions (other than a provision for the payment of money) or conditions herein contained.

then and in any such case the Governor may by notice in writing under his seal revoke and determine these presents and the licences, powers and authorities hereinbefore granted and each and every of them as to all or any of the ship stations hereby licensed and thereupon these presents and the said licences, powers and authorities and each and every of them shall absolutely cease deter-

Provisions for determination of licence in certain events.

mine and become void as to all or any of the said ship stations (as the case may be) but without prejudice to any right of action or remedy which shall have accrued or shall thereafter accrue to the Governor under any condition or provision herein contained.

Licence not to affect Governor's rights.

23. Nothing in these presents contained shall prejudice or affect the right of the Governor from time to time to establish extend maintain and work any system or systems of telegraphic communication (whether of a like nature to that hereby licensed or otherwise) in such manner as he shall in his discretion think fit neither shall anything herein contained prejudice or affect the right of the Governor from time to time to enter into agreements for or to grant licences relative to the working and user of telegraphs (whether of a like nature to those hereby licensed or otherwise) or the transmission of messages in any part of the Colony by means of wireless telegraphy or by any other means with or to any person or persons whomsoever upon such terms as he shall in his discretion think fit And (save as in this Licence expressly provided) nothing herein contained shall be deemed to authorise the Licensee to exercise any of the powers or authorities conferred on or acquired by the Governor or any other person by or under any Imperial or local enactment or by or under any agreement relating to the transmission of messages by ordinary land and submarine telegraphy.

Notices, &c.

24. Any notice request or consent (whether expressed to be in writing or not) to be given by the Governor under these presents may be under the hand of the Colonial Secretary of the Colony of Hongkong and may be served by sending the same in a registered letter addressed to the Licensee at the usual or last known place of residence or business of the Licensee or if such notice request or consent relates to any particular ship station by delivery to the master of the ship upon which such station is installed and any notice to be given by the Licensee under these presents may be served by sending the same in a registered letter addressed to the Colonial Secretary of the Colony of Hongkong.

AS WITNESS my hand and seal this.....  
 day of.....One thousand  
 nine hundred and.....

*The Schedule of Ship Stations before referred to.*

1. Name of Ship on which Station established.	2. Class of Ship Station under the Radiotelegraph Convention 1912.	3. Nature of Services performed.	4. Hours of Service.	Normal Range of Signalling in Nautical Miles.		Character of Apparatus.		9. Power.		10. If Alternator is used, Number of Cycles per Second.
				5. By Night.	6. By Day.	7. System of Radiotelegraphy with the Characteristics of the System of Emission.	8. Wave Lengths (in Metres.)	Source and Maximum Output.	Maximum to be taken in Sending Instruments.	

SIGNED SEALED AND DELIVERED by )  
 .....  
 in the presence of.....

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**SECOND SCHEDULE.**


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Audit No. .

G.  R.

PERMIT TO WORK AND USE APPARATUS FOR WIRELESS TELEGRAPHY ON BOARD A  
MERCHANT SHIP IN THE HARBOURS OF THE COLONY.

*The Wireless Telegraphy Ordinance, 1913.*

*Section 6 (1) (iv).*

Permission is hereby given for the working and using of apparatus for Wireless Telegraphy on board the ships of the specified in the Schedule hereto whilst such ships are in any of the harbours of the Colony subject nevertheless to the following conditions, namely :—

CONDITIONS.

1. This Permit may be cancelled or suspended at any time by the Governor in his absolute discretion and without any reason being assigned therefor.

2. All such vessels shall obey promptly the "Naval Silence Sign" (—...—...—...—) and thereupon shall not work or use their wireless telegraphy apparatus until after the "Message Complete Sign" (...—...—) shall have been made.

3. The above Company shall render every assistance possible as required by the Post Master General by furnishing information in respect of incoming mails carried by the ships of the said Company.

4. All information received as to the weather being experienced by the vessels of the said Company at sea must be forwarded to the Harbour Office for transmission to the Observatory or sent to the Observatory direct whichever may be the more expeditious. The information should give the date and time of the observation, the position of the ship, the reading of the barometer, the direction and force of the wind, and the state of the sea and weather.

Dated at Hongkong, this                      day of                      19

Fee \$2 received

*Colonial Secretary.*

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SCHEDULE.

*Colonial Secretary.*