



# Telecommunications Act 1984

## 1984 CHAPTER 12

### PART VI

#### PROVISIONS RELATING TO WIRELESS TELEGRAPHY

##### *Miscellaneous and supplemental*

#### **88 Wireless telegraphy functions of Director**

It shall be the duty of the Director—

- (a) to exercise such functions as may be assigned to him under any enactment relating to wireless telegraphy; and
- (b) to provide the Secretary of State with such services as the Secretary of State may require him to provide for purposes connected with the exercise by the Secretary of State of the Secretary of State's functions in relation to wireless telegraphy.

#### **89 Abolition of advisory committee**

The committee established under section 9(1)(a) of the 1949 Act (the advisory committee on interference with wireless telegraphy) is hereby abolished; and the provisions of that Act relating to that committee shall accordingly cease to have effect.

#### **90 Radio interference service**

- (1) The payment out of money provided by Parliament of any expenses incurred by the Secretary of State in providing a radio interference service is hereby authorised.
- (2) In this section "radio interference service" means a service consisting in the giving of advice and assistance (whether free of charge or otherwise) to persons complaining of interference with wireless telegraphy.

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*Status: This is the original version (as it was originally enacted).*

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## **91 Construction of references to conclusion of proceedings**

- (1) Where proceedings for an offence under the 1949 Act or for the forfeiture of any apparatus under section 80 or 81 above have been terminated by any decision of a description against which an appeal will lie (whether by way of case stated or otherwise and whether with or without leave), those proceedings shall not be regarded as concluded for the purposes of section 83(1)(b) above—
  - (a) until the end of the ordinary time for appeal against that decision, if no appeal proceedings in respect of it are brought within that time ; or
  - (b) if any such proceedings are so brought, until the conclusion of the appeal proceedings.
- (2) Subsection (1) above shall apply for determining, for the purposes of paragraph (b) of that subsection or section 80(9)(b) above, when any appeal proceedings are concluded as it applies for determining when original proceedings for an offence or (as the case may be) for the forfeiture of any apparatus under that section are concluded.
- (3) References in subsection (1) above, as it applies in relation to any proceedings, to a decision terminating those proceedings, include references to any verdict, sentence, finding or order which puts an end to those proceedings.
- (4) References in this section and in section 80(9)(b) above to appeal proceedings include references to an application for leave to appeal.

## **92 Interpretation of Part VI and minor amendments**

- (1) In this Part—
  - " the 1949 Act " means the Wireless Telegraphy Act 1949 ;
  - " the 1967 Act " means the Wireless Telegraphy Act 1967; and
  - " wireless telegraphy ", " wireless telegraphy apparatus ", " emission " and " interference " have the same meanings as in the 1949 Act.
- (2) In section 15(4) of the 1949 Act (obstruction of search and seizure powers, etc.)—
  - (a) in paragraph (a) the word " intentionally " shall be inserted before the word " obstructs "; and
  - (b) in paragraph (b) the words " without reasonable excuse " shall be inserted before the words " fails or refuses ".
- (3) In section 19(1) of the 1949 Act (meaning of " wireless telegraphy ") in paragraph (iii) of the proviso for the words " electrically coupled " there shall be substituted the words " coupled by means of any material substance ".
- (4) In paragraph 6 of Schedule 2 to the 1949 Act (rules of procedure for appeal tribunal to be made by tribunal) for the words from " by the tribunal " to the end of the paragraph there shall be substituted the words " by the Secretary of State by statutory instrument. "