

*Status: Point in time view as at 25/07/2003.*

*Changes to legislation: Wireless Telegraphy Act 1949 (repealed) is up to date with all changes known to be in force on or before 27 April 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### FIRST SCHEDULE

#### PROCEDURE IN RELATION TO SUSPENSION AND REVOCATION OF AUTHORITIES TO WIRELESS PERSONNEL

- 1 The [F<sup>1</sup>Secretary of State] shall, on suspending the authority, serve on the person to whom it was issued a notice informing him of the suspension, of the grounds thereof and of his rights under the subsequent provisions of this Schedule, and further informing him that if he does not avail himself of those rights the [F<sup>1</sup>Secretary of State] may revoke the authority:
- Provided that where it appears to the [F<sup>1</sup>Secretary of State] that it is not reasonably practicable to serve the notice on the said person, the [F<sup>1</sup>Secretary of State], in lieu of serving the notice on him, shall take such steps, by advertisement or otherwise, to bring the notice to his knowledge as appear to be the [F<sup>1</sup>Secretary of State] to be reasonable in the circumstances.

#### Textual Amendments

**F1** Words substituted by virtue of [Post Office Act 1969 \(c. 48, SIF 96\), s. 3\(1\)](#) and [S.I. 1974/691, arts. 2, 3\(3\)](#)

- 2 (1) If, within such time and in such manner as may be specified in the notice, the person to whom the authority was issued requests that the question whether the authority should be revoked or the suspension thereof continued or terminated should be referred to an advisory committee, the [F<sup>2</sup>Secretary of State] unless he terminates the suspension, shall refer that question to an advisory committee accordingly.
- (2) Every such advisory committee shall consist of three persons appointed by the [F<sup>2</sup>Secretary of State], of whom one shall be an independent chairman selected by the [F<sup>2</sup>Secretary of State] and two shall be persons nominated respectively by such body or bodies representing employers of wireless operators and such association or associations representing wireless operators as seem to the [F<sup>2</sup>Secretary of State] to be appropriate for the purpose.
- (3) Where a question is referred to an advisory committee under this paragraph, the committee shall inquire into the matter, shall consider any representations made by the person to whom the authority was issued, and shall then make a report to the [F<sup>2</sup>Secretary of State] stating the facts as found by them and the action which, in their opinion, ought to be taken as respects the revocation of the authority or the continuation or termination of the suspension thereof, and the [F<sup>2</sup>Secretary of State] shall consider the report.
- (4) After considering the report of the advisory committee or, as the case may be, on the expiration of the time referred to in sub-paragraph (1) of this paragraph without the person to whom the authority was issued having required in the manner therein referred to that the question should be referred to an advisory committee, the

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[<sup>F2</sup>Secretary of State] shall, as he thinks fit, either revoke the authority, or terminate the suspension thereof, or continue the suspension thereof for such period as he thinks fit.

- (5) Where the [<sup>F2</sup>Secretary of State] revokes the authority or continues the suspension thereof, he shall, if requested so to do by the person to whom the authority was issued, inform him of the opinion which the advisory committee expressed as to the action which ought to be taken as respects the revocation of the authority or the continuation or termination of the suspension thereof.

**Textual Amendments**

**F2** Words substituted by virtue of [Post Office Act 1969 \(c. 48, SIF 96\)](#), [s. 3\(1\)](#) and [S.I. 1974/691, arts. 2, 3\(3\)](#)

- [<sup>F3</sup> (1) There shall be paid by the [<sup>F4</sup>Secretary of State]—
- (a) the expenses, to such extent as he may determine, incurred by an advisory committee under this Schedule; and
  - (b) such sums as he may determine in respect of the expenses of the members of the committee.
- (2) The approval of the Treasury shall be requisite to a determination under head (a) of the foregoing sub-paragraph and that of [<sup>F5</sup>the Treasury] to a determination under head (b) of that sub-paragraph.]

**Textual Amendments**

**F3** [Para. 3](#) substituted by [Post Office Act 1969 \(c. 48, SIF 96\)](#), [s. 3\(2\)\(b\)](#)

**F4** Words substituted by virtue of [S.I. 1974/691, arts. 2, 3\(3\)](#)

**F5** Words substituted by virtue of [S.I. 1981/1670 arts. 2\(2\), 3\(5\)](#)

<sup>F6</sup>SECOND SCHEDULE

**Textual Amendments**

**F6** Second Sch. repealed (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), [s. 411\(2\)](#), [Sch. 19\(1\)](#) (with [Note 1](#) and [Sch. 18](#)); [S.I. 2003/1900, arts. 1\(2\), 2\(1\)](#), [Sch. 1](#) (with [art. 3](#)) (as amended by [S.I. 2003/3142, art. 1\(3\)](#)); [S.I. 2003/3142, art. 3\(2\)](#) (with [art. 11](#))

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