

Draft Order laid before Parliament under section 407(4) of the Communications Act 2003, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2006 No. XXX

ELECTRONIC COMMUNICATIONS

The Wireless Telegraphy (Pre-Consolidation Amendments) Order 2006

<i>Made</i>	-	-	-	-	2006
<i>Coming into force</i>	-	-			<i>in accordance with Article 1</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 407 of the Communications Act 2003(1);

A Bill has been presented to the House of Lords on 20th April 2006 in accordance with section 407(2) of that Act;

A draft of this Order has been laid before Parliament in accordance with section 407(4) of that Act and approved by a resolution of each House of Parliament:

Citation and commencement

1. This Order may be cited as the Wireless Telegraphy (Pre-Consolidation Amendments) Order 2006 and shall come into force immediately before the commencement of the Act resulting from the Wireless Telegraphy Bill introduced in the House of Lords on 20th April 2006.

Pre-consolidation amendments

2. The modifications of—

- (a) the enactments relating to the management of the radio spectrum; and
- (b) enactments referring to enactments falling within paragraph (a),

specified in the Schedule to this Order shall have effect.

Date

Minister of State for Industry and the Regions
Department of Trade and Industry

SCHEDULE

Article 2

MODIFICATIONS

Wireless Telegraphy Act 1949 (c. 56)

1. The Wireless Telegraphy Act 1949(2) is amended as follows.
2. In section 14(7)(3)—
 - (a) after “any provision of this Act” insert “or section 7 of the Wireless Telegraphy Act 1967”(4);
 - (b) after “the provisions of this Act” insert “or section 7 of the Wireless Telegraphy Act 1967”.
3. The provisions capable of being extended to the Isle of Man or any of the Channel Islands under section 20(3) include section 1D of the Wireless Telegraphy Act 1949(5).

Telecommunications Act 1984 (c. 12)

4. In paragraph 3 of Schedule 3 to the Telecommunications Act 1984(6), after “the 1949 Act” insert “or the Marine, &c., Broadcasting (Offences) Act 1967”(7).

Wireless Telegraphy Act 1998 (c. 6)

5. For section 4(5)(b) of the Wireless Telegraphy Act 1998(8) substitute—
 - “(b) for the purpose of securing compliance with an international obligation of the United Kingdom (within the meaning of the Communications Act 2003).”.

Terminology

- 6.—(1) In the enactments falling within sub-paragraph (2) (except where otherwise provided) the following have the same meaning as in the Communications Act 2003—
 - (a) “broadcast”;
 - (b) “frequency”;
 - (c) “information”;
 - (d) “international obligation of the United Kingdom”.
- (2) The enactments are—
 - (a) the Wireless Telegraphy Act 1949;
 - (b) Part 2 of the Wireless Telegraphy Act 1967;
 - (c) Part 6 of the Telecommunications Act 1984.

(2) 1949 c.54 (12, 13 & 14 Geo 6)

(3) Section 14(7) of the Wireless Telegraphy Act 1949 (c.56) was amended by the Communications Act 2003, Schedule 17, paragraph 14(8).

(4) 1967 c.72; section 7 was amended by the Communications Act 2003, section 182(7), Schedule 17, paragraph 37 and Schedule 19(1).

(5) Section 1D of the Wireless Telegraphy Act 1949 was inserted by regulations 4 of the Telecommunications (Licensing) Regulations 1997, S.I. 1997/2930 and was amended by the Communications Act 2003, Schedule 17, paragraph 8.

(6) Paragraph 3 of Schedule 3 to the Telecommunications Act 1984 (c.12) was amended by the Powers of Criminal Courts (Sentencing) Act 2000 (c.6), Schedule 9, paragraph 92, the Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 (c.40), Schedule 4, paragraph 48(4) and the Criminal Justice (Northern Ireland) Order 1994, S.I. 1994/2795 (N.I. 15), Schedule 2, paragraph 10.

(7) 1967 c.41

(8) 1998 c.6; section 4(5) was amended by the Communications Act 2003, Schedule 17, paragraphs 145 and 148(3).