

CHAPTER 173

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TELECOMMUNICATIONS

*Ordinances Nos. 14 of 1954, 27 of 1962,
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AN ACT TO CONSOLIDATE AND AMEND THE LAW RELATING TO TELECOMMUNICATIONS

[15th July, 1954]

PART I—PRELIMINARY

Short title

1. This Act may be cited as the Telecommunications Act.

Interpretation

2. In this Act, unless the context otherwise requires—
 - *“broadcasting station” means a radio-communication station emitting by means of Hertzian waves sound transmissions intended for direct reception by the general public;
 - *“broadcast receiving station” means a radio-communication station designed for the reception of sound transmission from broadcasting stations;
 - “dealer in radio communication apparatus” means any person carrying on the business of producing, manufacturing, repairing, selling, or distributing radio-communication apparatus;
 - “message” means any communication sent or received, or made by telecommunication, or given to a telecommunication officer to be sent by telecommunication;

*Inserted by 6 of 1971, s. 2.

- “Permanent Secretary” means the Permanent Secretary for Posts and Telecommunications.
- “post” means a post, pole, standard, stay, strut or other above ground contrivance for carrying suspending or supporting a telecommunication line;
- “radio-communication” means any telecommunication by means of Hertzian waves;
- “radio-communication station” means any apparatus or any component part thereof capable of being used or being adapted for the emission or reception of Hertzian waves;
- “telecommunication” means any system for the transmission, emission or reception of signs, signals, writings, images, and sounds or intelligence of any nature by wires, radio, visual, or other electro-magnetic systems;
- “telecommunication authority” means the Permanent Secretary, and includes any officer empowered by him to perform all or any of the functions of the telecommunication authority under this Act;
- “telecommunication line” means any wire or wires used for the purpose of a telecommunication with any casing, coating, tube or pipe enclosing the same and any appliances and apparatus connected therewith for the purpose of fixing or insulating the same;
- “telecommunication officer” means any person employed either permanently or temporarily in connexion with a telecommunication established, maintained or worked by the Government, or by a person licensed under this Act.

PART II—PRIVILEGES AND POWERS OF GOVERNMENT

Exclusive privilege

3. The Government shall have the exclusive privilege of establishing, maintaining and working telecommunications within Fiji.

Power to grant

4.—(1) The telecommunication authority may, subject to the provisions of any regulations made under this Act, grant to any person a licence (hereinafter called a telecommunication licence) to establish or maintain or work a radio-communication station or telecommunication within Fiji or a licence to import radio communication equipment constructed or adapted for emission subject to such terms, provisions and limitations as the telecommunication authority may think fit to impose. (*Amended by 27 of 1962, s. 2*)

(2) A telecommunication licence shall, unless previously revoked, continue in force for such period as may be specified therein.

Revocation of licence

5. A telecommunication licence may be revoked at any time by the telecommunication authority upon proof to his satisfaction that the licence holder has contravened or failed to comply with any of the terms, provisions or limitations of the licence.

Fees and charges for telecommunication licence

6.—(1) On the issue of a telecommunication licence, and, where the regulations under this section so provide, at such times thereafter as may be prescribed by regulations, there shall be paid to the telecommunication authority by the person to whom the licence is issued such sums as may be prescribed by regulations to be made by the Minister and different provisions may be made in relation to different licences according to the nature, terms, provisions, limitations and duration thereof:

Provided that the regulations made may contain provisions authorising, in such cases as are not otherwise dealt with by the regulations, the charge by the Permanent Secretary of such sums, whether on the issue or renewal of the licence or subsequently, as may in the particular case appear to him to be proper, but this proviso shall not apply to licences of any type wholly or mainly intended to meet the needs of persons desiring to use, in a private dwelling house and without making any charge to other persons, radio-communication apparatus not designed or adapted for emission (as opposed to reception).

(2) Notwithstanding anything hereinbefore contained the Minister may by regulations provide for the remission or waiver, either in whole or in part, of any sum payable in respect of a telecommunication licence.

Powers of Government in emergency

7.—(1) On the occasion of any public emergency or in the interest of public safety the Governor-General or any officer specially authorised in that behalf by the Governor-General may—

- (a) take temporary possession of any radio-communication station or telecommunication established, maintained or worked by any person licensed under this Act;
- (b) prohibit or regulate the use of radio-communication stations or telecommunications in all cases or in such cases as may be deemed desirable;
- (c) order that any message or class of messages to or from any person or class or persons or relating to any particular subject matter, brought for transmission by, or transmitted or received by any radio-communication station or telecommunication shall not be transmitted or shall be interrupted or detained or shall be disclosed to the Governor-General or to any officer of the Government mentioned in the order:

Provided that any order made under paragraph (c) shall not be construed to apply to the use of radio-communication for the purpose of making or answering signals of distress.

(2) If any doubt arises as to the existence of a public emergency or whether any act done under this section was in the interests of public safety a certificate signed by the Governor-General and delivered to the person in charge of the radio-communication station or telecommunication shall be conclusive proof of the fact.

Power to require production of messages

8. Where it appears to the Governor-General that such a course is expedient in the public interest, he may by warrant under his hand require any person who owns or controls any radio-communication station or telecommunication to produce to him or to any person named in the warrant the originals and transcripts

of all messages or of messages of any specified class or description or of messages sent from or addressed to any specified person or place by means of such radio-communication station or telecommunication and all other papers relating to such messages.

Regulations

9.—(1) The Minister may make regulations for any purpose for which regulations may be made under this Act and for prescribing anything that may be prescribed under this Act and generally for the purpose of carrying this Act into effect and in particular but without prejudice to the generality of the foregoing may make regulations with respect to any of the following matters:—

- (a) the working and use of telecommunications;
- (b) the examination of and issue of certificates of proficiency to operators of telegraphs or of radio-communication stations;
- (c) the secrecy of telecommunications;
- (d) electrical interference with the working or using of any radio-communication apparatus and the requirements to be complied with to prevent or reduce such interference;
- (e) the rates at which and the conditions subject to which messages shall be accepted, transmitted or delivered by the telecommunication authority;
- (f) the installation by the telecommunication authority of telephones in private houses, shops or other buildings, the use of telephones so installed and the charges and fees to be paid in respect of them;
- (g) the regulation of the use of any radio-communication station on board any vessel while in the territorial waters of Fiji;
- (h) the regulation of the use of any radio-communication station on any aircraft while in or over Fiji or the territorial waters thereof;
- (i) the licensing and fees therefor, of dealers in radio-communication apparatus and the sale, transfer or use of radio-communication apparatus; (*Amended by 37 of 1966, s. 85*)
- (j) the period during which and the conditions subject to which messages and papers relating thereto, belonging to, or in the custody of the telecommunication authority shall be preserved;
- (k) the fees to be charged in respect of any search made for any message or other paper relating thereto in the custody of the telecommunication authority;
- (l) the levy of fees and other charges for the hire and use of equipment supplied or let on hire by the telecommunication authority,
(*Inserted by 37 of 1966, s. 85*)

and different regulations may be made as respects different classes or descriptions of radio-communication stations or telecommunications or as respects the same class or description of radio-communication stations or telecommunications in different circumstances.

(2) Regulations made under this section may impose penalties for any contravention or failure to comply with any of the provisions of such regulations.

(3) The penalties which may be imposed under subsection (2) shall not exceed a fine of two hundred dollars or two months imprisonment or both such fine and imprisonment together with, in the case of a continuing offence, a further fine not exceeding ten dollars for each day during which the offence continues.

PART III—POWER TO PLACE TELECOMMUNICATION LINES
AND POSTS

Power to place telecommunication lines and posts

10. The telecommunication authority may from time to time place and maintain a telecommunication line under, over, along or across, and posts in or upon, any real property and do all such works and things as may be necessary for such purpose including cutting and removing on each side of any proposed or existing line all such trees and underwood as may interfere or be likely to interfere with the construction or proper working of any telecommunication line:

Provided that—

- (a) the telecommunication authority shall not exercise the powers conferred by this section except for the purposes of a telecommunication established or maintained by the Government, or to be so established or maintained;
- (b) the Government shall not acquire any right other than that of user only in the property under, over, along, across, in or upon which the telecommunication authority places any telecommunication line or post; and
- (c) in the exercise of the powers conferred by this section, the telecommunication authority shall do as little damage as possible, and, when he has exercised those powers in respect of any property, other than property across which a right is reserved to Government whether expressly or by implication to make telecommunications without compensation, shall pay compensation to all persons interested for any damage sustained by them by reason of the exercise of those powers.

Power to enter on property

11. The telecommunication authority, his officers, servants and agents may at any time for the purpose of examining, repairing, altering or removing any telecommunication line or post, enter on the property under, over, along, across, in or upon which the line or post has been placed.

Power to alter position of overhead wires and gas and water pipes and drains

12. The telecommunication authority may, for the purpose of exercising the powers conferred upon him by this Act, alter the position of any high tension or other overhead wire or of any pipe (not being a main) for the supply of gas or water, or of any drain (not being a main drain):

Provided that—

- (a) when the telecommunication authority desires to alter the position of any such high tension or other overhead wire or pipe or drain, he shall give reasonable notice of his intention to do so, specifying the time at which he will begin to do so, the person under whose control the wire or pipe or drain is; and
- (b) a person receiving notice under the provisions of paragraph (a) may send a person to superintend the work and the telecommunication authority shall execute the work to the reasonable satisfaction of the person so sent.

Determination of disputes

13.—(1) If any dispute arises concerning the sufficiency of the compensation to be paid under the provisions of paragraph (c) of section 10, it shall, on application for that purpose by either of the disputing parties to a judge of the Supreme Court be determined by such judge. (*Amended by 37 of 1966, s. 85*)

(2) If any dispute arises as to the persons entitled to receive compensation, or as to the proportion in which the persons interested are entitled to share in it, the telecommunication authority may pay into the Supreme Court such amount as he deems sufficient, or where all the disputing parties have in writing admitted the amount tendered to be sufficient, or the amount has been determined under the provisions of subsection (1), that amount; and the judge of the Supreme Court after giving notice to the parties and hearing such of them as desire to be heard, shall determine the persons entitled to receive the compensation, or, as the case may be, the proportions in which the persons interested are entitled to share in it.

(3) Every determination of a dispute by a judge of the Supreme Court under the provisions of either of subsections (1) or (2) shall be final:

Provided that nothing in this subsection shall affect the right of any person to recover by suit the whole or any part of any compensation paid by the telecommunication authority from the person who has received the same.

Application to telecommunication authority to remove telecommunication post or line

14.—(1) When, under the foregoing provisions of this Act, a telecommunication line or post has been placed by the telecommunication authority under, over, along, across, in or upon any property and any person, entitled to do so, desires to deal with that property in such a manner as to render it necessary or convenient that the telecommunication line or post should be removed to another part thereof or to a higher or lower level or altered in form, he may require the telecommunication authority to remove or alter the line or post accordingly:

Provided that, if compensation has been paid under the provisions of paragraph (c) of section 10, or no compensation is payable thereunder, he shall when making the requisition, tender to the telecommunication authority the amount requisite to defray the expense of the removal or alteration, or half the amount paid as compensation, whichever may be the smaller sum.

(2) If the telecommunication authority omits to comply with the requisition the person making it may apply to a resident magistrate within whose area the property is situate to order the removal or alteration.

(3) A magistrate aforesaid receiving an application under the provisions of subsection (2) may, in his discretion, reject the same or make an order, absolutely or subject to conditions for the removal of the telecommunication line or post to any other part of the property or to a higher or lower level or for the alteration of its form; and the order so made shall be final.

Telecommunication lines or posts placed before commencement of Act

15. Every telecommunication line or post placed before the commencement of this Act, under, over, along, across, in or upon any property for the purposes of a telecommunication established or maintained by the Government, shall be deemed to have been placed in exercise of the powers conferred by, and after observance of all the requirements of this Act.

*Notice of acts likely to cause damage to a telecommunication line to be given and powers
in connexion therewith*

16.—(1) Any person desiring to deal in the legal exercise of a right with any property in such a manner as is likely to cause damage to a telecommunication line or post which has been duly placed in accordance with the provisions of this Act, or to interrupt or interfere with telecommunications, shall give not less than one month's notice in writing of the intended exercise of such right to the telecommunication authority.

(2) If any such person without having complied with the provisions of subsection (1) deals with any property in such a manner as is likely to cause damage to any telecommunication line or post, or to interrupt or interfere with telecommunications, a resident magistrate within whose area such property is situate may, on the application of the telecommunication authority, order such person to abstain from dealing with such property in such manner for a period not exceeding one month from the date of his order, and forthwith to take such action with regard to such property as may be, in the opinion of the said magistrate, necessary to remedy or prevent such damage, interruption or interference during such period.

(3) A person dealing with any property in the manner referred to in subsection (1) with the bona fide intention of averting imminent danger of personal injury to himself or other human beings shall be deemed to have complied with the provisions of the said subsection if he gives such notice of the intended exercise of the right as is in the circumstances possible or where no such previous notice can be given without incurring the imminent danger referred to above, if he forthwith gives notice of the actual exercise of such right to the telecommunication authority.

Power of Minister to confer powers under this Part on licensees

17. The Minister may, by notification in the Gazette, confer upon any licensee under section 4 in respect of the extent of his licence and subject to any conditions and restrictions which the Minister may think fit to impose and to the provisions of this Part, all or any of the powers which the telecommunication authority possesses under this part with regard to a telecommunication established or maintained by the Government or to be so established or maintained:

Provided that the notice prescribed in section 16 shall always be given to the telecommunication authority.

PART IV—OFFENCES

Unlicensed telecommunications

18.—(1) Any person who imports into Fiji without a licence from the telecommunication authority any radio communication equipment constructed or adapted for emission or establishes, maintains or works a radio-communication station, other than a broadcast receiving station, or a telecommunication within Fiji except under and in accordance with a licence issued under this Act shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred dollars and in the case of a continuing offence to a further fine not exceeding one hundred dollars for each week or part of a week during which the offence continues.

(Amended by 27 of 1962, s. 3)

(2) Where any person is convicted of an offence under this section, the court by which he was convicted may direct that the radio-communication station or

telecommunication in respect of which the offence has been committed or any part of such radio-communication station or telecommunication be forfeited.

Assisting the working of an unauthorised telecommunication

19. Any person who, knowing or having reason to believe that a radio-communication station or telecommunication has been established or is maintained or worked in contravention of this Act, transmits or receives any message by such radio-communication station, or telecommunication or performs any service incidental thereto, or delivers any message for transmission by such radio-communication station or telecommunication, or accepts delivery of any message sent thereby, shall be liable on conviction to a fine not exceeding fifty dollars.

Trespass and wilful obstruction of a telecommunication servant

20.—(1) Any person who—

- (a) without permission of the telecommunication officer in charge enters the signal room of a telecommunication office of the Government or of a person licensed under this Act; or
- (b) enters a fenced enclosure around such a telecommunication office in contravention of any rule or notice not to do so; or
- (c) refuses to quit such room or enclosure on being requested to do so by any officer or servant employed therein; or
- (d) wilfully obstructs any such officer or servant in the performance of his duty,

shall be liable on conviction to a fine not exceeding one hundred dollars.

(2) Any person who does any of the acts mentioned in subsection (1) with the intention of unlawfully learning the contents of any message, or of committing any offence punishable under this Act, shall be liable on conviction (in addition to the fine to which he may be liable under subsection (1)) to imprisonment for a term not exceeding one year.

Tampering with plant of telecommunication

21. Any person who, intending—

- (a) to prevent or obstruct the transmission or delivery of any message; or
- (b) to intercept or to acquaint himself with the contents of any message; or
- (c) to commit mischief,

damages, removes, tampers with or touches any battery, machinery, telecommunication line, post or other thing whatsoever, being part of or used in or about any telecommunication or in the working thereof, shall be liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding two hundred dollars or to both such imprisonment and fine.

Detaining or altering a message or revealing its contents

22. Any telecommunication officer, or any person not being a telecommunication officer but having official duties connected with any office which is used as a telecommunication office who—

- (a) wilfully secretes, makes away with or alters any message which he has received for transmission or delivery; or
- (b) wilfully, and otherwise than in obedience to an order of the Minister or of an officer especially authorised by the Minister to make the order, omits to transmit, or intercepts, or detains, any message or any part

thereof, or otherwise than in pursuance of his official duty or in obedience to the direction of a competent court, discloses the contents or any part of the contents of any message to any person not entitled to receive the same; or

- (c) divulges the purport of any message to any person not entitled to become acquainted with the same,

shall be liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding two hundred dollars or to both such imprisonment and fine.

Fraudulently transmitting messages

23. Any telecommunication officer who transmits by telecommunication any message on which the charge prescribed by the Minister has not been paid, intending thereby to defraud the Government or a person licensed under this Act shall be liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding two hundred dollars or to both such imprisonment

Impeding or delaying messages

24. Any telecommunication officer or any person not being a telecommunication officer but having official duties connected with any office which is used as a telecommunication office who is guilty of any act of drunkenness, carelessness, or other misconduct whereby the correct transmission or the delivery of any message is impeded or delayed, or any telecommunication officer who loiters or delays in the transmission or delivery of any message, shall be liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding ten dollars or to both such imprisonment and fine.

Representing without authority that a document has been issued with authority

25. Any person who, without due authority—

- (a) makes or issues any document of a nature reasonably calculated to cause it to be believed that the document has been issued by, or under the authority of, the telecommunication authority; or
- (b) makes on any documents any mark in imitation of or similar to, or purporting to be, any stamp or mark of any telecommunication office under the telecommunication authority or a mark of a nature reasonably calculated to cause it to be believed that the document so marked has been issued by, or under the authority of, the telecommunication authority,

shall be liable on conviction to a fine not exceeding fifty dollars.

Fraudulent retention of messages

26. Any person who fraudulently retains, or wilfully secretes, makes away with, or detains a message which ought to have been delivered to some other person, or being required by a telecommunication officer to deliver up any such message, neglects or refuses to do so, shall be liable on conviction to imprisonment for a term not exceeding three years or to a fine not exceeding two hundred dollars or to both such imprisonment and fine.

Offences in connexion with exercise by Government of its powers in an emergency

27. Any person who obstructs an officer authorised under section 7 in the exercise of his powers under that section or who fails to comply with any

prohibition, regulation or order made under the said section shall be liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding one hundred dollars or to both such imprisonment and fine.

Refusal or neglect to produce message

28. Any person who on being required to produce any original or transcript of a message or any paper relating to a message refuses or neglects to do so shall be liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding one hundred dollars or to both such imprisonment and fine.

Forged telegram

29.—(1) Any person who with intent to deceive forges or wilfully and without due authority alters a telegram or utters a telegram knowing the same to be forged or wilfully and without due authority altered shall be liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding one hundred dollars or to both such fine and imprisonment.

(2) For the purposes of this section the expression "telegram" means a written or printed communication sent to or delivered at a post office or telecommunication office for transmission by telecommunication.

Offences in connexion with telecommunications

30. If any person—

- (a) sends any message by telecommunication which is grossly offensive or of an indecent, obscene or menacing character;
- (b) sends any message by telecommunication which he knows to be false for the purpose of causing annoyance, inconvenience or needless anxiety to any other person; or
- (c) persistently makes telephone calls without reasonable cause and for any such purpose as aforesaid,

he shall be liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding one hundred dollars or to both such imprisonment and fine.

PART V—SUPPLEMENTAL

Onus of proof

31.—(1) Any person who is in possession of a radio-communication station shall be deemed to have worked it until the contrary is proved.

(2) The occupier of any dwelling house or premises in which there is any radio-communication station shall be deemed to be in possession thereof unless he satisfies the court that he was not aware and could not with reasonable diligence have become aware of the presence in the dwelling house or premises of the radio-communication station in question.

(3) Any apparatus which, if fully assembled and in working order, would be a radio-communication station shall not, unless completely dismantled, cease to be a radio-communication station by reason of the fact that it is temporarily incapable of emitting or receiving Hertzian waves owing to a defect or the absence of some part.

(4) Where any offence against this Act or any regulations thereunder is committed in relation to a radio-communication station on board a vessel or

aircraft the master or person in charge of such vessel or aircraft shall, without prejudice to the liability of any other person, be guilty of such offence:

Provided that this subsection shall not apply in relation to the use by a passenger on board a vessel or aircraft of any radio-communication station not designed or adapted for emission (as opposed to reception) which is not part of the radio-communication station of the ship or aircraft.

Admissibility of transcript message in judicial proceedings

32. The transcript of every message after transmission shall before delivery thereof to a person to whom the same is addressed be stamped or initialled by the official receiving the same for delivery, and such transcript message, purporting to have been so stamped or initialled, shall be admissible in every court and in every judicial proceeding as prima facie evidence of the matter therein contained being the same as that stated in the original message left for transmission, and of such original message having been duly signed and delivered for transmission by the person by whom the same purports to be signed, and it shall not be necessary to prove the signature of the person purporting to have signed such original message or that the same was left at any telecommunication office for transmission, nor to prove the stamp or initials of the official receiving such transcript for delivery.

Exemption

33.—(1) The provisions of this Act, other than the provisions of regulations made under paragraphs (g) or (h) of subsection (1) of section 9, shall not apply to any foreign vessel or aircraft.

(2) A licence shall not be required under this Act in respect of any radio-communication station being part of the radio-communication apparatus of a British vessel registered in a port outside Fiji or of a British aircraft registered outside Fiji where such radio-communication station is licensed by a competent authority in the country of registration.

(3) Nothing in this Act shall apply in respect of any telecommunication, other than radio-communication, contained wholly within a building or part of a building where such telecommunication is owned and operated by a person occupying that building or part of a building for his sole use and interest.

Inspection of radio-communication station

34. The telecommunication authority or any person authorised in writing by him on that behalf shall have the right at all reasonable hours to inspect any radio-communication station in respect of which a person is licensed under this Act.

Inspection of licence

35. Every person who is required to possess a licence under this Act shall exhibit his licence for inspection on demand by the telecommunication authority.

Compounding of offences

36.—(1) The telecommunication authority may, if he is satisfied that any person has committed an offence in connexion with a radio-communication station not being a station adapted for emission (as opposed to reception), accept from such person a sum of money by way of compensation for such offence:

Provided that such compensation shall not exceed twice the sum payable for a receiving licence for such radio-communication station.

(2) Such compensation shall be accepted only in cases where the person reasonably suspected of having committed an offence has expressed his consent in writing to the offence being dealt with under this section.

(3) In any proceedings brought against any person for an offence against this Act it shall be a good defence if such person proves to the satisfaction of the court that he has compounded the offence under the provisions of this section.

Non-responsibility for loss or damage

37.—(1) Neither the Government nor the telecommunication authority shall be responsible for any loss or damage which may occur in consequence of any telecommunication officer failing in his duty with respect to the receipt, transmission or delivery of any message.

(2) No telecommunication officer shall be responsible for any such loss unless he causes the same negligently, maliciously or fraudulently.

Non-liability of telecommunication officers for libel in message

38. No telecommunication officer shall be liable to any criminal proceedings or in any suit for damages by reason of his having in the course of his employment transmitted or conveyed by any telecommunication or taken any part in transmitting or conveying by any telecommunication any defamatory libel.

Controlled by Ministry of Works and Communications

CHAPTER 173

TELECOMMUNICATIONS

SECTION 9—TELECOMMUNICATIONS REGULATIONS

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PART I—PRELIMINARY

Short title

1. These Regulations may be cited as the Telecommunications Regulations.

Interpretation

1A. In these Regulations, unless the contrary intention appears, "standard rental area", in relation to the provision of a telecommunications service to a subscriber's premises, means the area within a radius of 3.5 km around the exchange to which, for the purposes of the provision of that service, those premises are, to be, directly connected.

(Inserted by Legal Notice 61 of 1982.)

PART II—RULES CONCERNING THE PROVISION OF TELEPHONE SERVICE

Telephone and like services subject to Regulations

2. All telephone and other like services approved or authorised by the Permanent Secretary to be approved or used at any time prior or subsequent to these Regulations shall be subject to the conditions set forth in these Regulations or in any amendments or extensions thereof.

Subscriber's agreement

3. All applications for a telephone service shall be made on the form supplied for the purpose. Intending subscribers are required to enter into an agreement with the Permanent Secretary and no telephone installation shall be commenced until such agreement has been signed; nor, at the discretion of the Permanent Secretary, shall such installation be commenced until payment of the prescribed entrance fee has been made.

(Substituted by Legal Notice 48 of 1972.)

Joint subscribers

4. At the discretion of the Permanent Secretary, persons occupying accommodation in the same premises, who wish to share the use of a single telephone installation, may enter into a joint agreement for service under the same telephone number at the prescribed charges, in which case each subscriber or any one of the subscribers, at the discretion of the Permanent Secretary, shall be regarded as the subscriber for the purposes of these Regulations:

Provided that such joint agreement shall be permissible only—

- (a) in respect of an installation comprising a single exchange line without a private branch exchange; or
- (b) in respect of a larger installation for such temporary period as separate installations cannot be provided.

(Inserted by Legal Notice 48 of 1972.)

Period of agreement

5. Telephone service at the annual rates specified in these Regulations shall be for such minimum period as the Permanent Secretary may determine at the time of application, and shall be continued thereafter until the subscriber gives notice in writing that the service is to be discontinued or until the Permanent Secretary discontinues the service.

Permission required for installation of apparatus

6. When the intending subscriber is not the owner of the premises in which he desires a telephone to be installed he shall obtain the permission of the owner of the premises for the installation and shall indemnify the Permanent Secretary against any claim arising from the work to be done in connection therewith.

Rentals payable monthly

7.—(1) The prescribed annual rentals shall be payable monthly in advance to the end of each month:

Provided that a subscriber who is connected to the telephone service on or after the 15th day of any month shall not be required to pay rental in respect of that month.

(2) Without prejudice to the provisions of regulation 8, before being connected to the service every intending subscriber shall pay in advance the first month's rental for such service and shall in addition, deposit and keep deposited with the Permanent Secretary until the service is discontinued and the subscriber's final account settled to the satisfaction of the Permanent Secretary a sum equal to the prescribed annual rental for the service, or such sum as the Permanent Secretary may determine.

(Substituted by Legal Notice 107 of 1977; amended by Legal Notice 49 of 1978.)

Deposits

8. At the discretion of the Permanent Secretary any subscriber may be required to deposit and keep deposited with the Permanent Secretary a sum not less than the average monthly value of the trunk line calls or any other supplementary services obtained by the subscriber, and on default the Permanent Secretary may decline to render any service involving a charge which has not been prepaid.

Accounts

9.—(1) Accounts for rental and all telecommunication services shall be payable to the Permanent Secretary for Posts and Telecommunications within 15 days after the service upon the subscriber of the account. Subscribers shall be responsible for the payment of the charges for all facilities obtained by means of their telecommunication apparatus and the accounts rendered shall be sufficient evidence of the amounts due by the subscribers. A subscriber is not relieved of his responsibility for payment of any unauthorised calls originated or accepted on his service. The Permanent Secretary will not undertake to refuse or restrict calls from any telecommunication apparatus to meet the needs of subscribers.

(2) For the purposes of this regulation, an account may be served on a subscriber—

(a) by delivering it to the subscriber; or

(b) by leaving it at his usual or last known place of business or residence in Fiji; or

(c) by forwarding it by post in a prepaid letter addressed to the subscriber at his usual or last known place of business or residence in Fiji.

(3) Any account forwarded by post shall be deemed to have been served on the day on which the same ought to be delivered at its destination in the ordinary course of post, and in proving service it shall be sufficient to prove that the same was properly stamped and addressed and put into the post.

(Substituted by Legal Notice 69 of 1979.)

Disconnection of service

10. If a subscriber fails to pay his rental or any other account for telecommunication services rendered within the period prescribed in regulation 9, the Permanent Secretary shall have the right to determine the subscriber's agreement summarily, disconnect his apparatus, remove his name from the directory and enter upon his premises for the purpose of recovering all apparatus, wires and other equipment and such action shall in no way prejudice the right of the Permanent Secretary to take such further steps as he may deem necessary for the recovery of the amount due. The Permanent Secretary shall also be entitled to recover from the subscriber forthwith as liquidated damages and not by way of penalty (and in addition to any such arrears aforesaid) a sum equal to the rental remaining unpaid in respect of the unexpired term of the agreement.

(Substituted by Legal Notice 69 of 1979.)

Reconnection fee

11.—(1) Should a telephone service have been suspended in terms of regulation 10, it shall only be restored on payment of the prescribed fee together with the amount of the outstanding account.

(2) In addition to the charges specified in paragraph (1), any subscriber who has not previously deposited with the Permanent Secretary for Posts and Telecommunications the amount prescribed in paragraph (2) of regulation 6 shall make such deposit before the telephone service is restored under this regulation.

(Inserted by Legal Notice 218 of 1979.)

Refunds

12. Should a subscriber discontinue the renting of a telephone service before the 15th day of any month for which rental has been paid a refund of that month's rental shall be made.

(Substituted by Legal Notice 107 of 1977.)

Removal of telephone or wires

13. If technical considerations permit, the Permanent Secretary may, on the application of a subscriber and on payment by the subscriber of the prescribed removal fees, arrange for the removal of any telephone or wires, installed in such subscriber's premises, from one position to another in the same premises or to other premises in the same exchange area and, where he considers it necessary, may revise the subscriber's rental or the terms of his agreement.

(Substituted by Regulations 21 February 1966.)

Subscriber to give notice of vacation of premises

14. Every subscriber shall, before vacating any premises to which a telephone service is connected, give notice to the Permanent Secretary of the date on which he will be vacating such premises and, unless the subscriber gives notice of intention to retain such service under the provisions of regulation 16, the Permanent Secretary may disconnect the premises from the telephone exchange as from that date, and, unless such service is transferred to another subscriber under the provisions of regulation 18, may remove the telephone instrument and apparatus from such premises.

(Substituted by Regulations 21 February 1966.)

Failure of subscriber to notify vacation of premises

15. If any subscriber vacates any premises to which a telephone service is provided without giving notice as required under the provisions of regulation 14, the Permanent Secretary may, without prejudice to his right of recovery of any amounts payable by such subscriber in respect of that service, disconnect the premises from the telephone exchange and remove the telephone instrument and apparatus from the premises, and the subscriber shall remain liable for all amounts payable in respect of such service until such time as the telephone is disconnected or is transferred to another subscriber.

(Substituted by Regulations 21 February 1966.)

Retention of telephone number or service during temporary absence from Fiji

16.—(1) During the temporary absence from Fiji of any subscriber for any period not exceeding 8 months, the Permanent Secretary may, on the application of such subscriber and on payment by the subscriber of a sum equal to the total amount which will become due in respect of monthly rental payments during the subscriber's absence, suspend the telephone service to such subscriber and retain the subscriber's current telephone number for the use of the subscriber on his return to Fiji, and, on receiving notification of the return of the subscriber to Fiji, restore the telephone service to the subscriber in the same position in the same premises or, at the request of the subscriber and on payment by him of the prescribed removal fee, either in another position in the same premises or, if technical considerations permit, in other premises in the same exchange area.

(Amended by Legal Notice 107 of 1977.)

(2) During any temporary absence of a subscriber from any premises where a telephone service is provided, the Permanent Secretary may, on the application of such subscriber, permit him to retain such service at such premises for the use of another occupier during such period of temporary absence:

Provided that the subscriber shall remain liable for the payment of all amounts payable in respect of such service under the provisions of these Regulations and of his subscriber's agreement with the Permanent Secretary, and may have an entry in the name of the temporary occupier, in the telephone directory, on payment of the prescribed fee for an additional entry. (*Substituted by Legal Notice 48 of 1972.*)

Landlord providing telephone service for bona fide tenant

17. Notwithstanding the other provisions of these Regulations, a landlord may be provided with a telephone service in premises owned by him for the use of his *bona fide* tenant, and may have a telephone directory entry in the name of the tenant in lieu of an entry in his own name. The landlord as subscriber shall remain liable for all amounts payable in respect of such service under the provisions of these Regulations and of his subscriber's agreement with the Permanent Secretary.

(*Inserted by Legal Notice 48 of 1972.*)

Transfer of existing telephone service

18. Any near relative, business partner, or firm occupying the same premises as those occupied or formerly occupied by a subscriber, who or which wishes to take over that subscriber's responsibility for the telephone service in those premises, without change of telephone number or any other change except, if desired, a change of telephone directory entry, may have the telephone service so transferred on production to the Permanent Secretary of either—

(a) the written consent of the original subscriber, his executor or administrator, in which case the new subscriber shall enter into a new agreement with the Permanent Secretary; or

(b) satisfactory evidence that he is the legal successor to the original subscriber, in which case a new agreement shall not be necessary; and on payment of the prescribed transfer fee.

(*Substituted by Legal Notice 240 of 1974.*)

Unauthorised use of telephone

19. Any person who enters into, or is in occupation of any premises in which a telephone is installed, except as provided for in regulation 16 or 17, and makes use of such telephone without the permission of the Permanent Secretary obtained under the provisions of paragraph (2) of regulation 16 or without having obtained a transfer of the telephone service under the provisions of regulation 18, shall be deemed to have assumed the service and, without prejudice to any liability on the part of any other person or the right of the Permanent Secretary to disconnect such telephone from the telephone exchange or to remove the telephone from the premises under the provisions of regulations 14 and 15, shall be liable for all amounts owing to the Permanent Secretary in respect of the telephone service to those premises at the time of his entry into occupation thereof as well as for all amounts which may thereafter become payable in respect of any use of such telephone.

(*Substituted by Legal Notice 48 of 1972.*)

Temporary connection

20. A temporary connection with an exchange may be obtained on terms to be arranged with the Permanent Secretary according to circumstances.

Power to disconnect lines in certain circumstances

21. Without prejudice to any other penalty that may be prescribed by law and to the other provisions of these Regulations the Permanent Secretary may summarily disconnect any subscriber's exchange line and cause to be removed from his premises, any apparatus, etc., belonging to the Government—

- (a) if any person is convicted of an offence under section 30 of the Act;
- (b) if in the opinion of the Permanent Secretary a place of business or house or other premises where a telephone belonging to the Government has been installed is or are used for any illegal, immoral or improper purpose;
- (c) if any person fails to observe or perform any of the provisions of these Regulations or of an agreement or any obligation on his part arising therefrom.

(Amended by Legal Notice 127 of 1981.)

Telephones not to be sold or irregularly transferred

22.—(1) A subscriber may not sell or offer for sale his telephone service neither may a subscriber accept a monetary offer for the transfer of his telephone except as provided in these Regulations.

(2) If any subscriber contravenes this regulation, or if any telephone connection is obtained in contravention of this regulation, the Permanent Secretary may require the telephone service in respect of which the offence is committed to be forfeited, and may disconnect the premises from the telephone exchange with which such premises are connected, and may remove any telephone instruments and apparatus therefrom.

(3) Nothing in this regulation shall prevent the transfer of a telephone service with the consent of the Permanent Secretary to a new or existing subscriber upon or in connection with a *bona fide* change in the occupancy of the premises in which the service is installed.

Ownership of apparatus and powers of entry

23.—(1) All telephones and other apparatus supplied by the Government are the exclusive property of the Permanent Secretary and may be removed by him upon the determination of the agreement.

(2) Every subscriber shall permit officers of the Posts and Telecommunications Department (or, when required by the Permanent Secretary so to do, procure permission for them from any other person whose permission is requisite) to enter at all reasonable times upon the subscriber's premises for the purpose of constructing, inspecting, maintaining, or altering the installation or any part thereof, or removing the installation or any part thereof whether on the subscriber's application or on the cesser or termination of provision of telephone service or on the determination of an agreement, and to have access at all reasonable times to all such parts of the installation as may be in or on the subscriber's premises.

Only Government apparatus to be used

24. No extra telephones, special instruments or appliances other than those supplied by the Government or approved by the Permanent Secretary shall be used by any subscriber in connection with an exchange line.
(Amended by Legal Notice 57 of 1971.)

Subscriber's liability for damage to apparatus

25. The Permanent Secretary shall maintain in good working order all lines, instruments and batteries, but a subscriber shall, without prejudice to the other provisions of these Regulations, pay on demand to the Permanent Secretary the amount of the damage as certified by the Permanent Secretary not due to fair wear and tear, to any Government apparatus or any wiring within his premises or under his control, whether such damage shall result from the negligence or wilful act of any person or from fire or other cause.

Precautions against damage to subscribers' premises

26. The Permanent Secretary shall take all reasonable precautions to prevent damage or injury to subscribers or their premises from any high potential current which may be conveyed to the subscriber's premises by the exchange line. But the subscriber shall make no claim against the Permanent Secretary on account of any damage or injury arising from such current not emanating from the premises of the Permanent Secretary.

Persons entitled to use a subscriber's telephone

27. Except where otherwise provided in these Regulations, a telephone connection shall be used only by the subscriber, his family, guests or employees, and exclusively on his affairs. For any breach of this regulation the subscriber shall be liable to have his telephone disconnected without prejudice to the right of the Permanent Secretary to recover the rent and any other charge due under these Regulations.

Duration of conversations

28. In the interest of the general efficiency of the telephone service, the Permanent Secretary shall have the right to terminate any conversation after the expiration of 6 minutes from the time of its commencement.

Telephone directory free entries

29. Subscribers' names and exchange telephone numbers shall be inserted once, free of charge, in each edition of a telephone directory. A subscriber who for any reason other than to correct an error or because of a change of service for which a separate charge is payable, wishes to have any entry in the telephone directory altered shall pay the prescribed fee as for an additional entry for the first issue in which the amended entry appears.

(Amended by Legal Notice 43 of 1974.)

Additional directory entries

30. On payment of the prescribed fee subscribers may have additional entries inserted in each issue of a telephone directory.

Provided that such additional entries shall refer only to the subscriber or his business. (Amended by Regulations 21 February 1966.)

Transfer of lines to other exchanges

31. The Permanent Secretary may at any time transfer a subscriber's line from the exchange to which it is connected and reconnect it to another exchange, provided that the rental shall not be increased during the currency of the fixed period of the agreement.

Allotment of numbers

32. The Permanent Secretary shall have discretion as to allotment or variation at any time of any subscriber's telephone number, or the name of the exchange with which he is connected.

Hours of service

33.—(1) A subscriber's exchange line shall ordinarily be available for his use during such hours as may be prescribed by the Permanent Secretary for observance at the exchange to which the line is connected.

Subscribers' lines joined through at night

(2) By special arrangement and whenever possible a subscriber may without extra charge be left connected with any other subscriber during the hours an exchange is closed on making written application (signed by both subscribers concerned) to the local postmaster.

Power of Permanent Secretary to refuse to connect

34. The Permanent Secretary may at his discretion—

- (a) refuse to comply with an application for connection with any telephone exchange system, or for the construction of any telephone line; or
- (b) instead of refusing absolutely to comply with any application, accede thereto only upon such conditions as to security nature of service (including type of apparatus) to be afforded, special minimum period of agreement, or other conditions as he may think fit.

Non-liability of Crown and postal officers

35.—(1) Neither the Crown nor the Permanent Secretary nor any other officer of the Department of Posts and Telecommunications shall incur any liability for or on account of or in respect of any loss or damage sustained by reason of any interruption or failure of communication by means of any installation, or any failure or error in connection with the taking or giving of messages by officers of the Department of Posts and Telecommunications, or any omission or insertion of or error in any entry in a telephone directory published by or on behalf of the Permanent Secretary.

(2) A subscriber shall not be entitled to any abatement of rental in connection with any of the matters aforesaid.

Business connections

36. For the purposes of assessment a subscriber's connection shall be deemed to be a business connection—

- (a) if it is used in connection with a warehouse, shop, office, boarding house, or otherwise wholly or in part for business or professional purposes;

- (b) if it is listed in the telephone directory at the request of the subscriber otherwise than as residential premises, or if the number allotted to the connection is used in business advertisements or communications;
- (c) if in any other way it is, in the opinion of the Permanent Secretary, being used for business or professional purposes.

Public telephones and rented coinbox telephones

37.—(1) Public call offices and public telephones may be provided at convenient points.

(2) The charges for local calls made from a public telephone shall be as prescribed in the First Schedule and the charges for trunk calls made from a public telephone shall be as prescribed in the Second Schedule.

(3) The charges payable by users for calls from a rented coin box telephone shall be the same as for calls for a public telephone, but a subscriber renting the coin box telephone shall be debited with charges as prescribed for a subscriber's telephone in the First Schedule to these Regulations or in the Second Schedule to these Regulations, and may retain the difference.

(Substituted by Legal Notice 72 of 1970.)

Unit period of conversations

38. The unit period of conversations shall be 3 minutes, reckoned from the time the caller is informed that the connection required is established.

Extension of conversations

39. Conversations may be prolonged provided that the full fee is paid for each further unit period, but the Permanent Secretary shall have the right to terminate any conversation after the expiration of 6 minutes from the time of its commencement.

Call office instructions to be observed

40. The instructions in the public call office directing users as to the procedure to be followed to obtain connection shall be precisely observed, otherwise connection will not be made even if an assurance is given that the coin has been deposited.

Extension lines

41. Extension lines, either within or beyond the building or premises to which the exchange line from which they are extended connects, may be provided at the discretion of the Permanent Secretary and upon payment of the prescribed charges.

Private branch exchanges

42. Private branch exchanges may be provided and installed at a subscriber's premises at the discretion of the Permanent Secretary and upon payment of the prescribed charges. The subscriber shall provide, at his own cost, all necessary operating attendants at the private branch exchange.

Party lines

43. At the discretion of the Permanent Secretary party-exchange lines may be provided at reduced tariff rates if the parties are situated within an exchange radius and their premises are located within a reasonable distance of each other. When by

reason of reduction or increase in the number of subscribers on a party line an alteration in rentals takes place, the new rentals shall take effect from the first day of the next half-yearly rental period except that a new subscriber shall pay the new rental from the date of connection.

Trunk line calls

44.—(1) Trunk line calls may, subject to payment of trunk line charges at the relevant rates prescribed in the Second Schedule, be made between such places within Fiji as are specified therein.

(2) Trunk line calls originating from a telephone connected to an automatic exchange with Subscriber Trunk Dialling facilities, when dialled directly by the originating subscriber, shall be considered effective and the duration calculated automatically from the time when the called subscriber first answers the calling signal at his telephone installation.

(3) Trunk line calls, other than those referred to in paragraph (2), shall be considered effective and the duration calculated from the time when the required number is connected.

(4) Trunk line calls, other than those referred to in paragraph (1), may, subject to payment by such subscriber of double the prescribed charge for an ordinary trunk line call, be given urgent priority at the request of the originating subscriber.

(Substituted by Regulations 21 February 1966; para. (5) substituted by Legal Notice 57 of 1971; paras. (5) and (6) revoked by Legal Notice 240 of 1974.)

Personal calls

45. Subject to payment of the prescribed personal call charge in addition to any other charges arising from the call, a subscriber may book a call in advance to a specified telephone number or numbers for the purpose of communication with a particular person identified by name or by such description as the Permanent Secretary may consider sufficient:

Provided that the Permanent Secretary or any person authorised by him may, in his discretion, remit such charge if communication with the specified telephone number or numbers cannot be established.

(Substituted by Regulations 21 February 1966.)

Fixed time calls

46. Subject to payment of the prescribed booking charge in addition to any other charges arising from the call, a subscriber may book a call, including a personal call, in advance for connection at a specified time:

Provided that the Permanent Secretary or any person authorised by him may, in his discretion, remit the whole or any part of such booking charge if the application is cancelled by the applicant at any time before the call is connected or if the call is connected more than 10 minutes after the specified time.

(Substituted by Regulations 21 February 1966.)

Call back service

47. A subscriber may book a call in advance to his own telephone number to be made by the operator of the telephone exchange to which his number is connected at a given time at the charges specified in the First Schedule.

(Inserted by Regulations 8 November 1961.)

Transfer of charges

48. Charges may be debited by a caller to another subscriber's account if accepted by that other subscriber at the charge prescribed in the First Schedule.
(Inserted by Regulations 8 November 1961.)

Rural lines

49. The Permanent Secretary may, in his discretion, supply telephone service by means of multi-party lines known as rural lines—

- (a) in the case of connections to an exchange, other than on the south coast of Vanua Levu or on Taveuni to any person requiring the supply of such service at a distance of more than 2 miles from the nearest exchange; and
- (b) in the case of connections to any exchange on the south coast of Vanua Levu or on Taveuni, to any person requiring the supply of such service:

Provided that—

- (i) rural lines may only be supplied where there are 5 or more persons requiring them; and if the number of subscribers on any rural line falls below 5 the remaining subscribers shall, from the first day of the next half-yearly rental period, be chargeable at the rates prescribed for party line connections; and
- (ii) should the number of subscribers to a party line, being persons eligible for a rural line, rise to 5 or more they shall, from the first day of the next half-yearly rental period, be chargeable at the rate for rural line connections.

(Substituted by Regulations 21 February 1966.)

Regrouping party and rural lines

50. The Permanent Secretary may regroup the subscribers on party lines and rural lines and may make additional connections to lines of either type without the consent of the existing subscribers, provided that the existing subscribers shall not be required to pay a higher rate of rental in respect of their existing connections.

Overloaded party lines

51. When in the opinion of the Permanent Secretary the number of calls originated or received by any subscriber connected with a party line precludes a reasonable use of the line by the other parties the Permanent Secretary may require the subscriber either to rent an individual line or to be transferred to a line with which there will be a lesser number of parties connected.

Overloaded individual lines

52. With a view to reducing the number of ineffective calls due to overloaded lines the Permanent Secretary may require any subscriber on whose line or lines the number of such calls exceeds 25 per cent of the number of effective incoming calls, to rent an additional circuit, in default of which telephone service may be discontinued.

Direct circuits

53. At any place where in the opinion of the Permanent Secretary circuits on existing poles or in telephone cables can conveniently be provided for the purpose of establishing direct communication between places of business or other premises without obtaining connection through a telephone exchange, any person may, upon making application in writing under such conditions as the Permanent Secretary may think fit to impose, obtain the use of such circuits on payment of the prescribed charges.

Telephone Credit Cards

54.—(1) The Permanent Secretary or any person authorised by him may, in his discretion, on the application of any subscriber and on payment by such subscriber of the prescribed fee, issue such subscriber with a Telephone Credit Card authorising such subscriber to make telephone calls from any telephone in Fiji, including a public telephone, and to have the charges therefor debited to such telephone account as is specified in such Telephone Credit Card.

(2) Where the Permanent Secretary has entered into an arrangement with the administration of another country—

- (a) the Telephone Credit Card issued to the telephone subscriber in Fiji may, subject to any conditions which may be notified to the subscriber to whom the card has been issued, be used to authorise the transfer of charges for telephone calls from any telephone in the said country as in paragraph (1);
- (b) a person to whom a Telephone Credit Card has been issued by the administration of the said country may, subject to any conditions notified to him, make telephone calls from any telephone in Fiji, including a public telephone and have the charges debited as provided for on his Telephone Credit Card.

(Substituted by Legal Notice 48 of 1972.)

Private telephone lines

55. Private telephone lines licensed under the Act shall be regulated by the terms and conditions of the licence.

PART III—TELEGRAPHS

Establishing telegraph service

56. The Permanent Secretary may establish telegraph service between points within Fiji and thereafter the operation, administration and conditions of service shall be in accordance with these Regulations.

Objectionable telegraphs

57. The Permanent Secretary shall have the right to reject any incoming or outgoing telegram without refunding any amount paid for its transmission if it appears that the text is—

- (a) dangerous to the security of the Commonwealth or any part of it;
- (b) contrary to the laws of Fiji;
- (c) contrary to public order or decency.

Messages to be legibly written

58. All messages for transmission must be plainly written upon the form provided for the purpose.

Sender's signature and address required

59. The sender or his representative must sign the telegram at the foot of the message form and add his address but the name of the sender is only charged for if transmitted.

All charges to be prepaid

60. Charges will be made for every work in the text and address of the message and, subject to the provisions of regulations 81 and 85, all charges must be pre-paid or, subject to the prior approval of the Permanent Secretary, charged to a telegram credit or deposit account.

(Amended by Regulations 21 February 1966.)

Form of telegram

61. Telegrams may be in plain language, code or cypher, or in a combination of such language, code or cypher.

Plain language

62. Plain language is that which offers an intelligible sense in one or more of the languages authorised for international telegraphic correspondence, but the presence of code addresses, exchange quotations, commercial marks, abbreviated expressions currently used in ordinary or commercial correspondence such as r.s.v.p., f.o.b., c.i.f., c/o, b/l or any other analogous expressions the meaning of which is understood in the country of origin, does not alter the character of a telegram in plain language. Combinations or alterations of words contrary to the usage of the language employed will not be accepted.

Code language

63. Code language is that which is composed of words which do not form intelligible phrases, but the words, whether genuine or artificial, must not contain more than 10 letters. Artificial words must not contain the accented letters, a, e, n, o, u. Compounds of 2 or more words in plain language, contrary to the usage of the language, are on no account admitted.

(Amended by Legal Notice 163 of 1977.)

Cypher language

64. Cypher language is that which is composed either of Arabic figures or of letters having a secret meaning, but the employment of groups must be of either figures or letters, but not both. Letter cypher must be arranged in groups of 10 letters.

(Amended by Legal Notice 163 of 1977.)

Counting of words

65. In telegrams written entirely in plain language, each word of over 10 letters is counted as 2 words. Commercial marks are counted at the rate of 10 characters to the word.

(Amended by Legal Notice 163 of 1977.)

Counting of cypher

66. Groups of figures or of letters which do not fulfil the conditions of plain language or of code are considered as cypher, and are counted at the rate of 10 characters to the word.

(Amended by Legal Notice 163 of 1977.)

Counting of mixed language

67. In telegrams consisting of plain language as well as code or cypher, the plain language words are counted at the rate of 10 letters to a word, and the code or cypher words at 10 letters to a word.

(Amended by Legal Notice 163 of 1977.)

Charges for code or cypher

68. The charges payable for telegrams in code or cypher are the same as for plain language telegrams.

Secret meanings

69. In the text of code telegrams the words with a secret meaning must not contain more than 10 letters. There is no restriction as to the formation of the words, but accented letters must not be used, and plain language words must not be joined together and then divided into groups of 10 letters.

(Amended by Legal Notice 163 of 1977.)

Admission of figures

70. Figures and groups of figures are admitted in code telegrams on condition that their number does not exceed one-half of the total number of chargeable words in the text and signature. They are counted at the rate of 10 figures to the word.

(Amended by Legal Notice 163 of 1977.)

Power to require production of code

71. The sender of a code telegram may be required by the office of origin to produce the code from which the text or part of the text of the telegram has been compiled.

Reply paid telegrams

72. The sender of a telegram may prepay a reply at the same time the telegram is tendered for transmission, but the amount deposited for the purpose shall not be less than the prescribed minimum charge for a telegram.

Repetition of telegram

73. The addressee of a telegram may have repeated from the office of origin without charge the telegram or any words or passages contained therein, which appear to him to be incorrect.

Address of a telegram

74. The address of a telegram must contain all the particulars necessary to ensure delivery of the telegram without enquiry, or requests for information concerning the whereabouts of the addressee.

Redirection by addressee

75. A telegram may at the written request of the addressee be redirected or retransmitted by telegraph provided that the addressee guarantees to pay all charges arising out of the redirection. Instructions for the redirection of a telegram shall be recorded free of charge for a period of one month.

Reimbursements

76. If application is made within 6 months of the date of despatch of the relative telegram, the following charges may be refunded to the persons who originally paid them, in the following cases:—

- (a) the full charge paid on any telegram which through the fault of the telegraph service has failed to reach its destination;
- (b) the full charge paid on a telegram which as a result of errors made in transmission fails to accomplish its object;
- (c) the amount deposited on an unused prepaid reply telegram.

Abbreviated addresses

77. Abbreviated telegraph addresses may be registered by the Permanent Secretary on payment of the prescribed fee. Payment shall be made up to 31 December following the date of registration, any part of a quarter being paid for as a full quarter.

Form of abbreviated address

78. No abbreviated telegraph address may consist of more than one word in addition to the name of the town or place where registration is desired. The word must not contain more than 10 letters and must be easy to read. Proper names can only in rare cases be accepted, and in no case can a proper name be registered for a person of a different name. The names of professions, trades, districts, countries, states, towns, streets and newspapers may not be used as registered addresses.

No delivery to unregistered abbreviated address

79. The Permanent Secretary shall not be required to deliver a telegram having an abbreviated telegraph address if such address has not been registered and the fee paid.

Delivery of telegram

80. A telegram taken to a place of residence or business may be delivered either to the addressee, to an adult member of his family, to his employee, lodgers or landlord, or to a servant of the house who shall sign a receipt for the telegram, unless the addressee has given special instructions to the contrary. Telegrams may be delivered by telephone to the telephone number of the addressee and will be followed by confirmation.

Telephoned telegrams

81. Notwithstanding the provisions of regulations 58 or 59, a telephone subscriber may—

- (a) send a telegram for transmission to any place within Fiji or to any locally registered ship operating within Fiji; or
- (b) with the prior approval of the Permanent Secretary, and subject to the deposit by such subscriber under the provisions of regulation 8 of such amount as the Permanent Secretary may require, send a telegram for transmission to any place outside Fiji or to any ship, other than a locally registered ship operating within Fiji,

by telephoning the contents thereof to the nearest telegraph office in Fiji, in which case all charges in respect of such telegram shall be charged to the subscriber's telephone account.

(Substituted by Regulations 21 February 1966.)

Certified copy of a telegram

82. On payment of the prescribed fee a certified copy of a telegram shall be obtainable when the applicant is able to satisfy the Permanent Secretary that he is either the sender or the addressee of the telegram:

Provided that no application for a certified copy of a telegram will be entertained if a period of 6 months or more has elapsed since the alleged date of handing in of the telegram.

External telegrams

83. The provisions of this Part shall, subject to the provisions of any international agreements entered into by or on behalf of the Government apply to external telegrams:

Provided that the charges for external telegrams shall be as from time to time determined by the Permanent Secretary in accordance with such agreement, and may be obtained, on application, at any telegraph office.

(Substituted by Regulations 21 February 1966.)

Compound words and names

84.—(1) Subject to the provisions of these Regulations as to the maximum length of words, the following rules shall apply to words occurring in the text, address, or signature:—

- (a) ordinary compound words and names shall, when written without a break, be counted as single words, but when written with a hyphen, apostrophe or other sign, shall be counted as separate words;
- (b) in the case of names of towns, provinces, countries, squares, boulevards, streets, and similar thoroughfares and towns, and of ships, and of surnames belonging to one person the foregoing rule shall apply even where the ordinary usage of the language does not sanction the name without break.

(2) In the address the following expressions, whatever the number of words or letters employed to express them, shall each be counted as one word:—

- (a) the name of the telegraph office of destination, including any indication of the country, state, province, or district added in the first column of the authorised list of offices to distinguish the office from other offices of the same name, but the name of the office shall be written as if appears in the first column of that list with the supplementary indication (if any) appearing in that column;
- (b) the name of the country, state, province, or district in which the office of destination is situated when that name (although not appearing in the first column of the authorised list of offices) is used by the sender; but the name shall be written as it appears in the second volume of the authorised list of offices or in the alternative form shown in the preface to that list;
- (c) the name of the telegraph office of destination with the name of the country, state, province, or district if the name of the office does not appear in the said list.

[(3) * * * * * (Revoked by Legal Notice 163 of 1977.)]

Telegram Credit Cards

85.—(1) The Permanent Secretary or any person authorised by him may, in his discretion, on the application of any telephone subscriber and on payment of

the prescribed charges, issue such subscriber with a Telegram Credit Card authorising such subscriber to send telegrams by telephoning the contents thereof to the nearest telegraph office from any telephone in Fiji, including a public telephone, or to lodge telegrams at any post office or telegraph office in Fiji and to have the charges debited to such telephone account as is specified in such Telegram Credit Card.

(2) Where the Permanent Secretary has entered into an arrangement with the administration of another country—

- (a) the Telegram Credit Card issued to the telephone subscriber in Fiji may, subject to any conditions which may be notified to the subscriber to whom the card has been issued, be used to authorise the transfer of charges for telegrams sent from any telegraph office in the said country as in paragraph (1);
- (b) a person to whom a Telegram Credit Card has been issued by the administration of the said country may subject to any conditions notified to him, send telegrams from any telephone, including a public telephone, post office or telegraph office in Fiji and have the charges debited as provided for on his Telegram Credit Card.

(Substituted by Legal Notice 48 of 1972.)

PART IV—RADIO-COMMUNICATIONS

Scope of Regulations

86. The Regulations contained in this Part shall apply to every class of radio communication station except such stations as may be specifically exempted herein.

Delegation of authority

87. Any of the powers or authorities given to the Permanent Secretary by these Regulations may be delegated by him to such persons as he thinks fit.

Other Acts and Regulations

88. The provisions of these Regulations are in addition to and not in derogation of the provisions of any other Act or Regulations.

Transmitting station licences

89. Before a licence is issued in respect of a transmitting station the apparatus shall be made available for inspection by an authorised officer. Any alteration affecting the technical characteristics or the location or the functioning of the apparatus made after any such inspection shall be promptly notified to the Permanent Secretary.

Classes of licences

90.—(1) The following classes of radio licences may be granted and such licences shall be in such form as the Permanent Secretary for Posts and Telecommunications may, from time to time, approve—

- (a) radio dealer's licence;
- (b) transmitting and receiving stations licences—
 - (i) fixed station licence;
 - (ii) base station licence;
 - (iii) land mobile station licence;

- (iv) coast station licence;
- (v) ship station licence;
- (vi) aeronautical station licence;
- (vii) aircraft station licence;
- (viii) experimental station licence;
- (ix) amateur station licence;
- (x) broadcasting station licence;
- (xi) earth station licence;
- (xii) cable vision station licence.

(Substituted by Legal Notice 56 of 1981.)

- (2) No licence shall be required for a broadcasting receiving station.
- (3) Units of the armed forces of any friendly power shall be exempt from the requirement to obtain licences for transmitting and receiving stations used for normal radio communications and may be permitted to operate such stations subject to there being no interference created thereby with existing telecommunications services and subject to such other restrictions as the Permanent Secretary may impose.
- (4) A transmitting station licence shall not be issued to any person under 16 years of age. *(Inserted by Legal Notice 56 of 1981.)*

Period of validity of licences

91. Except as provided in these Regulations, the fee payable for any licence described in regulation 90 shall be the fee for the full licensing year which shall be deemed to commence on 1 January.
(Substituted by Legal Notice 48 of 1972.)

Licences issued for part of the licensing year

92.—(1) In the case of any class of licence issued during the year the annual fee payable for a new licence shall be reduced by one quarter for each expired quarter of the year.

(2) A licensee who permanently leaves Fiji before the end of a year shall, on applying in writing to the Permanent Secretary, be refunded one quarter of the licence fee in respect of each uncommenced quarter of the year.

(Substituted by Legal Notice 48 of 1972.)

Non-responsibility for bodily injury or damage to property

93. Neither the Crown, the Permanent Secretary nor any officer of the Department of Posts and Telecommunications shall be liable in respect of any action, claim, or demand that may be brought or made by any person in respect of any bodily injury or damage to property or any other circumstances arising from any act permitted by a licence issued under these Regulations.

Licences subject to these Regulations

94. Every radio licence shall be deemed to be subject to the respective limitations and restrictions contained in these Regulations in respect of a licence of the class concerned as if those limitations and restrictions were set out expressly in the licence.

Licences in force till date of expiry or revocation

95. Except where otherwise provided in these Regulations, every licence issued under these Regulations shall be in force from the time of the granting thereof until the date of expiration shown thereon (if any) or until suspended, revoked, or withdrawn.

Licensees to observe the Regulations

96. Every licensee of a radio communication station shall faithfully observe and cause to be observed all the conditions and provisions of the licence and of these Regulations so far as they are applicable.

Personal responsibility of licensee

97. Notwithstanding any approval that may from time to time be given to the licensee by the Permanent Secretary for any person other than the licensee to utilise any radio station for the transmission of any message or communication, the licensee shall be personally responsible for the observance of these Regulations and all other conditions imposed as if any such message or communication were delivered by him.

Responsibility for infringement of copyright, etc.

98. The issue of a licence under these Regulations shall not relieve the licensee of responsibility for any infringement of copyright or of any patent for an invention, or of compliance with any other regulations, instructions, or rules which may otherwise be applicable.

Licences not transferable

99. Except with the consent in writing of the Permanent Secretary or any person authorised by him in that behalf, a licensee shall not assign, sublet, transfer, or otherwise dispose of, or for the purpose of profit admit any other person or body to participate in the benefit of any licence.

Fixed station licences

100. Except in the case of a portable station, a radio communication station licence shall authorise the erection, construction, establishment, possession and use of a station, plant or apparatus capable of transmitting and/or receiving radio communications, at the particular address or in the vessel or vehicle specified in the licence, but nowhere else.

(Substituted by Legal Notice 56 of 1981.)

Dismantling or removal of stations

101.—(1) In the event of a radio communication station licensed under these Regulations being dismantled, or (except in the case of a portable station) removed from the address, vessel or vehicle specified in the licence, the licensee shall, within 7 days thereafter, notify the Permanent Secretary for Posts and Telecommunications accordingly.

(2) In the event of any radio communication equipment licensed under these Regulations being disposed of by the licensee, he shall within 7 days thereafter, notify the Permanent Secretary in writing accordingly, giving details of the method of disposal and, where appropriate, the name and address of the new owner of the equipment.

(Substituted by Legal Notice 56 of 1981.)

Mobile stations

102. Mobile stations shall be subject to such conditions regarding field of operation as the Permanent Secretary may deem it necessary to impose.

Refusal to grant a licence

103. The Permanent Secretary may, at his discretion, refuse to grant an application for any class of radio licence or operator's certificate, permit, or authorisation.

Special terms, conditions and restrictions

104. The Permanent Secretary may, in connection with any licence, certificate, permit, or authorisation, impose such terms, conditions and restrictions, not inconsistent with the Act or these Regulations, as he thinks fit.

Operators of transmitting stations to have proper authorisation

105.—(1) Except as otherwise provided in these Regulations or in the case of an emergency involving the safety of life or property, no person shall operate the apparatus at a transmitting station licensed under these Regulations unless he is the holder of a valid certificate or certificates of the required class and recognised by the Permanent Secretary or of a permit or other authorisation issued by the Permanent Secretary.

(2) Any person contravening this regulation shall be guilty of an offence.

Authorisations to be in a form approved by the Permanent Secretary

106. Any such certificates, permits, and authorisations shall be in such form and subject to such conditions, directions or rules as the Permanent Secretary may from time to time approve in that behalf.

Licences and authorisations to be available for inspection

107.—(1) The licensee of any radio communication station and the operator of the station shall cause the licence and the operator's certificate, permit, or authorisation, as the case may be, to be available at the station at all times for inspection by an authorised officer.

(2) In the case of a mobile station in the land mobile service, the Permanent Secretary may direct that the licence shall at all times be displayed in the vehicle in which the station is installed.

Allotment of call signs

108. The Permanent Secretary shall allot to every transmitting station licensed under these Regulations an official call sign by which the station shall be identified, and which shall be used in the manner prescribed by the Permanent Secretary for the particular type of service concerned.

Harmful interference to be avoided

109.—(1) The licensee of a transmitting station shall operate the station in such manner as not to cause harmful interference to other stations and shall comply with all such directions and observe all such rules as may be given or made by the Permanent Secretary from time to time for that purpose.

(2) Any licensee failing to comply with any directions given to him under this regulation or failing to observe any rules made under this regulation shall be guilty of an offence:

Provided that it shall not be deemed to be a breach of this regulation if harmful interference experienced at a receiving station is, in the opinion of the Permanent Secretary due to the use at that station of receiving apparatus which is of inferior design or construction.

Transmitting stations to be operated under the best conditions

110. Every licensee of a transmitting station shall cause the station, so far as possible, to be established and operated under the best conditions, and to be kept abreast of scientific and technical progress, and in particular the characteristics of the emissions shall unless otherwise prescribed by the Permanent Secretary, be in conformity with the appropriate provisions of the International Radio Regulations.

Aerials close to electric supply and telecommunication lines

111. Radio aerials shall not be erected above or below lines used for the supply of electricity, or above or below any lines erected and maintained by the Department or by a person licensed under the Act, or sufficiently near to any such lines to permit contact with them should any such lines or the radio aerial break or become detached from its support, or the support fail.

No station to have a monopoly of a frequency

112. The assignment of any frequency to any transmitting station shall not be held to confer upon the station a monopoly of the use of that frequency with or without restriction as to time.

Energy radiated by receiving apparatus

113. Every licensee of a radio communication station shall ensure that the energy radiated by the receiving apparatus thereof is reduced to the lowest possible value and that it does not cause harmful interference to other stations.

Maintenance of log records

114.—(1) Subject to paragraph (2), the licensee of every transmitting station shall, unless exempted by the Permanent Secretary for Posts and Telecommunications, keep a log record showing the hours during which the station is in operation, the time of each transmission, the station called and the power and the frequency used.

(2) It shall not be necessary to keep a log record in respect of—

- (a) a station operating in the VHF or UHF land mobile services;
- (b) a station operating in the frequency band 26.964 MHz to 27.276 MHz.
(Substituted by Legal Notice 56 of 1981.)

Improper use of call signs

115. Every person who, by means of a radio communication station, impersonates any other radio communication station or any other person, or who improperly uses the call sign of another radio communication station, shall be guilty of an offence.

Secrecy of radio-communications to be preserved

116.—(1) Every licensee, operator, or other person who, by virtue of his participation in the operation of any radio communication station, has access to public or private correspondence or other radio-communication not intended for his information shall preserve the secrecy of any such correspondence or communication, and shall not in any unauthorised manner make use of any information whatsoever that may come to his knowledge by any such means, whether the correspondence or communication is received involuntarily or otherwise; and except as authorised in these Regulations any such licensee, operator, or person shall not reproduce or cause or permit to be reproduced in a newspaper or elsewhere or communicated to any third party any such correspondence or communication or any information obtained therefrom, nor shall its existence be disclosed.

(2) Any person contravening any of the provisions of paragraph (1) shall be guilty of an offence.

Publication of correspondence or radio-communications

117.—(1) Except with the authority of the Permanent Secretary, no licensee, operator, or other person shall communicate to a newspaper for publication any correspondence or other radio-communication that may be received from any radio communication station:

Provided that the provisions of this regulation shall not apply to the private correspondence of the licensee.

(2) Any person contravening any of the provisions of paragraph (1) shall be guilty of an offence.

PART V—ELECTRICAL INTERFERENCE WITH RADIO RECEPTION

Permanent Secretary's powers to require fitting of devices to prevent interference

118.—(1) If at any time any apparatus, motor, machinery, vehicle, installation or appliance causes interference with any radio communication station or radio reception, the Permanent Secretary may require such apparatus, etc., to be fitted at the owner's expense with devices or suppressors to limit such interference and thereafter such apparatus, etc., shall not be used without such devices.

(2) If it is found impossible to suppress such interference the Permanent Secretary may require the owner of the apparatus, etc., to discontinue its use or to remove the same to such a distance from any radio communication station or radio receiver as may be necessary to limit interference.

(3) Any person who—

(a) uses any apparatus or other thing mentioned in paragraph (1) without having a device or suppressor fitted thereto to limit interference, when the owner thereof has been required by the Permanent Secretary to fit such a device or suppressor thereto; or

(b) uses such apparatus or thing as aforesaid or, being the owner thereof, fails to remove the same to such a distance from any radio communication station or radio receiver as may be necessary to limit such interference, upon the owner's being required by the Permanent Secretary to discontinue the use or to remove the same,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$100 and in the case of a continuing offence to a further fine of \$10 for each day during which the offence continues.

(Inserted by Regulations 6 August 1959.)

PART VI—CERTIFICATES, PERMITS AND EXAMINATIONS

Class of certificates

119. The classes of certificates which may be granted by the Permanent Secretary are—

- (a) restricted radio-telephone operator's certificate;
- (b) amateur operator's certificate;
- (c) radiotelegraph operator's special certificate.

(Amended by Legal Notice 56 of 1981.)

Radio-telephone operators' permits

120. A radio-telephone operator's permit may be issued to any British subject who has given proof that he possesses a satisfactory knowledge of the rules and regulations applicable to the particular class of station or service named in the permit and who has satisfied any other conditions which the Permanent Secretary may prescribe.

Radiotelegraph operator's special certificate

120A.—(1) To qualify for a radiotelegraph operator's special certificate, a candidate shall—

- (a) pass a written examination in the elementary principles of radiotelegraphy and radiotelephony communications;
- (b) demonstrate an ability to send correctly by hand, and receive correctly by ear, in the Morse code—
 - (i) code groups at a speed of 16 groups per minute; and
 - (ii) a plain-language text at a speed of 20 words per minute;
- (c) pass a test on the knowledge of the practical operation and adjustment of radiotelegraphy and radiotelephony apparatus; and
- (d) give proof that he has knowledge of the regulations, applying to radiotelegraphy and radiotelephony communications, especially of that part of those regulations applying to safety of life at sea.

(2) For the purposes of subparagraph (b) of paragraph (1)—

- (a) a code group shall comprise a combination of all or any of the following, that is to say, letters, figures and punctuation marks, that is equivalent to 5 characters, where—
 - (i) a letter counts as 1 character; and
 - (ii) a figure or punctuation mark counts as 2 characters; and
- (b) the average length of a word in a plain-language text shall be 5 letters.

(Inserted by Legal Notice 56 of 1981; Substituted by Legal Notice 115 of 1982.)

Duplicate certificates or permits

121. A duplicate certificate or permit may be issued on production of satisfactory evidence that the original has been lost or destroyed.

Secrecy of correspondence

122. Before any certificate, permit or authorisation under these Regulations is issued a declaration that he will preserve the secrecy of correspondence shall be signed by the applicant.

Age of certificate holders

123. A restricted radio-telephone operator's certificate or an amateur operator's certificate shall be issued only to a person not less than 16 years of age.

Non-British subjects

124. A radio operator's certificate or permit shall not be issued to a person who is not a British subject.

Authorisations

125.—(1) The Permanent Secretary may in exceptional circumstances issue an authorisation to a person who is not a British subject for the operation of a licensed station.

(2) Any such authorisation may be in respect of a particular station and may be subject to such other conditions as the Permanent Secretary may prescribe.

Certificates issued outside Fiji

126. The Permanent Secretary may at his discretion recognize as the equivalent of an operator's certificate issued under these Regulations an operator's certificate of similar class issued by another country of the Commonwealth.

Conditions for the conduct of examinations

127. The Permanent Secretary may from time to time prescribe the conditions for the conduct of any examination pursuant to these Regulations.

Amateur operator's certificates

128. To qualify for an amateur operator's certificate a candidate shall pass an examination comprising—

- (a) a written examination in the elementary principles of electricity and of radio-telegraphy and radio-telephony and in the adjustment and operation of radio apparatus used in a typical amateur station;
- (b) morse operating, both sending and receiving at a speed of 12 words a minute; and
- (c) a knowledge of such of these Regulations as are applicable to the amateur service:

Provided that the Permanent Secretary may exempt from the provisions of paragraph (b) of this regulation a candidate for a certificate to operate only on wave bands above 30 MHz.

(Amended by Legal Notice 133 of 1975; 115 of 1982.)

PART VII—SHIP STATIONS

Ships

129. The provisions of this Part shall apply only to ships registered in Fiji. Ships registered in other countries shall be subject to the general provisions of the International Radio Regulations, except that while in Fiji waters, a ship not registered in Fiji shall observe the requirements of regulation 134.

Frequencies

130. Ship radio installations when operating on the frequencies specified in the licence must conform with the International Regulations regarding frequency tolerances and must not cause interference on any other frequencies.

Inspection and approval prior to issue of licence

131. The installation must be inspected and approved by an officer of the Posts and Telecommunications Department before a licence can be issued.

Unnecessary or anonymous calls forbidden

132. The transmission of unnecessary or anonymous calls is forbidden.

Ships to avoid interference

133. All ships must listen on the appropriate frequency before commencing a call in order to ensure that interference is not caused to another vessel already in communication with the Coast Station.

Prohibition on use of radio in harbour

134.—(1) The use of radio apparatus other than a very high frequency radiotelephone while in port or harbour is prohibited except in cases of emergency or for urgent messages, when no other form of communication is available. Calls other than distress calls may be addressed to the nearest Coast Station only:

Provided that British and foreign warships may be permitted the use of radio apparatus while in port or harbour for the purpose of normal radio-communications, subject to non-interference with existing telecommunications services and to any other restrictions that the Permanent Secretary may impose.
(Amended by Regulations 7th January 1964; Legal Notice 56 of 1981.)

(2) Any person contravening the provisions of this Regulations shall be guilty of an offence.

Log Book

135. A log book giving a record of calls made and time should be kept by all licensed vessels.

(Amended by Legal Notice 56 of 1981.)

Inspection of apparatus

136. The radio installation, accessories, and all logs and message files should be available for inspection at any reasonable time by an officer of the Department of Posts and Telecommunications.

Secrecy

137.—(1) It is prohibited to receive radio correspondence other than that which the station is authorised to receive, but, in case such correspondence is received involuntarily, it must be neither reproduced nor communicated to third persons, nor used for any purpose whatsoever, and the very existence thereof must

not be revealed. The contents of any message must not be disclosed other than to the addressee.

(2) Any person contravening any of the provisions of paragraph (1) shall be guilty of an offence.

PART VIII—PRIVATE, AMATEUR, AND EXPERIMENTAL RADIO STATIONS AND LICENCES

Private radio communication stations

138. Private radio communication stations providing radio-communication from points where no public communication facilities are reasonably available, may be licensed by special arrangement with the Permanent Secretary and such stations shall be operated in accordance with the terms and conditions as set forth in the licence:

Provided that the Minister may, if he is satisfied that it is in the national interest to do so, authorise in writing the licensing of such a station, on such terms and conditions as he may deem appropriate, to provide radio communication from any points notwithstanding that such facilities are reasonably available from those points. (*Amended by Legal Notice 127 of 1981.*)

Exemption from payment of licence fee

139. The licensee of a private station other than a ship station which forms part of the public communications system of Fiji may be exempted by the Permanent Secretary in his discretion from payment of the fee prescribed in the Fourth Schedule.

Amateur stations

140. The erection of amateur radio communication stations will be authorised and a licence issued subject to the following conditions:—

(a) application must be made on the form approved for the purpose by the Permanent Secretary for Posts and Telecommunications;

(b) licences will be issued to persons of British nationality only. Applicants must produce evidence of British nationality and 2 referees as to character, who must not be related to the applicant and must themselves be of British nationality and be persons of reputable standing;

Provided that the Minister may, in writing, authorise the issue of a licence on such conditions as he may deem appropriate to a person not being of British nationality;

(c) the licensee shall observe the provisions of the International Telecommunications Convention and these Regulations and such regional Regulations as may be issued from time to time;

(d) the licensee shall observe any conditions which may be set out on the licence either by these Regulations or by the Permanent Secretary;

(e) the licensee shall not receive any payment (either direct or indirect) for the use of the station or allow the station to be controlled by or used for the purposes of any political organisation.

(*Amended by Legal Notice 57 of 1971; 56 of 1981.*)

Qualifications for amateur licensee

141. The applicant will be required to satisfy the Permanent Secretary as to his technical knowledge and knowledge of procedure before a licence can be granted. For this purpose an examination may be held under the supervision of the Permanent Secretary or his representative.

PART IX—BROADCASTING STATIONS

Broadcasting stations

142. Broadcasting stations shall be conducted in accordance with the terms and conditions of the licence issued therefor.

(Amended by Legal Notice 57 of 1971.)

Subject to Part IV

143. Broadcasting stations shall also be subject to the provisions of Part IV, as far as they may be applicable to those stations.

PART X—BROADCAST RECEIVING STATIONS

Broadcast receiving stations

144. Broadcast receiving stations shall be subject to the provisions of Part IV, as far as they are applicable to those stations, and also to the provisions of this Part.

(Amended by Legal Notice 57 of 1971.)

Secrecy

145. No owner or operator of a broadcast receiving station shall, without the written consent of the Permanent Secretary, commit to writing or cause, enable or assist any other person to commit to writing for the purpose of publication in a newspaper or for the purpose of written publication in any other form, any matter transmitted from any radio station either in Fiji or overseas.

(Amended by Legal Notice 57 of 1971.)

PART XI—RADIO DEALERS

(Heading inserted by Legal Notice 57 of 1971.)

Radio dealers to be licensed

146.—(1) It shall not be lawful for any person to sell, or offer for sale, or have in his possession for sale, in the way of his business, any plant, machinery, instruments, material, or other apparatus designed and intended for use in connection with radio-communication, as defined in the Act, unless he is the holder of a dealer's licence issued to him under these Regulations. *(Amended by Regulations 19 November 1962; Legal Notice 56 of 1981.)*

(2) Paragraph (1) shall not apply to apparatus designed solely for the reception of domestic broadcast transmissions. *(Substituted by Legal Notice 56 of 1981.)*

(3) Any person who contravenes the provisions of paragraph (1) shall be guilty of an offence. *(Inserted by Legal Notice 56 of 1981.)*

Not transferable

147. Except with the consent of the Permanent Secretary no radio dealer's licence shall be transferable.

Licence to be displayed

148. Every radio dealer licensed under these Regulations shall exhibit in a prominent position within the premises his radio dealer's licence.
(Substituted by Legal Notice 56 of 1981.)

Demonstration authorised under dealer's licence

149. With the approval of the Permanent Secretary and subject to such conditions as he may impose, a licensed radio dealer may establish and operate, or allow to be operated for the purpose of demonstration only, at the place of business mentioned in the radio dealer's licence, or, for a period not exceeding 7 days, at the premises of a prospective purchaser, or elsewhere as may be specially authorised by the Permanent Secretary, a transmitting and receiving station although such station is not otherwise licensed.

(Substituted by Legal Notice 57 of 1971.)

Record of sales to be kept

150.—(1) Every radio dealer shall keep at his place of business a separate and true record of sales of radio transmitting sets made by him including the date of the transaction, the name and address of the purchaser, the class and serial number of the purchaser's licence (if the set is to be used in Fiji), and sufficient particulars of the set such as type, maker's name and serial number, to enable it to be identified with reasonable certainty.

(2) The Permanent Secretary or any telecommunications officer authorised by him in writing in that behalf may require a radio dealer to produce to him for inspection the record required to be kept under the provisions of paragraph (1).

(3) The Permanent Secretary may also require a dealer to submit to him such returns of sales at such intervals as he may direct.

(4) Any radio dealer who fails to comply with the provisions of paragraph (1) or who without reasonable excuse fails to produce his record or render sales returns when required to do so under the provisions of paragraphs (2) and (3), shall be guilty of an offence.

(Substituted by Legal Notice 48 of 1972.)

Sale only to licensee

151.—(1) It shall not be lawful for a radio dealer to sell or otherwise dispose of a radio-transmitting set to a person who does not hold a valid licence of the appropriate class for the set in question.

(2) Any dealer contravening the provisions of paragraph (1) shall be guilty of an offence. Where the offence is of selling or otherwise disposing of a radio transmitting set in contravention of the provisions of paragraph (1) the penalty shall be a fine not exceeding \$200.

(Amended by Regulations 19 November 1962; Legal Notice 57 of 1971.)

Definitions

152. For the purposes of this Part, a radio transmitting set is any apparatus which, with or without the addition of external morse key, microphone, aerial or power supply, is capable of emitting radio-communications, and includes a complete set of components designed and intended to be assembled so as to become such apparatus. (Amended by Legal Notice 57 of 1971.)

PART XII—GENERAL

Charges and fees

153. The charges and fees set out in the Schedules shall be payable in respect of the matters therein referred to:

Provided that—

- (a) any fraction of a cent appearing in the total of an amount shall be rounded up to the next cent; and
- (b) the telecommunication authority may remit or waive any charges or fees payable—
 - (i) by any Commonwealth or foreign government, or any department thereof, having a permanent or semi-permanent base in Fiji by agreement with the Government in respect of any telecommunication licence held by such government of department thereof; or
 - (ii) by any person in respect of any telecommunication licence held by such person in connection with any telecommunication service operated by him for or on behalf of, or by agreement with, the Government.

(Substituted by Regulations 21 February 1966; amended by Legal Notice 197 of 1968.)

General penalty

154. Any person guilty of an offence against these Regulations for which no specific penalty is prescribed herein shall be liable to a fine not exceeding \$40.

FIRST SCHEDULE

(Regulation 153)

(Substituted by Legal Notice 137 of 1982. Amended by Legal Notices 114 of 1983; 86 of 1985.)

TELEPHONE FEES AND CHARGES

\$

PART A—CONNECTION FEES

1. For each direct exchange connection, whether by ordinary direct line, rented coin box line, shared service line or party line.

- (a) Where an exchange connection and the associated installation already exist and are taken over from the previous subscriber, with or without change of telephone number and without alteration or removal of telephone apparatus

15.00

Where the telephone installation is required in another position in the same room or in another room in the same building the appropriate removal fee as prescribed in Part E shall also be payable.

(b) where wiring exists and only a telephone apparatus is to be installed in the original position, with or without number change	30.00
(c) in all other cases	60.00
Provided that—	
(a) no connection fee shall be payable when a transfer fee is payable under the provisions of regulation 18; and	
(b) where the connection is to be provided at a building which is outside the standard rental area such additional connection fee may be charged as may be determined by the Permanent Secretary for Posts and Telecommunications having regard to the distance of the building from the exchange and the plant and work involved in making the connection; and	
(c) in areas of new development where complete underground reticulation to subscriber's building is requested by the developer, a charge of \$60 per building section or such greater charge as may be determined by the Permanent Secretary for Posts and Telecommunications having regard to the plant and additional work involved, shall be levied on and be payable by the developer, in addition to the connection fee payable by each applicant for telephone services; the applicant or the developer shall be responsible for providing a suitable conduit and draw wire from a point indicated by the Permanent Secretary for Posts and Telecommunications at or outside the border of the section to the building where telephone service is or may be required; and	
(d) where an underground feed is required to a building which could normally be served by means of an overhead feed, such additional connection fee may be charged as may be determined by the Permanent Secretary for Posts and Telecommunications having regard to the plant and additional work involved in providing the underground feed.	
2. For each external extension—	
(a) within the same property	40.00
(b) connected via a public exchange	60.00
3. For each internal extension or internal extension bell	20.00
4. For each private manual branch exchange equipped for up to—	
(a) 2 exchange lines and 4 extensions	50.00

(b) 3 exchange lines and 9 extensions	60.00
(c) 5 exchange lines and 20 extensions	90.00
(d) 10 exchange lines and 50 extensions	120.00
(e) 10 exchange lines and 100 extensions	150.00
(f) 10 exchange lines and 160 extensions	180.00
5.—(a) For each electromechanical private automatic branch exchange equipped for up to—	
(i) 5 exchange lines and 20 extensions	150.00
(ii) 10 exchange lines and 50 extensions	300.00
(iii) 20 exchange lines and 100 extensions ..	600.00
(b) For each electronic private automatic branch exchange equipped for up to—	
(i) 10 exchange lines and 48 extensions	200.00
(ii) 20 exchange lines and 96 extensions	300.00
6. For a socket for connection of approved apparatus to a telephone line	25.00
7. For other facilities not specified above	Such fee as the Permanent Secretary for Posts and Telecommunications considers necessary to cover the actual costs incurred.

PART B—ANNUAL RENTALS FOR EXCHANGE SERVICE

\$

1. For each exchange connection where the subscriber's building is situated within the standard rental area—	
(a) ordinary exclusive line service—	
business	48.00
residential	39.00
(b) coin box line service (including coin box)	78.00
(c) shared service—	
business	39.00
residential	33.00
(d) party line service—	
business	24.00
residential	21.00
2.—(a) For each exchange connection where the subscriber's building is situated outside the standard rental area, the rental prescribed in item 1 shall be increased as follows for each 500 metres or part thereof of line lengths beyond the standard rental area—	
(i) exclusive line service	4.80
(ii) shared service	3.12
(iii) automatic party line service	1.50
(b) For manual party line service outside the standard rental area, the rental prescribed	

in item 1(d) shall be increased as follows—

(i) Up to 8 km from exchange—	
business	7.20
residential	4.80
(ii) over 8 km and up to 16 km from exchange—	
business	15.00
residential	9.60
(iii) over 16 km and up to 32 km from exchange—	
business	24.00
residential	19.20
(iv) over 32 km and in 2 km steps from exchange	As in (iii), and in addition, \$4.80 for each 2 km or part thereof in excess of 32 km.

PART C—ANNUAL RENTALS FOR TELEPHONE EXTENSIONS AND PRIVATE BRANCH EXCHANGES

\$

1. Telephone extensions—

The charges for telephone extensions apply whether the extensions lines are connected to a main telephone, to a private branch exchange or to a private exchange not connected to the public telephone system.

(a) For each internal extension—	
standard telephone instrument and wiring	21.00
(b) For each external extension—	
(i) standard telephone instrument on same property	36.00
(ii) standard telephone instrument within the same standard rental area if line is routed via the local telephone exchange	96.00
(c) For each extension from a private branch exchange to the office or residence, in the same exchange area, of another person or organisation where service could be given by the public telephone system:	72.00
	in addition to the charges prescribed in (a) or (b)

Provided that the Permanent Secretary of Posts and Telecommunications may—

- (i) waive this charge where he deems it to be in the public interest to do so,
- (ii) refuse the service if the extension would exceed 2 km in length

2. Other extension facilities—

(a) extension telephone in parallel with another telephone (internal only)	21.00
(b) plug and socket extension (internal only)—	
(i) first socket with bell	6.00

(ii) each socket after the first	6.00
(iii) each plug-ended telephone after the first	21.00
(c) switching telephone and extension(s)—	
(i) main telephone (in addition to rental for exchange connection)	30.00
(ii) internal extension telephone	27.00
(iii) external extension on the same property	42.00
(iv) external extension within the same standard rental area if line is routed via the local telephone exchange	102.00
3. Private manual branch exchanges—	
For each unit equipped for up to—	
(a) 2 exchange lines and 4 extensions	72.00
(b) 3 exchange lines and 9 extensions	108.00
(c) 4 exchange lines and 16 extensions	162.00
(d) 5 exchange lines and 20 extensions	180.00
(e) 7 exchange lines and 30 extensions	270.00
(f) 10 exchange lines and 50 extensions	288.00
(g) 10 exchange lines and 100 extensions	315.00
(h) 10 exchange lines and 160 extensions	360.00
4. Private automatic branch exchange—	
(a) For each electromechanical non-extensible unit equipped for up to—	
(i) 2 exchange lines and 5 extensions	108.00
(ii) 4 exchange lines and 10 extensions	216.00
(iii) 4 exchange lines and 24 extensions	576.00
(iv) 5 exchange lines and 20 extensions	648.00
(v) 10 exchange lines and 50 extensions	1,188.00
(vi) 20 exchange lines and 100 extensions	1,980.00
(b) For each electronic private automatic branch exchange equipped for up to—	
(i) 6 exchange lines and 24 extensions	1,080.00
(ii) 10 exchange lines and 48 extensions	1,404.00
(iii) 20 exchange lines and 96 extensions	2,340.00
(c) For an uninterrupted power supply for use with (a) or (b) above	300.00
5. For each private branch exchange operators telephone in excess of 1 telephone per operating position	6.00
6. For a tie line connecting 2 private branch exchanges in the same standard rental area—	
(a) if both private branch exchanges are rented by the same subscriber	192.00
(b) if the two private branch exchanges are rented by different subscribers	As in (a) and in addition 150.00
7. For other extension and private branch exchange facilities and apparatus	Such amount as the Permanent Secretary for Posts and Telecommunications may determine.

PART D—CALL CHARGES

	\$
1.—(a) For a local call from a subscriber's telephone	0.07
(b) For a call connected by an operator which could be dialled by the subscriber	0.30
2. For a local call from a public exchange	0.10
3. For an alarm call from a public exchange operator at prearranged time	0.30
4.—(a) For an internal trunk call dialled by the subscriber	As prescribed in the Second Schedule
(b) For an internal trunk call connected by an operator which could have been dialled by the subscriber	A 30c surcharge will be made
5. For an urgent internal trunk call connected manually by an operator	Double the normal charge, plus the surcharge of 30c in 4(b)
6. For an internal personal call (whether or not the wanted person is available)	0.30 in addition to any other charges payable for the call
7. For an internal collect call	0.30 in addition to any other charges payable for the call as in 4 and 5 above
8. For advice of the charge for an internal trunk call connected manually by an operator	0.30 in addition to any other charges payable for the call
9. For international calls—	Such charges as shall from time to time be determined by the Permanent Secretary for Posts and Telecommunications in accordance with any agreement entered into by or on behalf of the Government.

PART E—MISCELLANEOUS FEES AND CHARGES

	\$	
1. Removal of telephone lines and apparatus		
(a) for removal of an exchange connection or an extension, including an associated telephone instrument—		
(i) to another position in the same room	10.00	
(ii) to another room in the same building	15.00	
(iii) to other buildings—		The connection fee prescribed in Part A for a corresponding new connection in the new building
(b) for removal of a private branch exchange or any other apparatus not specified in (a)—		Such amount as the Permanent Secretary for Posts and Telecommunications may determine
2. For transfer of existing telephone service in terms of regulation 18	15.00	
3.—(a) For change of serviceable apparatus or subscriber's number at subscriber's request—		
(i) telephone instrument	15.00	
(ii) change of number	10.00	
(iii) other apparatus		Such amount as the Permanent Secretary for Posts and Telecommunications may determine
(b) for a change of subscriber's name under the same ownership	10.00	
4. Reconnection fee	20.00	
5. Lockable telephone—		
for each telephone instrument fitted with a built-in locking device: per annum in addition to other prescribed rental	4.80	
6. Internal extension bell: per annum	4.80	
7. Joint subscribers—		
for each additional subscriber beyond the first: per annum in addition to prescribed rental for a single telephone connection	12.00	
8. Temporary telephone service (for which charges as follows are payable in lieu of the charges prescribed in Parts A—C)		
(a) for connection to a ship alongside a wharf, where facilities are available; per day or part thereof	10.00	

(b) for an exchange connection and standard telephone instrument requiring not more than 500 metres new line construction—	
(i) for any period up to 2 weeks	60.00
(ii) for each additional period of 2 weeks or part thereof	4.00
(c) for any other temporary facilities—	Such amount as the Permanent Secretary for Posts and Telecommunications may determine
9. For changing the class of service of an extension on a private branch exchange, per visit	10.00
10. For a socket for connection of approved apparatus to a telephone line, per annum	6.00
11. Verification of call charges—	
(a) for checking call metering equipment	2.00
(b) for providing daily meter reading at subscriber's request; per day	1.00
(c) for providing printed record of metered calls for a temporary period, at subscriber's request	3.00
and in addition, per day	1.00
(d) for providing details of trunk calls connected manually by an operator, per call	0.20
Provided that fees prescribed in this item shall be remitted if the records of the Department of Posts and Telecommunications are found to be faulty or in error	
12. Telephone Directory entries—	
(a) for each additional entry after the first; per issue	5.00
(b) for each line of type or part thereof, additional to the first line, in a main entry or an additional entry, in the main alphabetical section of the directory: per issue	2.00
(c) Subscribers who do not wish to have their numbers published in the Directory will be required to pay an ex directory charge of \$24 per issue. The Department will not guarantee secrecy of the number and operators will not under any circumstances divulge ex directory numbers.	
13. Telephone/telegraph credit card services; per annum	9.00
14. For any other facility or apparatus not otherwise specified in this Schedule	Such amount as the Permanent Secretary for Posts and Telecommunications may determine

**PART F—CHARGES FOR TELEPHONE
PRIVATE WIRES (LEASED CIRCUITS)**

\$

1. For a telephone private wire (without connection to the public telephone system) provided only for the sole use of the renter and exclusively for his own business—
 - (a) Connection fees—
 - (i) for each line from the renter's premises within the standard rental area to the local exchange 30.00
 - (ii) for each carrier type trunk circuit 60.00
 - (iii) for each line interconnecting 2 exchanges 60.00
 - (b) Annual rental—
 - (i) for a private wire between a subscriber's premises, within the standard rental area, and the local telephone exchange 48.00
 - (ii) for each telephone, if any, directly connected to the private wire 21.00
 - (c) annual rental for a private wire extending beyond a standard rental area or interconnecting 2 exchanges—
 - (i) using subscriber cable \$18.00 per additional 500 metres or part thereof
 - (ii) using trunk telephone cable \$48.00 per radial km or part thereof
 - (iii) using a carrier type trunk circuit Such amount as the Permanent Secretary for Posts and Telecommunications may determine
2. For telephone private wire facilities not specified in this Part Such amount as the Permanent Secretary for Posts and Telecommunications may determine

PART G—FEES AND CHARGES FOR PRIVATELY OWNED TELEPHONE SYSTEMS

	\$
A licence for a privately owned telephone system extending beyond single building will be issued by the Permanent Secretary for Posts and Telecommunications only in exceptional circumstances, for example, if the Permanent Secretary is unable to provide service, in which case the licence may be revoked when service can be provided.	
1.—(a) Annual licence fee for each telephone instrument—	
(i) not having access to the public telephone system	2.00
(ii) having access to the public telephone system	12.00
(aa) Annual licence fee for a point-to-point power line carrier system for single voice grade channel	100.00
(b) Annual licence fee for each private exchange	
(i) not having access to public telephone system	18.00
(ii) having access to public telephone system	30.00
2. Connection fee for connecting a private telephone system to a public telephone exchange	As prescribed in Part A for direct exchange connections
3. Annual rental for a direct exchange connection connecting a private telephone system to a public telephone exchange	As prescribed in Part B for direct exchange connections
4. For facilities provided in connection with privately owned telephone systems, not specified in this Part	Such amount as the Permanent Secretary for Posts and Telecommunications may determine.

	Suva Deuba Nausori Navua Talevu Vunidawa Nayavu	Ba	Labasa Dikoi Savusavu Taveuni	Lautoka Nadi/ Namaka	Levuka	Nabouwalu	Rakiraki	Sigatoka	Tavua Nadarivatu Vatukoula	Vunisea	Lakeba Lomaloma
Nabouwalu	12 seconds	12 seconds	12 seconds	12 seconds	18 seconds	..	18 seconds	12 seconds	12 seconds	12 seconds	12 seconds
Rakiraki	12 seconds	30 seconds	12 seconds	18 seconds	12 seconds	18 seconds	..	12 seconds	45 seconds	12 seconds	12 seconds
Sigatoka	18 seconds	18 seconds	12 seconds	18 seconds	12 seconds	12 seconds	12 seconds	..	18 seconds	12 seconds	12 seconds
Tavua- Nadari- vatu Vatukoula	12 seconds	45 seconds	12 seconds	30 seconds	12 seconds	12 seconds	45 seconds	18 seconds	See Right Hand Column	12 seconds	12 seconds
Vunisea	12 seconds	12 seconds	12 seconds	12 seconds	12 seconds	12 seconds	12 seconds	12 seconds	12 seconds	..	12 seconds
Lakeba Lomaloma	12 seconds	12 seconds	12 seconds	12 seconds	12 seconds	12 seconds	12 seconds	12 seconds	12 seconds	12 seconds	See Right Hand Column

PART B—Rates for trunk calls other than those originating from public telephones, connected manually by an operator. The standard charge is the rate shown in this table for up to the first 3 minutes, and one-third of the rate shown for each additional minute or part thereof. Between the hours of 6 p.m. and 6 a.m.; the charge is one-half of the standard charge, rounded up when necessary to the nearest whole cent.

Suva Deuba Nausori Navua Talevu Vunidawa Nayavu	See Right Hand Column	\$1.05	\$1.05	\$1.05	69c	\$1.05	\$1.05	69c	\$1.05	\$1.05	\$1.05
Ba	\$1.05		\$1.05	27c	\$1.05	\$1.05	42c	69c	27c	\$1.05	\$1.05

Suva-Deuba/Navua 27c, Suva-Nausori 27c, Suva-Talevu/Vunidawa/Nayavu 27c, Deuba/Navua-Nausori 42c, Deuba/Navua-Talevu/Vunidawa/Nayavu 42c, Nausori-Talevu/Vunidawa/Nayavu 27c, Nayavu-Talevu/Vunidawa 27c, Talevu-Vunidawa 27c.

	Sava Deuba Nausori Navua Talevu Vunidawa Nayavu	Ba	Labasa Dilo Savusavu Taveuni	Lautoka Nadi/Namaka	Levuka	Nabouwalu	Rakiraki	Sigatoka	Tavua Nadarivatu Vatukoula	Vunisea	Lakeba Lomaloma	
Labasa Dilo Savusavu Taveuni	\$1.05	\$1.05	See Right Hand Column	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	Labasa-Dilo 42c Labasa-Savusavu 42c Labasa-Taveuni 69c Dilo-Savusavu 42c Dilo-Taveuni 27c Savusavu-Taveuni 42c
Lautoka Nadi/ Namaka	\$1.05	27c	\$1.05	See Right Hand Column	\$1.05	\$1.05	69c	69c	42c	\$1.05	\$1.05	Lautoka-Nadi/Namaka 27c
Levuka	69c	\$1.05	\$1.05	\$1.05	69c	69c	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	
Nabouwalu	\$1.05	\$1.05	\$1.05	69c	69c	69c	69c	\$1.05	\$1.05	\$1.05	\$1.05	
Rakiraki	\$1.05	42c	\$1.05	69c	\$1.05	69c	69c	\$1.05	27c	\$1.05	\$1.05	
Sigatoka	69c	69c	\$1.05	69c	\$1.05	\$1.05	\$1.05	\$1.05	69c	\$1.05	\$1.05	
Tavua Nadarivatu Vatukoula	\$1.05	27c	\$1.05	42c	\$1.05	\$1.05	27c	69c	See Right Hand Column	\$1.05	\$1.05	Tavua-Nadarivatu 15c Nadarivatu-Vatukoula 15c Tavua-Vatukoula 15c
Vunisea	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	
Lakeba Lomaloma	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	\$1.05	See Right Hand Column

In addition there will be a surcharge of 30c for each trunk call connected by an operator which could be dialled by the subscriber.

THIRD SCHEDULE
(Regulation 153)
(Substituted by Legal Notice 137 of 1982.)

TELEGRAPH FEES AND CHARGES

PART A—TELEGRAMS

1. Internal telegrams, other than telegrams to or from ships at sea—	\$
(a) Full rate telegram— not exceeding 12 words	0.60
for each additional word	0.05
(b) Urgent telegram	Double the rate for a full rate telegram
(c) Press telegram not exceeding 60 words	0.60
for each additional 20 words or part thereof	0.20
(d) Phonogram	0.10
	in addition to all other charges
(e) Greetings telegram	0.20
	in addition to all other charges
2. Telegrams to or from ships at sea, via Suva Radio coast station—	
(a) Telegram to or from a locally registered ship operating in Fiji waters— not exceeding 7 words	0.84
for each additional word	0.12
(b) Telegrams to or from any other ship— not exceeding 7 words	2.10
for each additional word	0.30
3. In addition to charges specified in 1–2 above; handling charge on all telegrams	0.50
4. International telegrams	Such charges as shall from time to time be determined by the Permanent Secretary for Posts and Telecommunications in accordance with any agreement entered into by or on behalf of the Government.

	\$
5. Certified copy of a telegram; for each copy.....	0.50
6. Abbreviated telegraph address— for each address registered with the Permanent Secretary for Posts and Telecommunications: per annum	12.00
7. Telegraph/Telephone credit card service per annum	9.00

PART B—TELEX SERVICE

1. Annual rental—	
(a) For each exchange connection situated within the standard rental area of a telephone ex- change, including local line, teleprinter, re- perforator, tape reader and associated equipment	840.00
For desk to accommodate telex equipment (optional extra)	30.00
(b) For each exchange connection where the subscriber's building is situated outside the standard rental area of a telephone exchange, the rental prescribed in (a) shall be increased as follows in respect of line length or circuit distance beyond the standard rental area—	
(i) for each 500 metres or part thereof (of line length)	5.40
(ii) for each telegraph transmission channel	480.00
(iii) for a telephone Trunk circuit	
	Such amount as the Permanent Secretary for Posts and Tele- communications may determine.
Connection fee: per exchange connection	70.00

3. For an internal telex call, the time purchased for each 7c unit fee shall be as shown in the following table:

	Suva Nausori Tailevu Vuni- dawa	Deuba Navua	Sigatoka	Lautoka Nadi Namaka	Ba Rakiraki Tavua Vatu- koula	Levuka	Labasa Savusavu Taveuni
Suva.....	90	45	15	15	15	45	15
Nausori.....	seconds	seconds	seconds	seconds	seconds	seconds	seconds
Tailevu.....							
Vunidawa.....							
Deuba.....	45	90	45	15	15	15	15
Navua.....	seconds	seconds	seconds	seconds	seconds	seconds	seconds
Sigatoka.....	15	45	90	45	45	15	15
	seconds	seconds	seconds	seconds	seconds	seconds	seconds
Ba.....	15	15	45	45	90	45	15
Rakiraki.....	seconds	seconds	seconds	seconds	seconds	seconds	seconds
Tavua.....							
Vatukoula.....							
Levuka.....	45	15	15	15	45	90	15
	seconds	seconds	seconds	seconds	seconds	seconds	seconds
Labasa.....	15	15	15	15	15	15	90
Savusavu.....	seconds	seconds	seconds	seconds	seconds	seconds	seconds
Taveuni.....							
Lautoka.....	15	15	45	90	45	15	15
Nadi.....	seconds	seconds	seconds	seconds	seconds	seconds	seconds
Namaka.....							

4. For international telex calls.....

Such charges as shall from time to time be determined by the Permanent Secretary for Posts and Telecommunications in accordance with any agreement entered into by or on behalf of the Government.

**PART C—TELEPRINTER PRIVATE WIRES
(LEASED CIRCUITS) AND OTHER TELE-
GRAPH FACILITIES**

	\$
1. Annual rental for a teleprinter private wire—	
(a) for local line between a subscriber's premises within the standard rental area and the local telephone exchange.....	48.00
(b) for line extending beyond the standard rental area of a telephone exchange or interconnecting two exchanges—	
(i) using subscriber cable.....	\$18.00 per additional 500 metres or part thereof
(ii) using trunk telephone cable.....	\$48.00 per radial km or part thereof
(iii) using telegraph transmission equipment	Such amount as the Permanent Secretary for Posts and Tele- communications may determine
(c) for teleprinter and associated apparatus—	
(i) Send/receive page teleprinter and desk....	420.00
(ii) Send/receive page teleprinter with perforator and tape reader, and desk	630.00
(iii) Receive only printing reperforator.....	420.00
(iv) Keyboard perforator.....	180.00
(v) Tape reader.....	180.00
2. Connection fees for a teleprinter private wire—	
(i) for each send/receive teleprinter	70.00
(ii) for any other machine referred to in (c) of item 1.....	40.00
(iii) for a telegraph transmission channel	60.00
3. For other telegraph facilities not specified in this part.....	Such amount as the Permanent Secretary for Posts and Tele- communications may determine.

FOURTH SCHEDULE

(Regulation 153)

(Substituted by Legal Notice 137 of 1982; Amended by Legal Notice 114 of 1983.)

RADIOCOMMUNICATIONS—FEES AND CHARGES

PART A—CERTIFICATES, PERMITS AND LICENCES

	\$
1. For a certificate or permit issued in terms of regulations 119–128	2.00
2.—(a) For a licence for an authorised transmitting and receiving station, other than a broadcasting station, a coast station, a base station, a radio station operating in a point-to-point network or a hand held transceiver operating in the 27 MHz band, per annum	10.00
(b) For a licence for a privately operated Coast Station given under special approval in the VHF/MF bands, per annum	100.00
(c) For a licence for an authorised base station per annum	25.00
(d) For a licence for a point-to-point radio link issued in terms of regulation 138; per single voice grade channel hop, per annum	200.00
(e) For a licence to operate a hand held transceiver operating in the 27 MHz band with an RF output power up to and including 50 mW; per annum	2.00
(f) For a licence to operate a hand held transceiver operating in the 27 MHz band with an RF output power exceeding 50 mW (but not exceeding 2.5W for land use or 5W for marine use); per annum	10.00
3. For a licence for an authorised broadcasting station per annum	15.00
4. For a radio dealer's licence	
(a) if dealer's building is situated within 20 kilometres radius of Lautoka Post Office, Nadi Post Office or Suva Post Office; per annum	15.00
(b) if dealer's building is situated outside the area defined in (a); per annum	10.00
5. For a duplicate of any certificate permit or licence referred to in items 1–4	2.00

PART B—RADIOCOMMUNICATIONS
FACILITIES AND SERVICES

	\$
1. Rental for very high frequency manual radiophone service—	
(a) for use of a Department of Posts and Telecommunications' base station, lines, exchange and associated equipment; per annum	96.00
(b) as in (a) and also for use of Department of Posts and Telecommunications' fixed outstation; per annum	270.00
(c) as in (a) and also for short-term use of Department of Posts and Telecommunications' portable outstation; per week or part thereof	15.00
(d) for use by a single mobile or portable outstation of more than one Department of Posts and Telecommunications' base station; per annum	21.00
	in addition to other charges
2. Rental for other very high frequency or ultra high frequency radio services—	
(a) for a single channel point to point link using Department of Posts and Telecommunications' equipment throughout and terminating at both ends on, but not including, standard telephone instruments or other standard equipment; per annum	720.00
(b) for an exclusive omnidirectional link through a Department of Posts and Telecommunications' base station—	
(i) for use of Department of Posts and Telecommunications base station; per annum	744.00
(ii) for use of Department of Posts and Telecommunications' control equipment at renters premises and linking line within a standard rental area; per annum	48.00
(iii) for each fixed outstation provided by the Department of Posts and Telecommunications; per annum	270.00

(c) for shared use by mutual agreement of all the users, of an omnidirectional link through a Department of Posts and Telecommunications' base station—	
(i) for use of Department of Posts and Telecommunications base station—per sharing renter (each renter paying rental separately) with a maximum of 5 sharing renters, per annum	504.00
(ii) for each fixed outstation provided by the Department of Posts and Telecommunications; per annum	270.00
3. Rental for high frequency, single sideband radio service from a land-station; for use of the Department of Posts and Telecommunications' transmitting and receiving base station, terminal equipments, lines, exchange and associated equipment; per annum	96.00
4. Connection fee for any of the rented facilities referred to in this Part	Such amount as the Permanent Secretary for Posts and Telecommunications may determine to meet the actual costs involved in providing the rented facility.
5. For a telephone call, the charge for which is not elsewhere prescribed, between a radio station and a telephone in the public telephone system of Fiji—	
(a) in the high frequency and very high frequency maritime mobile radio services for shipping not registered in Fiji; for each minute or part thereof, subject to a minimum charge for 3 minutes	0.75
(b) in the high frequency maritime mobile radio service for shipping registered in Fiji; for each minute or part thereof, subject to a minimum charge for 3 minutes	0.50
(c) in the very high frequency maritime public correspondence radio service for shipping registered in Fiji; for each minute or part thereof, subject to a minimum charge for 3 minutes	0.25

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| (d) In the high frequency land radio service: for each minute or part thereof, subject to a minimum charge for 3 minutes | 0.25 |
| (e) in the very high frequency manual radiophone service; for each minute or part thereof, subject to a minimum charge for 3 minutes | 0.20 |
| (f) in the very high frequency or ultra high frequency radio service when there is an exclusive direct link with a public telephone exchange | |

As prescribed for calls from a telephone, other than a public telephone, connected to the said exchange.

Provided that, in the case of the services referred to in (d) and (e) if in the opinion of the Permanent Secretary for Posts and Telecommunications, is performing a substantial public service by permitting reasonable public use of his station, the charges prescribed in this item for calls originating from the radio station shall be reduced by one-third.

6. For a phonogram, the charge shall be as prescribed in the Third Schedule and shall not include any charge for the telephone call:

Provided that if the phonogram is to a destination in Fiji and is forwarded from a radio station to which the proviso to item 6 applies, the charge for the phonogram shall be reduced by one-third.

7. For other telephone call facilities

As prescribed in items 5-9 in Part D of the First Schedule.

8. For other radiocommunications facilities and services

Such amount as the Permanent Secretary for Posts and Telecommunications may determine.

FIFTH SCHEDULE
 (Regulation 153)
 (Substituted by Legal Notice 137 of 1982.)

DATA SERVICES—FEES AND CHARGES
 PART A—CONNECTION FEES

1. For each direct exchange connection of a modem:—

Transmission speed of modem	Modem provided by the Department	Privately-owned modem
	\$	\$
2,400 bits per second.....	100.00	200.00
4,800 bits per second.....	125.00	225.00
9,600 bits per second.....	150.00	250.00

2. For connection of a data line connecting two exchanges \$60.00
3. For connection of splitting/combining facilities (for each splitting/combining point) \$60.00 for each 5 splits/combinations or part thereof.

PART B—ANNUAL RENTALS

1. Standard modem, including leased data lines within the standard rental area— \$
- (a) transmission speed 2,400 bits per second 720.00
- (b) transmission speed 4,800 bits per second 1,734.00
- (c) transmission speed 9,600 bits per second 1,926.00
2. Short-haul modem (adjustable speed), including leased data lines within the standard rental area *504.00
3. Leased data lines (other than data lines to which item 4 relates), being either data lines (single cable pair) outside the standard rental area or data lines connecting two exchanges—
- (a) using cable:—

Transmission speed of connected modems	Subscriber cable (per 500 metres or part thereof)	Trunk telephone cable (per radial kilometre or part thereof)
	\$	\$
2,400 bits per second.....	18.00	48.00
4,800 bits per second.....	21.00	57.00
9,600 bits per second.....	24.00	69.00

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| (b) using a carrier-type trunk circuit | Such amount as the Permanent Secretary may determine. |
| 4. Leased data lines to which, but for this item, item 3 would apply, being data lines for use with privately-owned modems, where the Department has not declined to provide standard modems | 125% of the charge that, but for this item, would be applicable under item 3. |
| 5. Splitting/combining facilities (for each splitting/combining point) | \$96.00 for each 5 splits/combinations or part thereof. |
| 6. Data line (one cable pair), within the standard rental area, providing the direct exchange connection of a privately-owned modem | \$48.00 |

PART C—OTHER SERVICES AND FACILITIES

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| 1. Data services and facilities not specified in Part A or B | Such amounts as the Permanent Secretary may determine. |
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(Orders in Council and subsidiary legislation made under Imperial Enactments)

WIRELESS TELEGRAPHY ACT, 1949 12, 13 & 14 Geo. 6 c. 54

THE WIRELESS TELEGRAPHY (COLONIAL SHIPS AND AIRCRAFT) ORDER, 1954

And whereas by the Wireless Telegraphy Act, 1949, it is among other things provided that Her Majesty may by Order in Council direct that any reference in section 6 of the said Act to any British ship or aircraft registered in the United Kingdom shall be construed as including a reference to any British ship or aircraft registered in certain other places:

1. Any reference in section 6 of the said Act to British ships and aircraft registered in the United Kingdom shall be construed as including a reference to British ships and aircraft registered in any colony, British protectorate or British protected state, or registered under the law of any other country or territory outside the United Kingdom which is for the time being administered by Her Majesty's Government in the United Kingdom.
2. (Omitted).

3. The Interpretation Act 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

4. This Order may be cited as the Wireless Telegraphy (Colonial Ships and Aircraft) Order, 1954, and shall come into operation on the 21st day of April 1954.

THE WIRELESS TELEGRAPHY
(COLONIAL SHIPS AND AIRCRAFT) REGULATIONS, 1954

1.—(1) In these Regulations the expression "Act" means the Wireless Telegraph Act, 1949, the expression "The British Islands" means the United Kingdom, the Channel Islands, and the Isle of Man, and other expressions have the same meaning as they have in the Act.

(2) The Interpretation Act 1889 shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. The application of sections 1, 2, 3, 4 and 5 of the Act to stations and apparatus for wireless telegraphy on board any British seagoing ship or British aircraft which is registered in any colony, British protectorate or British protected state, or registered under the law of any other country or territory outside the British Islands which is for the time being administered by Her Majesty's Government in the United Kingdom, but which is not for the time being in or over the British Islands or the territorial waters adjacent thereto, shall be subject to the limitations contained in these Regulations.

3. The said sections shall not apply to any station or apparatus for wireless telegraphy on board any ship or aircraft which is for the time being in or over the colony, protectorate, state, country or territory in which or under the law of which it is registered, or the territorial waters adjacent thereto.

4. No person who uses any station or apparatus for wireless telegraphy on board any such ship or aircraft while it is outside the limits of the British Islands, such colony, protectorate, state, country or territory as aforesaid, and the territorial waters respectively adjacent thereto, shall be deemed thereby to commit an offence under section one or section three of the Act if such use is in accordance with the provisions of a valid licence for the use of the station or apparatus on board the ship or aircraft, granted by the proper authority in the colony, protectorate, state, country or territory in which or under the law of which the ship or aircraft is registered.

5. These Regulations shall come into operation on the first day of June 1954, and may be cited as "The Wireless Telegraphy (Colonial Ships and Aircraft) Regulations, 1954."

Controlled by Ministry of Communications, Transport and Works