

RADIO INTERFERENCE PROVISIONS OF THE WIRELESS TELEGRAPHY ACTS 1949 AND 1967

*[NOTE:- This Instruction has been revised to take account of the Post Office Act 1969 and individual paragraphs have not therefore been 'starred']

1. **General.** The Wireless Telegraphy Acts 1949 and 1967 do not automatically confer powers on the Ministry of Posts and Telecommunications to compel the owners of interfering apparatus to fit, or pay for the fitting of, suppressors. This Instruction outlines the provisions of the Acts so that if the public complain that the Acts are not being applied a correct explanation of the position can be given. *Under no circumstances should P.O. radio interference staff refer to the Act as a means of persuading owners of interfering apparatus to fit suppression equipment.*

2. **Parts of the 1949 Act.** The W.T. Act 1949 consists of three parts:-

(a) *Part I* provides permanent legislation for the licensing of "Wireless Telegraphy" - (see definition in par. 4).

(b) *Part II*, with which this Instruction is concerned, embodies provisions for controlling by regulations and enforcement notices, undue interference with radio reception.

(c) *Part III* contains supplementary provisions as to penalties, legal proceedings, etc.

3. **1967 Act.** As far as this Instruction is concerned, the main impact of the W.T. Act 1967 is to amend Part II of the 1949 Act to enable regulations to be made in respect of wireless telegraph apparatus; such apparatus was specifically excluded in the 1949 Act.

4. **Interpretation.** The expression "Wireless Telegraphy" is defined by section 19(1) of the 1949 Act. The effect of the definition is to include the sending or reception of electromagnetic energy (up to 3×10^6 MHz) otherwise than by any form of line communication for any of the following purposes:-

(a) conveyance of messages, sound or images

(b) actuation or control of machinery or apparatus

(c) the determination of position bearing or distance, or for the gaining of information as to the presence, absence, position or motion of any object or of any objects of any class.

5. **Deliberate Interference.** The only provision of Part II of the 1949 Act which is enforceable without first making regulations is that dealing with deliberate interference, which states that:-

"Any person who uses any apparatus for the purpose of interfering with any wireless telegraphy shall be guilty of an offence under the Act".

It will be appreciated that it would be extremely difficult to prove in a court of law whether interference was caused deliberately or not and any case in which deliberate interference is suspected should be reported to the Ministry of Posts and Telecommunications (TRRD/TU) at the *earliest possible opportunity*.

6. Regulations. The 1949 Act provides for the establishment of an Advisory Committee which may make recommendations to the Minister as to the issue of regulations controlling interference. After consulting the committee, the Minister may make regulations with which (a) apparatus to be sold by manufacturers, assemblers or importers and (b) apparatus as used, should comply. Such regulations may stipulate the maximum permitted interference field which may be radiated by such plant, and, with mains-borne interference, the maximum interference voltage which may be injected into the mains. The "manufacturer" regulations will probably say that, after a specific date, apparatus of certain types should be disposed of by the manufacturer, assembler or importer only if it complies with certain requirements. The 'user' regulations will, it is thought, say that after a specified date, no one should cause interference in excess of prescribed limits by using named classes of apparatus. The owner will, however, be free to use his apparatus until his attention is drawn to the fact that he is causing interference.

7. Issue of Regulations. To date (February 1969) regulations for the control of interference have been made as follows:-

'The W.T. (Control of Interference from Ignition Apparatus) Regulations 1952'
(see A 0024).

'The W.T. (Control of Interference from Electric Motors) Regulations 1955'
(see A 0021)

'The W.T. (Control of Interference from Refrigerators) Regulations 1955'
(see A 0022).

'The W.T. (Control of Interference from Electro-medical Apparatus)
Regulations 1963' (see A 0023).

As other interference regulations are made Instructions describing them will be issued.

8. It is important that staff engaged on radio interference work should continue to rely on the goodwill of those concerned even after regulations have been made and endeavour to encourage amongst those members of the public with whom they have to deal, consideration for the "good reception" of their neighbours. It is emphasized that no threats or reference to the compulsory suppression of interference should be made.

Reference:- A 0021, A 0022, A 0023, A 0024
(NP8.1)

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