

New Zealand.



Title.

ANALYSIS.

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| <ol style="list-style-type: none"> 1. Short Title. 2. Offence of defrauding revenue by means of improper use of telephones. 3. General penalty for offences with intent to defraud revenue. 4. Regulations as to the inspection of telegrams by authorized persons. 5. Dealers in wireless apparatus to be licensed. 6. Portion of fees received in respect of wireless-telegraphy licenses may be applied in assistance of broadcasting agencies. | <ol style="list-style-type: none"> 7. Persons or companies authorized to maintain broadcasting services deemed, for purposes of law relating to patents, to be agents of Post and Telegraph Department. 8. Extending authority of Postmaster-General to pay moneys at credit of account of deceased depositor in Post Office Savings-bank without requiring probate or letters of administration. |
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1924, No. 19.

Title. AN ACT to amend the Post and Telegraph Act, 1908.
[24th October, 1924.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title. 1. This Act may be cited as the Post and Telegraph Amendment Act, 1924, and shall be read together with and deemed part of the Post and Telegraph Act, 1908 (hereinafter referred to as the principal Act).

Offence of defrauding revenue by means of improper use of telephones. 2. Every person is liable on summary conviction to a fine not exceeding one hundred pounds, or to imprisonment for a term not exceeding one year, who wilfully makes any false statement in respect of the use of a telephone under the control or management of the Minister of Telegraphs with intent to defraud the revenue of the Post and Telegraph Department, or who with intent to defraud such revenue uses in the operation of any telephone for the use of which payment is required to be made at the time of use by means of a coin or coins any thing, whether a coin or not, other than a coin or coins of the value fixed in respect of the use of that telephone.

General penalty for offences with intent to defraud revenue. 3. (1.) Notwithstanding any rule of construction to the contrary, the provisions of paragraph (e) of subsection one of section eighty-seven of the principal Act shall apply, and be deemed at all times heretofore to have applied, with respect to matters affecting Division II of that Act in the same manner as it applies with respect to matters affecting Division I thereof.

(2.) The said paragraph (e) is hereby amended by omitting the words "rates or duties," and substituting the words "rates, duties, fees, charges, or other revenues."

4. The powers to make regulations conferred on the Governor-General by section one hundred and thirty-three of the principal Act shall include, and be deemed at all times heretofore to have included, power to make regulations for any or all of the following matters:—

Regulations as to the inspection of telegrams by authorized persons.

(a.) The inspection of the original of any telegram or of an office copy of any telegram by the person to whom such telegram is addressed, or by the person by whom or in whose name it is sent, or by the authorized agent of any such person:

(b.) The furnishing of certified copies of any telegram to any person entitled to inspect the original or an office copy thereof:

(c.) Fixing fees to be paid on the inspection of any telegram or for a certified copy of any telegram.

5. (1.) On and after the first day of April, nineteen hundred and twenty-five, 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 wireless telegraphy, unless he is the holder of a dealer's license issued to him by the Minister of Telegraphs.

Dealers in wireless apparatus to be licensed.

(2.) Every licensed dealer shall keep at his place of business, or at each such place, a book in which he shall record or cause to be recorded a true record of all sales made by him of apparatus for wireless telegraphy. Such record shall set out in respect of each sale the date thereof, and the name, occupation, and address of the purchaser, and particulars of the articles purchased.

(3.) Every licensed dealer shall at all times permit any person authorized in that behalf by the Minister of Telegraphs to inspect and make copies of any entries in the book so kept by him as aforesaid, and shall at all times on demand afford to any such person all further information in his possession with respect to any sales made by him of apparatus for wireless telegraphy.

(4.) Every licensed dealer or other person who commits an offence against this section shall be liable on summary conviction to a fine of fifty pounds.

(5.) Section nine of the Post and Telegraph Amendment Act, 1922, is hereby amended by adding the following paragraph:—

“(f.) The issue, revocation, and suspension of dealers' licenses (being licenses to carry on the business of selling apparatus for wireless telegraphy), and the fees payable in respect thereof.”

6. (1.) Out of the fees from time to time received pursuant to regulations made under the authority of section three of the Post and Telegraph Amendment Act, 1911, or other lawful authority in respect of licenses issued for the installation and working of apparatus for wireless telegraphy, or in respect of licenses to persons carrying on business as dealers in apparatus for wireless telegraphy,

Portion of fees received in respect of wireless-telegraphy licenses may be applied in assistance of broadcasting agencies.

there may, without further authority than this section, be paid such sums as may from time to time be fixed pursuant to this section in assistance of persons or companies engaged in broadcasting, or of persons or companies who in consideration of payment under this section agree to undertake a broadcasting service.

(2.) For the purposes of this section the Minister of Telegraphs is hereby empowered to enter into an agreement with any such person or company for the payment to him or it of portion of the license fees received as aforesaid in any period of not more than five years, but any such agreement may from time to time be renewed for a further period or for further periods, not exceeding five years at any one time.

(3.) The amount agreed to be paid to any person or company as aforesaid shall not exceed in any case an amount or proportion to be prescribed in that behalf by the Governor-General in Council.

(4.) The undertaking by the Minister of Telegraphs to pay any moneys to any person or company pursuant to this section shall be subject to the condition that the recipient, during the currency of the agreement, shall maintain a broadcasting service to the satisfaction of the Minister.

(5.) For the purposes of this section "broadcasting" means the transmission by wireless telegraphy of approved programmes of matters of entertainment, instruction, or information of general interest capable of being received by apparatus of a kind for the installation and use of which licenses have been issued under the principal Act and the several amendments thereof relating to wireless telegraphy.

(6.) Regulations prescribing fees to be paid in respect of licenses in relation to wireless telegraphy as aforesaid may differentiate as between licenses or classes of licenses, having regard to the purposes for which any license or class of license is to be used, the location of the apparatus or its distance from a broadcasting station, or any other relevant consideration; and regulations prescribing the amounts or proportions of fees that may be paid in respect of a broadcasting service may likewise differentiate as between licenses and classes of licenses.

7. (1.) Every person or company for the time being party to an agreement with the Minister of Telegraphs in respect of a broadcasting service as provided for in the last preceding section shall during the currency of such agreement be deemed for the purposes of section thirty-two of the Patents, Designs, and Trade-marks Act, 1921-22, to be the agent of the Post and Telegraph Department, duly authorized by the Minister of Telegraphs to make, use, or exercise, in connection with the maintenance of a broadcasting service pursuant to such agreement, any invention the subject-matter of any patent.

(2.) For the purposes of subsection two of section thirty-two of the Patents, Designs, and Trade-marks Act, 1921-22, in its application in respect of any invention to which this section relates, any benefit or compensation received, directly or indirectly, from any person or company which is by this section declared to be the agent

Persons or companies authorized to maintain broadcasting services deemed, for purposes of law relating to patents, to be agents of Post and Telegraph Department.

of the Post and Telegraph Department shall be taken into consideration as if it was received from the Crown.

(3.) No person shall have any right of action against any person or company, being the agent of the Post and Telegraph Department as herein provided, in respect of any infringement of any patent arising out of the making, use, or exercise of any invention, the subject-matter of the patent, in connection with any licensed broadcasting service.

(4.) Any moneys payable to a patentee in respect of any invention to which this section relates, whether pursuant to an agreement made under section thirty-two of the Patents, Designs, and Trade-marks Act, 1921-22, or pursuant to an order of the Court or of any referee or arbitrator made under that section, may be paid out of the Consolidated Fund without further appropriation than this section.

8. Section ten of the Post and Telegraph Amendment Act, 1919 (authorizing the payment in certain cases of the amount at credit of a deceased depositor in the Post Office Savings-bank without requiring the production of probate or of letters of administration), is hereby amended by omitting from subsection one the words "one hundred pounds," and substituting the words "two hundred pounds."

Extending authority of Postmaster-General to pay moneys at credit of account of deceased depositor in Post Office Savings-bank without requiring probate or letters of administration.