



RADIOCOMMUNICATION (AMENDMENT) ACT 2000

Act 19 of 2000

AN ACT TO AMEND THE RADIOCOMMUNICATION ACT

I assent,
TAUFA'AHAU TUPOU IV,
7th November, 2000

[7th November, 2000]

BE IT ENACTED by the King and Legislative Assembly of Tonga in the Legislature of the Kingdom as follows: —

1.
 - (1) This Act may be cited as the Radiocommunication (Amendment) Act 2000 and shall come into force on a day proclaimed by His Majesty in Council and different sections of this Act may be brought into force on different days.
 - (2) The Radiocommunication Act (Cap. 98) is in this Act referred to as the Principal Act.
2. Section 2 of the Principal Act is amended as follows: —
 - (a) by inserting the following new definitions: —

“**communications**” means any communication, whether between persons and persons, things and things, or persons and things, in the form of sound, data, text, visual images, signals or any other form or any combination of those forms;

“**Minister**” means the Minister responsible for communications”; and

(b) by substituting the words “Prime Minister”, where they appear in the definition of “Radio-telegram”, with the word “Minister”.

3. Section 3 of the Principal Act is amended by substituting the words “Prime Minister”, where they appear with the word “Minister”.

4.

(1) Section 4(1) of the Principal Act is amended by substituting the words “in that behalf by the Prime Minister, or an officer duly authorized by him for the purpose”, in the last two lines with the words “by the Minister”.

(2) Section 4(2) of the Principal Act is amended by substituting the words “Prime Minister”, where they appear with the word “Minister”.

5.

(1) Section 6(1) of the Principal Act is amended by inserting the words “Minister, subject to the approval of the” after the word “The” but before the word “King” in the first line.

(2) Section 6(3) of the Principal Act is amended as follows: —

(a) by substituting the words “King in Council”, where they first appear with the word “Minister”; and

(b) by inserting the words “Minister, subject to the approval of the” after the word “the” but before the word “King” in the seventh line of this sub-section.

(3) Section 6(4) of the Principal Act is amended by substituting the words “Prime Minister”, where they appear with the word “Minister”.

6.

(1) Section 7(1) of the Principal Act is amended as follows: —

(a) by substituting the words “Prime Minister”, where they appear with the word “Minister”; and

(b) by deleting the words “and to charge therefor”, in the last two lines.

(2) Section 7(2) of the Principal Act is deleted and replaced with: —

“7

(2) The Minister may grant a licence to a person for the exclusive privilege of transmitting and receiving radio-telegrams and to charge therefor.”

(3) Section 7 of the Principal Act is amended by adding a new subsection (3) as follows: —

“(3). Notwithstanding the grant of a licence under this section 7, the Minister may, subject to the approval of the King in Council, permit the master of any specified vessel in respect of which a coasting licence has been issued, to transmit and receive Radio-telegrams within Tongan territorial waters at charges not in excess of those levied by a licensee under this section.”

7. Section 10 of the Principal Act is amended as follows: —

- (a) by substituting the words “General Manager of the Tonga Telecommunications Commission”, where they appear with the words “Secretary of the Department of Communications”; and
- (b) by substituting the words “General Manager”, where they appear with the word “Secretary”.

8. Section 11 of the Principal Act is amended as follows: —

- (a) by substituting the words “General Manager of the Tonga Telecommunications Commission”, where they appear with the words “Secretary of the Department of Communications”;
- (b) by substituting the word “Cabinet”, where it appears with the words “the Minister”; and
- (c) by substituting the words “General Manager”, where they appear with the word “Secretary”.

9.. Section 14 of the Principal Act is amended as follows: —

- (a) by substituting the words “General Manager of the Tonga Telecommunications Commission”, where they appear with the words “Secretary of the Department of Communications”; and
- (b) by substituting the words “General Manager”, where they appear with the word “Secretary”.

10. Insert a new Section 15 after Section 14 of the Principal Act as follows: —

“15.

Licences issued under this Act shall be consistent with a spectrum plan (if any) approved under the Communications Act 2000.”

11. Clause 3 of the First Schedule to the Principal Act is amended by substituting the words “Prime Minister”, where they appear with the word “Minister”.
12. Form No. 1 of the Second Schedule to the Principal Act is amended by: —
 - (a) substituting the number “19”, where they appear with the number “20”; and
 - (b) substituting the words “General Manager of the Tonga Telecommunications Commission”, where they appear with the words “Secretary of the Department of Communications”.
13. Form No. 2 of the Second Schedule of the Principal Act is amended by: —
 - (a) substituting the words “of Cabinet”, where they appear with the words “convened by the Minister”;
 - (b) substituting the number “19” where they appear with the number “20”; and
 - (c) substituting the words “General Manager of the Tonga Telecommunications Commission”, where they appear with the words “Secretary of the Department of Communications”.
14. The Third Schedule to the Principal Act is amended by substituting the words “Prime Minister”, where they appear with the word “Minister”.

Passed in the Legislative Assembly this 4th day of September, 2000.