

**Jersey Law 24/1972**

**TELECOMMUNICATIONS (JERSEY) LAW, 1972,**

SANCTIONED BY

**Order of Her Majesty in Council**

dated 14th August, 1972.

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*(Registered on 29th September, 1972).*

## ARRANGEMENT OF ARTICLES.

Article

## PART I

## INTRODUCTORY

1. Interpretation .....

## PART II

EXCLUSIVE PRIVILEGE OF THE STATES WITH  
RESPECT TO TELECOMMUNICATION

2. Exclusive privilege of the States with respect to  
telecommunication .....
3. General classes of acts not infringing the telecommunication  
privilege .....
4. Acts relating to broadcasting not infringing the  
telecommunication privilege .....
5. Saving for things done under licence .....

## PART III

## POWERS OF THE BOARD

6. General powers of the Board .....
7. Exclusion of liability .....

## PART IV

## PROVISIONS AS TO WORKS

8. Powers of the Board with respect to works .....
9. Consent to placing of works .....
10. Removal of work interfering with development of land .....

*Jersey Law 24/1972      Telecommunications (Jersey) Law, 1972*

11.    Lopping of trees which obstruct a telegraphic line .....

PART V

CHARGES AND OTHER TERMS AND CONDITIONS  
APPLICABLE TO SERVICES

12.    Charges and other terms and conditions applicable to services

PART VI

OFFENCES

13.    Compensation and fine for injury to telegraphic line and for  
         interruption of telegraphic communication .....
14.    Penalty for obstruction .....
15.    Obstruction or molestation of officer .....
16.    Prohibition of placing injurious substances in or against  
         telephone kiosks .....
17.    Prohibition of affixing things on telephone kiosks, telegraph  
         posts or other property .....
18.    Willful damage  
         .....
19.    Offences in relation to telegraphic messages .....
20.    Penalization of improper use of telecommunication services ....
21.    Fraudulent use of public telephone or telex system

PART VII

MISCELLANEOUS AND GENERAL

22.    Entry on land .....
23.    Service of notices .....
24.    Orders .....
25.    Adaptation of enactments .....

*Jersey Law 24/1972      Telecommunications (Jersey) Law, 1972*

26.      Citation and commencement .....

SCHEDULE—Amendment of enactments .....

*Jersey Law 24/1972*

*Telecommunications (Jersey) Law, 1972*

**TELECOMMUNICATIONS (JERSEY) LAW, 1972.**

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**A LAW** to provide for the vesting in the States of Jersey of the exclusive privilege with respect to telecommunication within the Bailiwick, to make better provision for the administration of telecommunication services within the Bailiwick and for purposes connected therewith, sanctioned by Order of Her Majesty in Council of the

**14th day of August, 1972.**

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*(Registered on the 29th day of September, 1972).*

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**STATES OF JERSEY.**

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The 27th day of June, 1972.

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**THE STATES**, subject to the sanction of Her Most Excellent Majesty in Council, have adopted the following Law: -

*PART I*

INTRODUCTORY

ARTICLE 1

**INTERPRETATION**

- (1) In this Law, unless the context otherwise requires –  
“the Board” means the Telecommunications Board;

*Jersey Law 24/1972      Telecommunications (Jersey) Law, 1972*

“enactment” includes any enactment of the Parliament of the United Kingdom and any instrument made under any such enactment;

“foreign telecommunications administration” means the telecommunications administration of any country or postal area outside the Bailiwick;

“highway authority” and “road” have the same meanings as in the Roads Administration (Jersey) Law, 1960;<sup>1</sup>

“hovercraft” means a vehicle which is designed to be supported when in motion wholly or partly by air expelled from the vehicle to form a cushion of which the boundaries include the ground, water or other surface beneath the vehicle;

“land” means land, not being a road and not being land by the side and forming part of a road, and includes land laid out for and proposed by the owner to be converted into a road and shall include any term, estate, easement, interest, right or privilege in, over, or affecting, land;

“post” means a post, pole, standard, stay, strut or other above-ground contrivance for carrying, suspending or supporting a telegraph;

“prescribe” means prescribe by order;

“telegram” means any message or other communication transmitted or intended for transmission by a telegraph;

“telegraph” means a wire or wires used for the purpose of telegraphic communication, with any casing, coating, tube or pipe enclosing the same, and any apparatus connected therewith for the purpose of telegraphic communication and shall mean and include any apparatus for transmitting messages or other communications by means of electric signals;

<sup>1</sup> Tome 1957–1960, page 556.

*Jersey Law 24/1972      Telecommunications (Jersey) Law, 1972*

“telegraphic line” means telegraphs, posts and any work and also any cable, apparatus, pneumatic or other tube, pipe or thing whatsoever used for the purpose of transmitting telegraphic messages or maintaining telegraphic communication, and includes any portion of a telegraphic line;

(2) For the purposes of this Law –

(a) expressions referring to the construction and maintenance of a telegraphic line along a road, mean the placing and maintaining of a telegraphic line over, along or across a road, and the placing and maintaining of posts in or upon a road;

(b) expressions referring to the refusal or failure to give a consent shall include a reference to a withdrawal of a consent, and to the attaching of any terms, conditions or stipulations to which the Board objects.

(3) Any reference in this Law to data processing shall be construed as including a reference to the storage and retrieval of information.

(4) References in this Law to any other enactment shall, unless the context otherwise requires, be construed as references to that enactment as amended and as extended or applied by or under any other enactment, and as including references to any enactment repealing and re-enacting that enactment with or without further amendment.

*PART II*EXCLUSIVE PRIVILEGE OF THE STATES WITH RESPECT TO  
TELECOMMUNICATION

## ARTICLE 2

**EXCLUSIVE PRIVILEGE OF THE STATES WITH RESPECT TO  
TELECOMMUNICATION**

(1) Subject to the provisions of this Law, as from the appointed day the States shall have throughout the Bailiwick the exclusive privilege of running systems for the conveyance, through the agency of electric, magnetic, electro-magnetic, electro-chemical or electro-mechanical energy of –

- (a) speech, music and other sounds;
- (b) visual images;
- (c) signals serving for the impartation, whether as between persons and persons, things and things or persons and things, of any matter otherwise than in the form of sound or visual images; and
- (d) signals serving for the actuation or control of machinery or apparatus.

(2) In the case of an infringement in relation to a system not extending beyond the Bailiwick of the privilege conferred by paragraph (1) of this Article, the person running the system or, if different people run different parts of it, each such person shall be guilty of an offence and shall be liable on conviction to a fine or to imprisonment for a term not exceeding two years or to both such fine and such imprisonment and, in the case of an infringement in relation to a system extending beyond the Bailiwick of that privilege, the person running the portion of the system within the Bailiwick or, if different persons run different parts of it, each such person shall be guilty of an offence and similarly liable.



(3) Where a body corporate is guilty of an offence under this Article and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be guilty of that offence.

(4) In any proceedings in respect of an offence under this Article consisting in the running of a system in the case of which, at the time of the commission of the offence, different parts were run by different persons, it shall be a defence for the defendant to prove that a part of the system had been included without his knowledge and that, had it not been, the running of the system would not have constituted an infringement of the privilege conferred by paragraph (1) of this Article.

### ARTICLE 3

#### **GENERAL CLASSES OF ACTS NOT INFRINGING THE TELECOMMUNICATION PRIVILEGE**

(1) The privilege conferred by paragraph (1) of Article 2 of this Law is not infringed by –

- (a) the running of a system in the case of which the only agency involved in the conveyance of things thereby conveyed is light and the things thereby conveyed are so conveyed as to be capable of being received or perceived by the eye and without more;
- (b) the running by a person of a system in the case of which all the apparatus comprised therein is situate either –
  - (i) on a single set of premises occupied by him; or
  - (ii) in a vehicle, vessel, aircraft or hovercraft or in two or more vehicles, vessels, aircraft or hovercraft mechanically coupled together; or

- (c) the running by a single individual of a system in the case of which –
  - (i) all the apparatus comprised therein is under his control; and
  - (ii) everything conveyed by it that falls within sub-paragraphs (a) to (d) of the said paragraph (1) is conveyed solely for domestic purposes of that individual.

(2) In the case of a business carried on by a person, the said privilege is not infringed by the running, for the purposes of that business, of a system with respect to which –

- (a) in a case in which all the apparatus therein comprised is situate within the Bailiwick no person except him or the Board is concerned in the control of the apparatus;
- (b) in any other case, no person except him or the Board is concerned in the control of so much of the apparatus as is so situate:

Provided that –

- (i) nothing falling within sub-paragraphs (a) to (d) of paragraph (1) of Article 2 of this Law is conveyed by the system by way of rendering a service to another;
- (ii) in so far as sounds or visual images are conveyed by the system, they are not conveyed for the purpose of their being heard or seen by persons other than the person carrying on that business or any of his servants engaged in the conduct thereof;
- (iii) in so far as such signals as are mentioned in sub-paragraph (c) of the said paragraph (1) are conveyed by the system, they are not conveyed for the purpose of imparting matter otherwise than to the person carrying on that business, any

of his servants engaged in the conduct thereof or things used in the course of that business and controlled by him; and

- (iv) in so far as such signals as are mentioned in sub-paragraph (d) of the said paragraph (1) are conveyed by the system, they are not conveyed for the purpose of actuating or controlling machinery or apparatus used otherwise than in the course of that business.

(3) In the case of a system in the case of which all the apparatus therein comprised is let on hire by the Board, the said privilege is not infringed by the running of the system by the person to whom the apparatus is let on hire and, in the case of a system in the case of which part of the apparatus comprised therein consists of apparatus let on hire by the Board to a person, the said privilege is not infringed by the running by him of so much of the system as comprises the last-mentioned apparatus.

(4) In this Article, “business” includes a trade, profession or employment and includes any activity carried on by a body of persons, whether corporate or unincorporated, and “vessel” means a vessel of any description used in navigation.

#### ARTICLE 4

#### **ACTS RELATING TO BROADCASTING NOT INFRINGING THE TELECOMMUNICATION PRIVILEGE**

(1) The privilege conferred by paragraph (1) of Article 2 of this Law is not infringed by a broadcasting authority by reason only of the transmissions by it, by wireless telegraphy, of sounds or visual images from a transmitting station for general reception direct from that station, nor is it infringed by the reception of sounds or visual images transmitted, by wireless telegraphy, from a transmitting station for general reception direct from that station or through the medium of a relay service licensed under the Wireless Telegraphy Act, 1949 (as

extended to the Channel Islands by the Wireless Telegraphy (Channel Islands) Order, 1952).<sup>2</sup>

(2) In this Article, “broadcasting authority” means a person licensed under the Wireless Telegraphy Act, 1949 (as extended to the Channel Islands by the Wireless Telegraphy (Channel Islands) Order, 1952)<sup>2</sup> to broadcast programmes for general reception and “wireless telegraphy” has the same meaning as in that Act.

## ARTICLE 5

### **SAVING FOR THINGS DONE UNDER LICENCE**

(1) The Board may, either unconditionally or subject to such conditions as it may specify and either irrevocably or subject to such revocation as may be so specified, grant a licence for the running of any such system falling within paragraph (1) of Article 2 of this Law as is specified in the licence and nothing done under, and in accordance with, a licence granted under this paragraph shall constitute an infringement of the privilege conferred by the said paragraph (1).

(2) A licence granted under paragraph (1) of this Article shall, unless previously revoked in accordance with any terms in that behalf contained in the licence, continue in force for such period as may be specified therein.

(3) A licence granted under paragraph (1) of this Article may be granted to all persons, to persons of a class or to a particular person and, without prejudice to the power to impose conditions conferred by that paragraph, may include conditions requiring the rendering to the Board of a payment on the grant of the licence or the rendering to it of periodic payments during the currency of the licence, or both, and any payment required to be rendered to the Board under this Article may be recovered as a civil debt due to the States.

(4) A licence granted under paragraph (1) of this Article, not being a licence expressed to be granted to a specified person, shall be published in such manner as appears to the Board to be appropriate for

<sup>2</sup> Tome 1951–1953, page 401.

*Jersey Law 24/1972      Telecommunications (Jersey) Law, 1972*

bringing it to the attention of the persons for whose benefit it will enure, and a licence expressed to be so granted must be in writing.

(5) For the purpose of a licence granted under paragraph (1) of this Article, the definition of a class of persons may be framed by reference to any circumstances whatever.

*PART III*

POWERS OF THE BOARD

ARTICLE 6

**GENERAL POWERS OF THE BOARD**

Subject to the provisions of this Law, the Board shall have power –

- (a) to provide telecommunication services;
- (b) to provide data processing services;
- (c) to perform services for the States, or any administration thereof, the government of any country or territory outside the Bailiwick or any foreign telecommunications administration on such terms and conditions as it thinks fit; and
- (d) to do anything which in its opinion is requisite, advantageous or convenient for securing the exercise of any of the powers conferred by this Article, or in connexion with or in consequence thereof.

*Jersey Law 24/1972      Telecommunications (Jersey) Law, 1972*

## ARTICLE 7

### **EXCLUSION OF LIABILITY**

(1) No proceedings in contract or tort shall lie against the Board in respect of –

- (a) failure to provide, or delay in providing, a telecommunication service, apparatus associated therewith or a service ancillary thereto;
- (b) failure, interruption, suspension or restriction of a telecommunication service or a service ancillary thereto or delay of, or fault in, communication by means of a telecommunication service; or
- (c) error in, or omission from, a directory for use in connexion with a telecommunication service.

(2) No officer or servant of the Board shall be subject, except at the suit of the Board, to any civil liability for any loss or damage in the case of which liability of the Board therefor is excluded by paragraph (1) of this Article.

## *PART IV*

### PROVISIONS AS TO WORKS

## ARTICLE 8

### **POWERS OF THE BOARD WITH RESPECT TO WORKS**

(1) Subject to the provisions of this Law, the Highways (Jersey) Law, 1956,<sup>3</sup> and the Public Utilities Road Works (Jersey) Law, 1963,<sup>4</sup> the Board may –

<sup>3</sup> Tome 1954–1956, page 375 and Tome 1963–1965, page 91.

<sup>4</sup> Tome 1963–1965, page 39 and page 311 of this volume.

*Jersey Law 24/1972*      *Telecommunications (Jersey) Law, 1972*

- (a) place, maintain, alter or remove a telegraph below, on or above any road;
- (b) place or maintain posts in or on any road and alter or remove the same;
- (c) at all reasonable times, break up or open any road for the purpose of placing, maintaining, altering or removing a telegraph;
- (d) place and maintain a telegraph below, on, or above any land and place or maintain posts in or on any land and may alter or remove the same.

(2) In the exercise of its powers under this Article the Board shall do as little damage as may be and shall make full compensation to all persons interested for all damage sustained by them by reason or in consequence of the exercise of such powers.

(3) Where any dispute arises as to the amount of compensation payable under this Article, or the persons to whom it is payable, the question shall be referred to and shall be determined by a Board of Arbitrators constituted in accordance with Article 8 of the Compulsory Purchase of Land (Procedure) (Jersey) Law, 1961,<sup>5</sup> and Articles 10 and 11 of that Law<sup>6</sup> shall apply in respect of such a reference.

(4) All telegraphs and posts which have been placed below, on or above any land, including any road, by the Board prior to the coming into force of this Law shall be deemed to have been placed in pursuance of and in accordance with the provisions of this Law.

## ARTICLE 9

### **CONSENT TO PLACING OF WORKS**

(1) The Board shall not place any telegraph or post by the side of any land so as to stop, hinder or interfere with ingress or egress

<sup>5</sup> Tome 1961–1962, page 395.

<sup>6</sup> Tome 1961–1962, pages 397 and 398.

for any purposes to or from such land or place any telegraph or post below, on or above any land, except with the prior consent in every case of the owner, lessee and occupier of such land or, in the case of any land belonging to or enjoyed by the Crown, of H. M. Receiver General:

Provided always that the consent of any person occupying as a tenant from year to year only shall not be required nor shall any person so occupying be entitled to any compensation under this Law.

(2) Subject to paragraph (1) of this Article, if the owner, lessee or occupier of any land fails to give his consent to the placing of a telegraph or post below on or above that land, the Board may by compulsory purchase acquire such rights as may be necessary to enable it to carry out the work and the provisions of the Compulsory Purchase of Land (Procedure) (Jersey) Law, 1961<sup>7</sup> shall apply in respect of such acquisition.

## ARTICLE 10

### **REMOVAL OF WORK INTERFERING WITH DEVELOPMENT OF LAND**

Where the Board constructs any work below, on or above any land or any road adjoining or near any land, and any person having an interest in such land desires to build upon or enclose the land, or in any manner to improve or alter it or to use it in some manner in which it was not actually used at the time of the construction of the work by the Board and with which the continuance of the work would interfere, then that person may by notice advise the Board of the nature of such intended building, enclosure, improvement, alteration, or other use of the land and require the Board to remove or alter its work so that the same may not interfere therewith and the Board, if satisfied of the intention of the person to make such building, enclosure, improvement, alteration, or other use of the land and that the continuance of such work would interfere therewith, shall, within three months after receiving the notice, take such action as may be necessary to fulfil the requirements thereof:

<sup>7</sup> Tome 1961–1962, page 391.



Provided that nothing in this Article shall empower any person to obtain the removal or alteration of any work contrary to the terms of any grant or consent in writing made or given by him, or by any person through whom he takes his estate or interest.

## ARTICLE 11

### **LOPPING OF TREES WHICH OBSTRUCT A TELEGRAPHIC LINE**

(1) Where the branches of any tree overhang and obstruct or interfere with the satisfactory working of any telegraphic line or will obstruct or interfere with the satisfactory working of any telegraphic line about to be so constructed, the Board may cause the branches to be lopped so as to prevent the obstruction or interference.

(2) An officer of the Board who proposes to enter upon any land in accordance with the provisions of this Article –

- (a) shall, if so required, produce written evidence of his authority;
- (b) shall not enter on any land which is for the time being occupied unless not less than seven days before the day on which entry is made, the occupier has been notified of the intended entry and the purpose for which entry will be made.

(3) The Board shall ensure that branches are lopped in a husbandlike manner and so as to avoid injury to the growth of the tree.

*PART V*

CHARGES AND OTHER TERMS AND CONDITIONS APPLICABLE  
TO SERVICES

ARTICLE 12

**CHARGES AND OTHER TERMS AND CONDITIONS  
APPLICABLE SERVICES**

- (1) The Board may by order prescribe
  - (a) the charges which save in so far as they are the subject of an agreement between it and a person availing himself of those services, are to be made for the services which it provides under this Law; and
  - (b) the other terms and conditions which, save as aforesaid, are to be applicable to those services:

Provided that no provision shall be included in any such Order for limiting the liability of the Board for loss or damage or for amending the rules of law with respect to evidence.

(2) An Order made under this Article may, as respects the service to which it relates, adopt such system for the determination of the charges or other terms and conditions or, as the case may be, the charges and other terms and conditions that are to be applicable as may appear desirable and, in particular and without prejudice to the generality of the foregoing words, may, in all or any cases, leave the determination thereof to the Board subject to such (if any) conditions and limitations as may be provided for in the Order.

- (3) An Order made under this Article may also –
  - (a) as respects the service to which it relates, specify the manner in which, time at which and person by whom the charges that are applicable are to be paid;

*Jersey Law 24/1972      Telecommunications (Jersey) Law, 1972*

(b) make different provision for different cases or classes of cases determined by, or in accordance with, the provisions of the Order.

(4) A charge payable under this Article may be recovered as a debt due to, and shall be credited to, the Annual Income of the States.

(5) A certificate of the Board that a specified sum is due to it from a specified person under the provisions of an Order made under this Article shall, in any proceedings instituted by it against him or his personal representatives, be sufficient evidence thereof unless the contrary is shown.

(6) A certificate of the Board that a specified sum is due to it from a specified person under an agreement with respect to telecommunication services provided by it shall, subject to any term of the agreement to the contrary, in any such proceedings as aforesaid, be sufficient evidence thereof unless the contrary is shown.

(7) In any proceedings instituted by or against the Board to which the rate at which a charge was levied at any time, in respect of a service, by an authority outside the Bailiwick is material, a certificate of the Board that the charge was levied at that rate at that time in respect of that service by that authority shall be conclusive evidence of that fact.

*PART VI*

OFFENCES

ARTICLE 13

**COMPENSATION AND FINE FOR INJURY TO TELEGRAPHIC  
LINE AND FOR INTERRUPTION OF TELEGRAPHIC  
COMMUNICATION**

(1) Any person who destroys or injures any telegraphic line shall be liable to pay to the Board such expenses, if any, as may be

incurred in making good such destruction or injury, and, if the telegraphic communication is carelessly or wilfully interrupted, shall be liable to a fine of fifty pounds and to a further fine not exceeding twenty pounds per day for every day during which such interruption continues:

Provided that if the work of making good such destruction or injury is carried out by, or under the supervision of the Board, the interruption shall be deemed to continue either for the time during which it actually continues or for such less time as in the opinion of the court would have been sufficient for remedying the interruption by the Board.

(2) An act done to a telegraphic line in the course of work undertaken by any person in the legal exercise of a right shall not be deemed to be wilful destruction of or injury to such telegraphic line, if due notice of the intended exercise of such right has been given to the Board, that is to say, the notice required to be given in pursuance of any enactment or agreement, or where there is no such requirement fourteen clear days notice.

(3) This Article shall be deemed to be in addition to and not in derogation from any other power or means which the Board may have of recovering damages in respect of any such destruction or injury as is mentioned in this Article:

Provided that proceedings may not be taken both under this Law and under any other Law or at common law in respect of the same destruction or injury.

#### ARTICLE 14

#### **PENALTY FOR OBSTRUCTION**

Any person who obstructs the Board in placing, maintaining, altering, examining or repairing any telegraphic line in pursuance of this Law, or of any consent given in pursuance of this Law, shall for every act of obstruction be liable to a fine not exceeding ten pounds or, in the case of a continuing obstruction ten pounds for every day during which the same continues.

## ARTICLE 15

**OBSTRUCTION OR MOLESTATION OF OFFICER**

Any person who wilfully obstructs or molests, or incites anyone to obstruct or molest, an officer of the Board in the execution of his duty shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

## ARTICLE 16

**PROHIBITION OF PLACING INJURIOUS SUBSTANCES IN OR AGAINST TELEPHONE KIOSKS**

Any person who –

- (a) places or attempts to place in or against any telephone kiosk or cabinet any fire, match, light, explosive substance, dangerous substance, filth, noxious or deleterious substance or fluid; or
- (b) commits a nuisance in or against any telephone kiosk or cabinet; or
- (c) does or attempts to do anything likely to injure a telephone kiosk or cabinet;

shall be guilty of an offence and shall be liable to a fine not exceeding one hundred pounds or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

## ARTICLE 17

**PROHIBITION OF AFFIXING THINGS ON TELEPHONE KIOSKS, TELEGRAPH POSTS OR OTHER PROPERTY**

Any person who without due authority affixes or attempts to affix any placard, advertisement, notice, list, document, board or thing in

or on, or paints or tars, any telephone kiosk, telegraph post or any other property belonging to or used by or on behalf of the Board for the purposes of this Law or in any way disfigures any such kiosk, post or other property shall be guilty of an offence and shall be liable to a fine not exceeding ten pounds.

## ARTICLE 18

### **WILFUL DAMAGE**

Any person who wilfully removes, destroys, damages or otherwise interferes with any telegraph or other work of the Board shall for each such offence be liable to a fine not exceeding fifty pounds, or imprisonment for a term not exceeding three months, and this without prejudice to the right of the Board to recover any damages resulting from such act.

## ARTICLE 19

### **OFFENCES IN RELATION TO TELEGRAPHIC MESSAGES**

- (1) Any officer of the Board who –
  - (a) wilfully or negligently omits or delays to transmit or deliver any telegraphic messages; or
  - (b) by wilful or negligent act or omission prevents or delays the transmission or delivery of any telegraphic message; or
  - (c) improperly divulges to any person the purport of any telegraphic message;

shall be guilty of an offence and shall be liable to a fine not exceeding 16180 hundred pounds.

- (2) Any officer of the Board who, contrary to his duty, discloses or in any way makes known or intercepts the contents or any part of the contents of any telegraphic message or any message entrusted to the Board for the purpose of transmission shall be guilty of an offence

and shall be liable to a fine not exceeding five hundred pounds or to a term of imprisonment not exceeding twelve months

(3) Any person who 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, or who transmits by telegraph as a telegram, or utters as a telegram, any message or communication which he knows is not a telegram, shall, whether he had or had not an intent to defraud be guilty of an offence and shall be liable to a fine not exceeding one hundred pounds or to a term of imprisonment not exceeding twelve months.

#### ARTICLE 20

##### **PENALIZATION OF IMPROPER USE OF TELECOMMUNICATION SERVICES**

Any person who –

- (a) sends, by means of a public telecommunication service, a message or other matter that is grossly offensive or of an indecent, obscene or menacing character; or
- (b) for the purpose of causing annoyance, inconvenience or needless anxiety to another, sends by those means a message that he knows to be false or persistently makes use for that purpose of public telecommunication services;

shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds.

#### ARTICLE 21

##### **FRAUDULENT USE OF PUBLIC TELEPHONE OR TELEX SYSTEM**

Any person who dishonestly uses a public telephone or telex system with intent to avoid payment shall be guilty of an offence and shall be liable to a fine not exceeding one hundred pounds or to

imprisonment for a term not exceeding six months or to both such fine and such imprisonment.

*PART VII*

MISCELLANEOUS AND GENERAL

ARTICLE 22

**ENTRY ON LAND**

Any officer of the Board, authorized in that behalf by the Board may, for any of the purposes for which the Board is so authorized under this Law, at all reasonable times and on production, if so required, of evidence of his authority, enter on any land for any of the purposes aforesaid.

ARTICLE 23

**SERVICE OF NOTICES**

(1) Any notice required or authorized by or under this Law to be served on a person being a corporation shall be duly served if it is served on the secretary or clerk of the corporation.

(2) Subject to the provisions of this Article, any notice required or authorized by or under this Law to be served on any person may be served –

- (a) by delivering it to that person; or
- (b) by leaving it at his proper address; or
- (c) by registered post; or
- (d) by the recorded delivery service.



*Jersey Law 24/1972*      *Telecommunications (Jersey) Law, 1972*

(3) For the purposes of this Article and of Article 12 of the Interpretation (Jersey) Law, 1954<sup>8</sup> in its application to this Article, the proper address of any person on whom such a notice as aforesaid is to be served shall, in the case of the secretary or clerk of a corporation, be that of the registered or principal office of the corporation and, in any other case, be the usual or last-known place of abode of the person on whom the notice is to be served:

Provided that, where the person on whom such a notice as aforesaid is to be served has furnished an address for service in accordance with arrangements agreed to in that behalf, his proper address for the purposes aforesaid shall be the address furnished.

(4) If the name or the address of any owner, lessee or occupier of premises on whom any such notice as aforesaid is to be served cannot after reasonable enquiry be ascertained by the person seeking to serve the notice, the notice may be served by addressing it to the person on whom it is to be served by the description of “owner”, “lessee” or “occupier” of the premises (describing them) to which the notice relates, and by delivering it to some responsible person resident or appearing to be resident on the premises or, if there is no such person to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.

## ARTICLE 24

### **ORDERS**

(1) The Board may by order prescribe any thing which it may under this Law prescribe.

(2) The Subordinate Legislation (Jersey) Law, 1960<sup>9</sup> shall apply to orders made under this Law.

<sup>8</sup> Tome 1954–1956, page 115.

<sup>9</sup> Tome 1957–1960, page 519.

*Jersey Law 24/1972*

*Telecommunications (Jersey) Law, 1972*

ARTICLE 25

**ADAPTATION OF ENACTMENTS**

The enactments mentioned in the Schedule to this Law shall have effect subject to the amendments specified in that Schedule in relation to each such enactment.

ARTICLE 26

**CITATION AND COMMENCEMENT**

(1) This Law may be cited as the Telecommunications (Jersey) Law, 1972.

(2) This Law shall come into force on such day or days as the States may by Act appoint and different days may be fixed for different purposes and different provisions of this Law.

*Jersey Law 24/1972*

*Telecommunications (Jersey) Law, 1972*

*SCHEDULE*

**(Article 25)**

**AMENDMENT OF ENACTMENTS**

*Electricity (Jersey) Law, 1937<sup>10</sup>*

In Article 10, for the words “the telegraphic system owned by the General Post Office, of the telephone system under the administration of the States” there shall be substituted the words “the telegraphic system owned by the States of Jersey”.

*Public Utilities Road Works (Jersey) Law, 1963<sup>11</sup>*

In paragraph (1) of Article 1 for the definition of “telegraphic line” there shall be substituted the following definition –

“ ‘telegraphic line’ has the same meaning as in the Telecommunications (Jersey) Law, 1972;”.

*Extinguishment of Roads (Jersey) Law, 1972<sup>12</sup>*

1. In paragraph (1) of Article 1 –
  - (a) in the definition of “statutory undertakers” after the word “water” there shall be added the words “and the Telecommunications Board”;
  - (b) the definition of “telegraphic line” shall be deleted.

2. In its application to the Telecommunications Board the word “apparatus” in Article 4 and the Second Schedule shall include a telegraphic line as defined in paragraph (1) of Article 1 of this Law.

<sup>10</sup> Tome 1937–1938, page 273.

<sup>11</sup> Tome 1963–1965, page 39.

<sup>12</sup> Pages 295, 297, 299 and 302 of this volume.

*Jersey Law 24/1972      Telecommunications (Jersey) Law, 1972*

3.      Article 5 shall be repealed.
4.      In Article 7 –
  - (a) in paragraph (1) the words “or, in the case of the Post Office, on the Post Office” shall be deleted;
  - (b) in paragraph (3) the words “, in the case of the Post Office, be its principal local telecommunications office for Jersey,” shall be deleted.

**E..J.M. POTTER,**

*Greffier of the States.*