

LAWS OF BRUNEI

CHAPTER 54
TELECOMMUNICATIONS

12 of 1956
S 166/74

LAWS OF BRUNEI

CHAPTER 54
TELECOMMUNICATIONS

ARRANGEMENT OF SECTIONS

Section

PART I

PRELIMINARY

1. Short title.
2. Interpretation.

PART II

PRIVILEGES AND POWERS OF THE GOVERNMENT

3. Exclusive privilege and power to grant licences.
4. Procedure on application for licence authorising work involving interference with private rights.
5. Special power in emergency.
6. Power to require production of messages.
7. Power to make regulations.
8. Revocation of licences.
9. Government not responsible for loss or damage.

PART III**POWER TO PLACE TELECOMMUNICATION LINES
AND POSTS**

10. Power to place telecommunication lines and posts.
11. Power to enter on property.
12. Power for local authority to impose conditions.
13. Power for local authority to require removal of lines and posts.
14. Power to alter position of pipes and drains.
15. Dispute between authorities.
16. Cases of resistance or obstruction.
17. Owner of property may require removal of line or post.
18. Removal of trees dangerous to or obstructing telecommunication lines or communications.
19. Existing line and posts deemed to be placed under this Act.
20. Application of Part III to a person licensed under section 3.

PART IV**PENALTIES**

21. Unlicensed telecommunication or breach of licence.
22. Using unlicensed telecommunications.
23. Intrusion or trespass or obstruction.
24. Unlawful attempt to learn contents of messages.
25. Intentional damage to telecommunication.

- 26. Offences by telecommunication officers.
- 27. Fraudulently sending messages.
- 28. Misconduct.
- 29. Sending false messages.
- 30. Fraudulent retention of message.
- 31. Refusal or neglect to produce message.
- 32. Telecommunication officers deemed public servants.

PART V

RADIOCOMMUNICATION

- 33. Exemption.
 - 34. Interpretation.
 - 35. Exclusive privilege.
 - 36. Grant of licences.
 - 37. Prohibitions.
 - 38. Penalty for unlicensed station.
 - 39. Power to make regulations.
 - 40. Control of apparatus in an emergency.
 - 41. Licences for experimental purposes.
 - 42. Penalty for breach of conditions of licence.
-

TELECOMMUNICATIONS ACT

An Act to revise the law relating to telecommunications

Commencement: 1st November 1974 [S 166/74]

PART I

PRELIMINARY

1. This Act may be cited as the Telecommunications Act. Short title.
2. In this Act — Interpretation.
 - “local authority” includes a Municipal Board established under the Municipal Boards Act; Cap. 57.
 - “message” means any communication sent and received or made by telecommunication or given to a telecommunications officer to be sent by telecommunication or to be delivered;
 - “post” means a post, pole, standard, stay, strut or other aboveground contrivance for carrying, suspending or supporting a telecommunication line;
 - “telecommunication” means any system for the transmission, emission or reception of signs, signals, writing, images and sounds or intelligence of any nature by wire, radio, visual or other electromagnetic systems;
 - “telecommunication authority” means the Director of Telecommunications or any telecommunications officer empowered by him to perform all or any of the functions conferred on the telecommunication authority under this Act;
 - “telecommunication line” means a wire or wires used for the purpose of a telecommunication, with

any casing, coating, tube or pipe enclosing the same, and any appliances and any apparatus connected therewith for the purpose of fixing or insulating the same;

“telecommunications officer” means any person employed, either permanently or temporarily, in connection with a telecommunication established, maintained or worked by the Government or by a person licensed under this Act;

“telecommunication plant” means any building, apparatus, machinery, equipment, poles, lines, vehicles and any other appliances used for and in connection with telecommunications.

PART II

PRIVILEGES AND POWERS OF THE GOVERNMENT

Exclusive privilege and power to grant licences.

3. (1) The Government shall have the exclusive privilege of establishing, maintaining and working telecommunications within Brunei Darussalam.

(2) The exclusive privilege referred to in subsection (1) shall not extend to a telecommunication, other than a radio-communication as defined in section 35, contained wholly within a building or part of a building when such telecommunication is owned and operated by a person occupying that building or part of a building for his sole use and interest.

(3) His Majesty the Sultan and Yang Di-Pertuan in Council may grant a licence on such conditions and in consideration of such payments as may be prescribed to any person to establish, maintain or work a telecommunication within any part of Brunei Darussalam, and to place, lay, carry or maintain any posts, cables or wires for the purpose of such telecommunication on, along, through, under or across any land.

(4) His Majesty in Council may in any case under subsection (3), other than a case to which section 4 applies, delegate his power of issuing licences to the telecommunication authority, or to such officer or officers as he thinks fit and may appoint officers for the purpose of carrying into effect the provisions of this Part:

Provided that no delegation of the power of issuing licences shall effect the exercise of such power by His Majesty in Council.

(5) All such officers shall be deemed to be public servants within the meaning of the Penal Code.

Cap. 22.

4. Where any person (hereinafter called "the petitioner") requests His Majesty to grant him a licence under the provisions of subsection (3) of section 3 and the granting of such licence would authorise the doing of work involving interference with any private right no such licence shall be granted until the following procedure has been duly observed, that is to say —

Procedure on application for licence authorising work involving interference with private rights.

(a) the petitioner shall prepare a plan of the area or areas over, along or under which the telecommunication line is to be laid and maintained and shall show on such plan the whole premises whether built or not which will be affected by the said undertaking, and the said plan shall be open to public inspection for a period of 3 weeks after the date of the notification hereinafter referred to shall have first been published;

(b) the petitioner shall after such plan has been prepared and is ready for inspection publish a notification during the said period twice in the *Gazette* and twice weekly in one newspaper and such notification shall be in such form as may be prescribed;

(c) the petitioner shall serve a notice on every owner of property affected by such plan stating that such plan has been prepared and requiring him to signify his assent or dissent thereto within one month from the date of service;

(d) any person affected by such plan may within the said period of 3 weeks or within one month from the date of such service deliver to the petitioner a written objection to any proposal contained therein;

(e) upon the request of the petitioner or of any person objecting under the provisions of paragraph (d) His Majesty may within 14 days thereof appoint a tribunal consisting of not more than 3 persons. The tribunal shall have power to determine its own proceedings and each member thereof shall be furnished by the petitioner with a copy of the plan, the notification and the objection;

(f) objections shall be considered by the tribunal at a meeting of which the petitioner and the objectors shall be informed by notice in writing delivered by the tribunal to the petitioner and the objectors and service of the notice shall be deemed sufficient if the notice is delivered to the last known address of the petitioner and the objectors or left at the property deemed to be affected by the plan and notification. At such meeting the petitioner and any objector may appear in person or be represented by a duly authorised agent;

(g) the tribunal shall meet to consider objections not less than one week or more than 3 weeks after the appointment thereof by His Majesty;

(h) within 14 days after completing the hearing of the objections the tribunal shall submit to His Majesty in Council its findings in the form of a report together with one copy each of the plan, the notification and a schedule of the objections in a summary form which shall record the opinion of the tribunal as to each objection;

(i) His Majesty in Council may approve the said plan or may reject it, or may approve the said plan with such conditions and modifications as he may think fit. Approval or rejection of any plan shall be notified in the *Gazette* and such notification shall be conclusive

evidence that the said plan was duly prepared and approved or rejected as the case may be:

Provided that where no objection has been lodged within the time specified in paragraph (d) or where an objection has been lodged in respect of certain immovable property and not in respect of other immovable property, His Majesty in Council may, upon the expiration of the time so specified, forthwith grant such licence to the petitioner under subsection (3) of section 3 so far as such licence relates to the immovable property in respect of which no objection has been lodged within the specified time.

5. (1) On the occurrence of any public emergency or in the interest of the public safety, His Majesty or any officer specially authorised by him in this behalf may —

Special power
in emergency.

(a) take temporary possession of any telecommunication established, maintained or worked by any person licensed under this Act;

(b) withdraw either totally or partially the use of any telecommunication facility or telecommunication plant from any person or class of persons or from the public at large; or

(c) order that any message or class of messages to or from any person or class of persons or relating to any specified subject shall not be transmitted or shall be intercepted or detained, or that any such message or messages or the records thereof shall be disclosed to an officer mentioned in the order.

(2) If any doubt arises as to the existence of a public emergency or whether any act done under subsection (1) was in the interest of public safety, a certificate signed by His Majesty and delivered to the person in charge of the telecommunication shall be conclusive proof on the point.

6. Where it appears to His Majesty 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

Power to
require
production
of messages.

telecommunication to produce to him or to a person named in the warrant the originals and transcripts and records relating to either all messages, or messages of any specified class or description, or messages sent from or addressed to any specified person or place or sent to or received from any place out of Brunei Darussalam by means of any such telecommunication and all other papers relating to any such messages as aforesaid.

Power to make regulations.

7. (1) His Majesty in Council may make regulations for the conduct of all or any telecommunications established, maintained or worked by the Government or by persons licensed under this Act.

(2) Such regulations may provide for all or any of the following matters —

(a) the rates at which, and the other conditions and restrictions subject to which, messages shall be transmitted, and apparatus, equipment and plant may be hired;

(b) the precautions to be taken for preventing the improper interception or disclosure of messages;

(c) the period for which and the conditions subject to which messages and other documents belonging to or being in the custody of telecommunication officers shall be preserved;

(d) the fees to be charged for searching for messages or other documents in the custody of any telecommunication officer;

(e) all matters which under this Part may be prescribed.

(3) Such regulations may prescribe fines for any offence against the provisions thereof which shall not exceed the following limits —

(a) where the offender is a person licensed under this Act and is punishable for the breach, \$2,500, and in

the case of a continuing breach, a further fine of \$200 for every day or part of a day after the first day during which the breach continues;

(b) where the offender is a servant of a person licensed as aforesaid or any other person, one-fourth of the amount specified in paragraph (a).

8. His Majesty in Council may at any time revoke any licence granted under section 3 on the breach of any of the conditions therein contained or in default of payment of any consideration payable thereunder.

Revocation
of licences.

9. (1) The Government shall not be responsible for any loss or damage which may occur in consequence —

Government
not
responsible
for loss or
damage.

(a) of any telecommunication officer failing in his duty with respect to the receipt, transmission or delivery of any message; or

(b) of any failure of telecommunication plant.

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

PART III

POWER TO PLACE TELECOMMUNICATION LINES AND POSTS

10. (1) 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 immovable property.

Power to place
telecommuni-
cation lines
and posts.

(2) 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, or licensed under subsection (3) of section 3.

(3) Neither the Government nor the telecommunication authority shall 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.

(4) Except as hereinafter provided, the telecommunication authority shall not exercise those powers in respect of any property vested in or under the control or management of any local authority without the permission of that authority.

(5) In the exercise of the powers conferred by this section, the telecommunication authority shall do as little damage as possible and when it has exercised those powers in respect of any property other than property referred to in subsection (4) shall pay full 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, its 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.

Provisions applicable to property vested in or under the control or management of local authorities

Power for local authority to impose conditions.

12. Any permission given by a local authority under subsection (4) of section 10 may be given subject to such reasonable conditions as that authority thinks fit to impose as to the payment of any expenses to which the authority will necessarily be put in consequence of the exercise of the powers conferred by that section, or as to the time or mode of execution of any work or as to any other thing connected with or relative to any work undertaken by the telecommunication authority under those powers.

13. When under the provisions of section 12 a telecommunication line or post has been placed by the telecommunication authority under, over, along, across, in or upon any property vested in or under the control or management of a local authority, and the local authority having regard to circumstances which have arisen since the telecommunication line or post was so placed considers it expedient that it should be removed or that its position should be altered, the local authority may require the telecommunication authority to remove it or alter its position, as the case may be.

Power for local authority to require removal of lines and posts.

14. (1) The telecommunication authority may, for the purpose of exercising the powers conferred upon it by this Act in respect of any property vested in or under the control or management of a local authority, alter the position thereunder of any pipe, not being a main pipe for the supply of gas or water, or of any drain, not being a main drain.

Power to alter position of pipes and drains.

(2) When the telecommunication authority desires to alter the position of any such pipe or drain, it shall give reasonable notice of its intention to do so, specifying the time at which it will begin to do so to the local authority, and when the pipe or drain is not under the control of the local authority to the person under whose control the pipe or drain is.

(3) A local authority or person receiving notice under subsection (2) 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.

15. (1) If any dispute arises between the telecommunication authority and a local authority in consequence of the local authority refusing the permission referred to in subsection (4) of section 10, or prescribing any condition under section 12, or in consequence of the telecommunication authority omitting to comply with a requisition made under section 13, or otherwise in respect of the exercise of the powers conferred by this Act, it shall be determined by such officer as His Majesty may appoint either generally or specially in this behalf.

Dispute between authorities.

(2) An appeal from the determination of the officer so appointed shall lie to His Majesty in Council, whose order shall be final.

Provisions applicable to other property

Cases of
resistance or
obstruction.

16. (1) If the exercise of the powers mentioned in section 10 in respect of the property referred to in subsection (5) thereof is resisted or obstructed, a magistrate may, in his discretion, order that the telecommunication authority shall be permitted to exercise them.

Cap. 22.

(2) If after the making of an order under subsection (1), any person resists the exercise of those powers, or having control over the property does not give all facilities for their being exercised, he shall be deemed to have committed an offence under section 188 of the Penal Code.

(3) If any dispute arises concerning the sufficiency of the compensation to be paid under subsection (5) of section 10, it shall, on application for that purpose by either of the disputing parties to a magistrate, be determined by him.

(4) If any dispute arises as to the persons entitled to receive compensation or as to the proportions in which the persons interested are entitled to share in it, the telecommunication authority may pay into the Court of the Magistrate for the district such amount as it 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 subsection (3), that amount; and a magistrate, 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.

(5) Every determination of a dispute by a magistrate under subsection (3) or (4) shall be final:

Provided that nothing in this subsection shall affect the right of any person to sue for and recover the whole or any part of any

compensation paid by the telecommunication authority from the person who has received the same.

17. (1) When under the provisions of section 16 a telecommunication line or post has been placed by the telecommunication authority under, over, along, across, in or upon any property, not being property vested in or under the control or management of a local authority, 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.

Owner of property may require removal of line or post.

(2) If compensation has been paid under subsection (5) of section 10, 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 of the amount paid as compensation, whichever is the smaller sum.

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

(4) The magistrate may, in his discretion, reject the application or make an order, absolute 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.

18. (1) Where in the opinion of the telecommunication authority, there is at any time danger or suspected danger that any tree (which term in this section includes undergrowth) standing or lying near a telecommunication line may interrupt or interfere with telecommunications or cause damage to any telecommunication line, the telecommunication authority may cause the tree to be felled or dealt with in such other manner as will, in his opinion, avert the danger.

Removal of trees dangerous to or obstructing telecommunication lines or communications.

(2) Where a tree, which has been felled or otherwise dealt with under subsection (1), was in existence before the telecommunication line was placed, erected or installed, the telecommunication authority may pay to any person interested in the tree such sum as may be agreed by way of compensation; and in default of agreement shall report the matter to a magistrate, who after giving an opportunity of being heard to all persons interested, shall award, and if necessary shall apportion, such compensation as he thinks reasonable and such award shall be final.

(3) In the event of the owner or occupier of any land felling or clearing any tree or vegetation adjacent to any telecommunication line, such owner or occupier shall give to the telecommunication authority notice in writing of his intention so to do and shall take all such reasonable precautions as the telecommunication authority may require for the protection of such telecommunication line.

(4) If any such owner or occupier fails to give notice as hereinbefore provided, or having given notice fails to take such precautions as the telecommunication authority may have required, he shall be liable to pay to the telecommunication authority all costs and expenses incurred in repairing the line and re-establishing communication. The certificate of the telecommunication authority shall be conclusive evidence of the amount of such costs and expenses.

(5) If the amount due for such costs and expenses be not paid within 7 days after demand the telecommunication authority may report the same to a magistrate and such amount may be recovered in the same way as if it were a fine imposed by such magistrate.

(6) If any trees or vegetation are felled or cleared upon land adjacent to any telecommunication line it shall be presumed until the contrary is proved that such trees or vegetation were felled or cleared by the owner or occupier of the land or by his servants or agents acting as such.

19. Every telecommunication line or post placed before the commencement of this Act under, over, along, across, in or upon any property for the purpose 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.

Existing line and posts deemed to be placed under this Act.

20. This Part shall apply to a person licensed under subsection (3) of section 3 to place, lay, carry or maintain any posts, cables or wires on, along, through, under or across any land, as though references to “the telecommunication authority” wherever appearing in this Part were references to such person so licensed.

Application of Part III to a person licensed under section 3.

PART IV

PENALTIES

21. Any person who establishes, maintains or works a telecommunication within Brunei Darussalam otherwise than as permitted under section 3 or breaks any condition contained in licence granted under that section, shall be guilty of an offence: Penalty, a fine of \$5,000, and a further fine of \$2,000 for every week or part thereof during which the line is maintained or worked or the breach of the condition continues.

Unlicensed telecommunication or breach of licence.

22. Any person who, knowing or having reason to believe that a telecommunication has been established or is maintained or worked in contravention of this Act, transmits or receives any message by such telecommunication or performs any service incidental thereto, or delivers any message for transmission by such telecommunication, or accepts delivery of any message sent thereby, shall be guilty of an offence: Penalty, a fine of \$200.

Using unlicensed telecommunications.

23. Any person who —

(a) enters any part of a telecommunication office of the Government or any part of an office of a person licensed under this Act without the permission of the telecommunication officer in charge;

Intrusion or trespass or obstruction.

(b) enters a fenced enclosure, building or room of such a telecommunication office in contravention of any regulations or notice not to do so;

(c) refuses to quit such enclosure, building or room on being requested to do so by any telecommunication officer or servant employed therein; or

(d) wilfully obstructs or impedes any such officer or servant in the performance of his duty,

shall be guilty of an offence: Penalty, a fine of \$2,000.

Unlawful attempt to learn contents of messages.

24. Any person who does any of the acts mentioned in section 23, with the intention of unlawfully learning the contents of any message or of committing any offence punishable under this Act, shall be guilty of an offence: Penalty, in addition to the fine to which he is liable under section 23, imprisonment for 18 months.

Intentional damage to telecommunication.

25. Any person who, intending —

(a) to prevent or obstruct the transmission or delivery of any message;

(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 telecommunication plant, shall be guilty of an offence: Penalty, imprisonment for 5 years and a fine of \$20,000.

Offences by telecommunication officers.

26. 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 or record of any message;

(b) wilfully and otherwise than in obedience to an order of His Majesty or of an officer specially authorised by him 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 or record 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 guilty of an offence: Penalty, imprisonment for 3 years and a fine of \$16,000.

27. Any telecommunication officer who transmits or allows to be transmitted by telecommunication any message on which the charge prescribed by His Majesty in Council or by a person licensed under this Act, as the case may be, has not been paid, intending thereby to defraud the Government or that person, shall be guilty of an offence: Penalty, imprisonment for 3 years and a fine of \$16,000.

Fraudulently
sending
messages.

28. Any telecommunication officer, or other person having official duties connected with any 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 guilty of an offence: Penalty, imprisonment for 6 months and a fine of \$2,500.

Misconduct.

29. Any person who transmits or causes to be transmitted by telecommunication a message which he knows to be false or fabricated shall be guilty of an offence: Penalty, imprisonment for 5 years and a fine of \$24,000.

Sending false
messages.

30. Any person who fraudulently retains or wilfully secretes, makes away with or detains a message or record of a message which ought to have been delivered to some other person, or being required by a telecommunication officer to deliver up any

Fraudulent
retention of
message.

such message or record thereof neglects or refuses to do so, shall be guilty of an offence: Penalty, imprisonment for 3 years and a fine of \$16,000.

Refusal or neglect to produce message.

31. Any person who, on being required under section 6 to produce any original or transcript of a message or any record or paper relating to a message, refuses or neglects to do so, shall be guilty of an offence: Penalty, imprisonment for 6 months and a fine of \$2,500.

Telecommunication officers deemed public servants.

32. (1) A telecommunication officer shall be deemed a public servant within the meaning of sections 161, 162, 163, 164 and 165 of the Penal Code.

Cap. 22.

(2) In the said section 161 the word “Government” shall for the purposes of this Act deemed to include a person licensed under this Act.

Cap. 22.

PART V

RADIOCOMMUNICATION

Exemption.

33. The provision of this Part shall not apply to officers or men of the Royal Brunei Police Force on the Royal Brunei Malay Regiment, and other armed forces for the time being in Brunei Darussalam, or any visiting forces present for the time being in Brunei Darussalam by virtue of any written law or by virtue of any lawful arrangement made by or on behalf of Brunei Darussalam using radiocommunication apparatus in the performance of their official duties, or to radiocommunication apparatus so used.

Interpretation.

34. (1) In this Part —

“Hertzian waves” means electromagnetic waves between 10Kc/s and 3,000,000 Mc/s;

“local aircraft” means any aircraft registered in Brunei Darussalam;

“local vessel” means any ship registered in a port of Brunei Darussalam, or any vessel licensed to be

used in the tidal waters of Brunei Darussalam, or any unlicensed vessel habitually kept in Brunei Darussalam or the territorial waters thereof;

“radiocommunication” means any telecommunication by means of Hertzian waves;

“radiocommunication apparatus” means any apparatus or any component part thereof capable of being used or being adapted for the transmission or reception of Hertzian waves;

“radiocommunication station” means a separate transmitter or receiver or a combination of transmitters and receivers including the accessory equipment required for carrying on a definite radiocommunication service;

“vehicle” means any vehicle whether mechanically propelled or not;

(2) Subject to regulations made under section 39, nothing in this Part shall prevent any person from making or using electrical apparatus for actuating machinery or for any purpose other than the transmission or reception of messages or other communications whatsoever.

35. (1) The Government shall have the exclusive privilege of establishing any radiocommunication station and of installing and working any radiocommunication apparatus for the purpose of —

Exclusive
privilege.

(a) transmitting messages or other communications whatsoever by radiocommunication within Brunei Darussalam and receiving messages or other communications whatsoever so transmitted;

(b) transmitting messages or other communications whatsoever by radiocommunication from Brunei Darussalam to any place, ship or aircraft outside Brunei Darussalam; or

(c) receiving in Brunei Darussalam messages or other communications whatsoever transmitted by radiocommunication from any place, ship or aircraft outside Brunei Darussalam.

(2) His Majesty in Council may fix the rates at which, and the conditions and restrictions subject to which, messages or other communications may be transmitted or received by radiocommunication or delivered after receipt to the person to whom they are addressed.

Grant of
licences.

36. (1) His Majesty in Council may, whenever he deems it expedient to do so, licence the establishment of any radiocommunication station or the installation or working of any radiocommunication apparatus in any place in Brunei Darussalam or on board any vessel or local aircraft or in any vehicle.

(2) His Majesty in Council may, whenever he deems it expedient to do so, issue to any person who holds a licence under subsection (1) a licence to work any radiocommunication apparatus for all or any of the purposes mentioned in section 35.

(3) His Majesty in Council may delegate his power of issuing licences to the telecommunication authority, or to such officer or officers as he thinks fit and may appoint officers for the purpose of carrying into effect the provisions of this Part:

Provided that no delegation of the power of issuing licences shall affect the exercise of such power by His Majesty in Council.

Cap. 22. (4) All such officers shall be deemed to be public servants within the meaning of the Penal Code.

Prohibitions.

37. (1) No person shall —

(a) establish any radiocommunication station or install or work any radiocommunication apparatus in any place in Brunei Darussalam or on board any local vessel or local aircraft or in any vehicle; or

(b) offer for sale, sell, or have in his possession with a view to sale radiocommunication apparatus or material,

except under and in accordance with a licence granted under this Part.

(2) Every such licence shall be in such form and for such period as His Majesty in Council determines and shall contain such terms, conditions and restrictions, on and subject to which the licence is granted, as His Majesty in Council considers desirable in the public interest.

(3) Any person who is in possession of any radiocommunication apparatus intended for transmitting or receiving messages by radiocommunication shall be deemed until the contrary is proved to have worked the same.

(4) The occupier of any dwelling-house or premises in which is installed any radiocommunication apparatus for receiving any messages by radiocommunication in respect of which a licence is not in force shall be guilty of an offence: Penalty, a fine of \$4,000.

(5) It shall be a defence to a prosecution for an offence against subsection (4) that the occupier was not aware and could not with reasonable diligence have become aware of the existence in the dwelling-house or premises of the radiocommunication apparatus in question.

38. (1) Any person who establishes a radiocommunication station or installs or works any radiocommunication apparatus without a licence shall be guilty of an offence: Penalty, imprisonment for 5 years and a fine of \$24,000, and in either case shall be liable to forfeit any radiocommunication apparatus installed or worked without a licence.

Penalty for unlicensed station.

(2) If a magistrate is satisfied by information on oath that there is reasonable ground for believing that a radiocommunication station has been established or that any radiocommunication apparatus has been installed or worked

without a licence in a place in Brunei Darussalam or on board any local vessel or local aircraft, he may grant a search warrant to any police officer to enter and inspect the station, place, local vessel or local aircraft and to seize any apparatus which appears to him to be used or intended to be used for radiocommunication therein.

(3) A police officer may seize any apparatus which is found by him in any vehicle and which appears to him to be used or intended to be used without a licence for radiocommunication therein.

Power to make
regulations.
[S 5/89]

39. (1) His Majesty in Council may make regulations to provide for —

(a) the forms of licences and the manner in which applications for licences under this Part are to be made;

(b) the terms, conditions and restrictions on and subject to which such licences are granted and the duties of licensees;

(c) the fees payable on the grant of any such licence;

(d) the working and use of radiocommunication apparatus;

(e) the licensing of dealers in and the sale or transfer of radiocommunication apparatus;

(f) the working or using of any radiocommunication apparatus in any vehicle or on board any vessel, whether local or foreign, while in the territorial waters of Brunei Darussalam;

(g) the working or using of any radiocommunication apparatus on any aircraft, whether local, British or foreign, while in or over Brunei Darussalam or the territorial waters thereof;

(h) the examination and issue of certificates of proficiency to radiocommunication operators;

(i) the secrecy of radiocommunications;

(j) electrical interference with the working or using of any radiocommunication apparatus and the requirements to be complied with in the case of any apparatus to prevent or reduce such interference; or

(k) all matters which by this Part are required or permitted to be prescribed or which are necessary or convenient to be prescribed for carrying out or giving effect to this Part.

(2) Any of such regulations may provide penalties, not exceeding a fine of \$4,000, for breach of any of the provisions thereof.

(3) No regulations made in respect of the matters described in paragraphs (f) and (g) of subsection (1) shall apply to the use of radiocommunication for the purpose of making or answering signals of distress.

40. If on the occurrence of any public emergency or in the interest of public safety or tranquillity, His Majesty in Council is of opinion that the Government should have control over the transmission or reception of messages by radiocommunications, then after publication of notice to that effect in the *Gazette* and until further notice, the use of radiocommunication at any radiocommunication station and by any installation or apparatus for radiocommunication in Brunei Darussalam or on board any vessel in the territorial waters of Brunei Darussalam or on any aircraft in or over Brunei Darussalam or its territorial waters or in any vehicle shall be subject to such orders, rules or regulations as His Majesty in Council may make, either before or after the occurrence of the emergency, and such orders, rules or regulations may —

Control of
apparatus in
an emergency.

(a) prohibit or regulate such use in all cases or in such cases as may be deemed desirable; or

(b) provide for —

- (i) the taking possession of, the control of or the usage for official purposes of all radiocommunication stations and apparatus, and the payment of compensation for any damage caused thereby;
- (ii) the stopping, delaying and censoring of all messages received, transmitted or submitted for transmission;
- (iii) the carrying out of any other purpose which His Majesty in Council thinks necessary:

Provided that nothing in such orders, rules or regulations shall apply to the use of radiocommunication for the purpose of making or answering signals of distress.

Licences for experimental purposes.

41. (1) When an applicant for a licence proves to the satisfaction of His Majesty that the sole object of obtaining the licence is to enable him to conduct experiments in radiocommunication, a licence for that purpose may be granted in accordance with the regulations made under section 39 and may not be subject to any rent or royalty.

(2) The expression “rent or royalty” in subsection (1) does not include fees charged in respect of the grant or renewal of licences.

Penalty for breach of conditions of licence.

42. (1) Every omission or neglect to comply with, and every act done or attempted to be done contrary to this Part or any regulation made thereunder, or in breach of the conditions and restrictions subject to or upon which any licence has been issued, shall be guilty of an offence: Penalty, a fine of \$4,000 and any article used in connection with such offence shall be forfeited.

(2) In the case of a conviction involving a fine the court inflicting such fine may direct, on the application of the officer

conducting the prosecution, that any part not exceeding one-half thereof shall be paid to any person who has given such information as had led to the conviction of the offender or offenders, or if there are more than one such person may direct that it be divided amongst them in such proportions as the Court deems fit.

SUBSIDIARY LEGISLATION

Regulations under section 7

TELEGRAPH REGULATIONS

ARRANGEMENT OF RULES

Rules

PART I

PRELIMINARY

1. Citation.
2. Interpretation.

PART II

**GENERAL CONDITIONS OF TRANSMISSION
OF TELEGRAMS**

3. Business.
4. Responsibility for delay, etc.
5. Objectionable telegrams.
6. Characters.
7. Abbreviation of special instructions.
8. Special expressions.
9. Conditions of acceptance.
10. Languages.
11. Plain language.
12. Secret language.
13. Parts of a telegram.
14. Route.
15. Special instructions.
16. Address.
17. Registered abbreviated addresses.
18. Insufficient address.
19. Signature.

[Subsidiary]

20. Proof of identity.
21. Rectification and repetition of telegrams.
22. Chargeable text.
23. Preamble of telegram.
24. Items counted as one word.
25. Signs used with figures or letters.
26. Priority order.
27. Inland telegram charges.
28. Method of payment.
29. Recovery of charges from addressee, etc.
30. Interruption of communication.
31. Cancellation.
32. Delivery at destination.
33. Free delivery limits.
34. Persons to whom a telegram may be delivered.
35. Telegram addressed Poste Restante, etc.
36. Delivery to ship.
37. Reply by messenger.
38. Undelivered telegram.
39. Re-directed telegram.
40. Telegram to follow.
41. Prepaid reply.
42. Repeated telegram.
43. Notification of delivery.
44. Multiple telegram.
45. Telegram addressed where no telegraph office exists.
46. Employment of post for delivery outside free delivery limit.
47. Press telegram.
48. Preservation of records.
49. Extended preservation.
50. Searching fee.

-
51. Copy of a telegram.
 52. Secrecy.
 53. Refunds.

PART III

FOREGIN TELEGRAMS

54. General condition.
55. Language and text.
56. Counting words.
57. Addrss.
58. Charges.
59. Urgent telegram.
60. Foreign press telegram.
61. Letter telegram.
62. Intra-Commonwealth Social telegram.

PART IV

RADIOTELEGRAMS

63. General conditions.
 64. Acceptance and services.
 65. Address.
 66. Charges.
 67. Counting words.
 68. Retransmission.
 69. Non-delivery.
 70. Message to His Majesty ships.
-

SUBSIDIARY LEGISLATION

Regulations under section 7

TELEGRAPH REGULATIONS

[S 32/57]

[S 47/57]

[S 99/59]

Commencement: 1st November 1974

PART I

PRELIMINARY

1. These Regulations may be cited as the Telegraph Regulations. Citation.
2. In these Regulations — Interpretation.
 - “Brunei Darussalam Telegraph System” means the telegraph system controlled and operated by Government;
 - “foreign telegram” means a telegram sent to or received from a place outside the Brunei Darussalam Telegraph System or which passes over a line not forming part of such system;
 - “Government telegram” means a telegram on the business of Government signed by a Government officer;
 - “inland telegram” means a telegram which is sent to or received from a place within the Brunei Darussalam Telegraph System;
 - “International List” means the Official List of Telegraph Officers open for International Traffic published by the International Telecommunication Union;
 - “List of Coast and Ship Stations” means the List of Coast and Ship Stations published by the International Telecommunication Union;
 - “meteorological telegram” means a telegram sent by an official meteorological service or by a station officially connected therewith, addressed to a similar service or station, consisting solely of meteorological matter;
 - “service advice” means an official telegram sent and transmitted by one telegraph office to another in respect of a telegram previously transmitted;
 - “telegram” means any written matter accepted at a telegraph office for transmission by telegraph;
 - “telegraph” means any system of telecommunication for the transmission of written matter by the use of a signal code;

[Subsidiary]

“telegraph office” means a telecommunication office, post office, or other place in Brunei Darussalam, or elsewhere, at which telegrams may be handed in for transmission.

PART II

GENERAL CONDITIONS OF TRANSMISSION OF TELEGRAMS

Business hours.

3. Telegrams are accepted for transmission at telegraph offices during the hours of business as notified at such offices.

Responsibility for delay, etc.

4. No responsibility shall attach to Government in respect of —

(a) any inaccuracy in a telegram;

(b) delay in the delivery of a telegram;

(c) non-delivery of a telegram; or

(d) failure to act on any special instruction as provided in Regulation 7.

Objectionable telegrams.

5. No telegram shall be transmitted which contains no text at all, or matter which is —

(a) prejudicial to the safety or interests of Brunei Darussalam; or

(b) contrary to law; or

(c) indecent or obscene.

The telecommunication authority may stop any private telegram which appears to offend against these requirements. If any doubt arises as to the meaning of a telegram the matter shall be referred to the Minister whose decision shall be conclusive proof on the point.

Characters.

6. Telegrams shall be elegibly written in any of the following characters —

(a) Letters — A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z;

(b) Figures — 1, 2, 3, 4, 5, 6, 7, 8, 9, 0; or

(c) Signs of punctuation and other signs: Full stop (.), comma (,), colon (:), note of interrogation (?), apostrophe (’), hyphen or dash (—), brackets [()], fraction bar(/).

Abbreviation of special instructions.

7. Special instructions, expressed by the following abbreviated service indications, shall be accepted as part of a telegram on payment of such charges as the carrying out of any special instruction incurs —

=Urgent=	Urgent telegram;
=RP ⁽¹⁾ =	Telegram with reply paid;
=RP Urgent ⁽¹⁾ =	Telegram with urgent reply paid;
=TC=	Telegram to be repeated;
=PC=	Telegram the delivery of which is to be notified by telegraph;
=PCP=	Telegram the delivery of which is to be notified by post;
=FS=	To follow addressee;
=POST=	Telegram to be posted at the terminal telegraph office;
=PR=	Telegram to be posted as a registered letter at the terminal telegraph office;
=PAV=	Telegram to be posted by airmail at the terminal telegraph office;
=EXPRESS=	Telegram for a destination beyond the free delivery limit of telegraph office, which is to be delivered by special messenger;
=XP ⁽²⁾ =	Porterage prepaid;
=MP=	Telegram to be delivered to addressee personally;
=TR=	Telegram to be called for at the telegraph office (Telegraph Restant);
=GP=	Telegram to be called for a post office (Poste Restante);
=GPR=	Telegram to be registered and kept at the post office until called for;
=TM ⁽³⁾ =	Telegram with multiple address;
=CTA=	Communicate all addressees;
=OBS=	Meteorological telegram;
=PRESSE=	Press telegram;
=TF=	Deliver by telephone;

[Subsidiary]

=LT=	Letter Telegram (foreign telegrams only);
=GLT=	Intra-Commonwealth Social Telegram;
=JOUR=	To be delivered only during the day;
=NUIT=	To be delivered during the night;

Any practicable combination of special instructions may be employed in a telegram.

- (1) Number of words prepaid to be inserted here.
- (2) Here insert amount paid (for example, "XP dollars 2"), the whole expression counting as one word.
- (3) Here insert number of addresses.

Telegrams bearing the service indication =NUIT= received after 10 p.m. shall be delivered forthwith, subject to the working hours of telegraph offices.

Telegrams not bearing the service indication =NUIT= shall only be delivered after 10 p.m. if they are recognised by the terminal telegraph office to be of an urgent nature, or if the addressee has given written instructions at the terminal telegraph office to this effect.

Special expressions.

8. Special expressions used in a telegram are transmitted in the following forms —

(a) all figures are transmitted as Arabic figures, but if the sender of a telegram desires the addressee to be informed that Roman figures are intended, he shall write the Arabic figures and insert the word "Roman" in front of the figures;

(b) the multiplication sign (X) is accepted although it has no equivalent in the provisions of Regulation 6. It shall be replaced in transmission by the Letter X, which shall be counted as a character;

(c) expressions such as 30^a, 30^{me}, 30^{ne}, 1° 2° [B] 1' (minute), 1" (second), etc., cannot be reproduced by telegraph instruments and a sender shall therefore substitute expressions with equivalent meaning which can be telegraphed. For example, for the expressions quoted above: 30 power a (or 30a), trentieme, trentaine, primo, secundo, B in diamond, 1 minute, 1 second, etc., shall be used; and

(d) if the expressions 30^a, 30^b, etc., 30 bis, 30 ter, etc., 30 I, 30 II, etc., 30¹, 30², etc., indicating house numbers, appear in an address, the accepting officer shall separate by an oblique stroke the number from the letter or figure accompanying it. The same practice shall be adopted in transmitting house numbers such as 30a, 30b, etc. A fraction bar (oblique stroke) shall not be counted

as a character in a group of figures, or a group of figures and letters forming a house number, although such expressions are transmitted as — 30/a, 30/b, etc., 30/bis, 30/ter, etc., 30/1, 30/2, etc.

9. No telegram shall be accepted, transmitted or delivered —

Conditions of acceptance.

(a) unless it is written as provided in Regulations 6, 7 and 8;

(b) unless every foot-note, insertion, erasure, elimination or correction is proved by the sender;

(c) if it contains a combination, within a single group, of any figures, letters and signs having a secret meaning.

10. A telegram may be sent in plain or secret language.

Languages.

11. (1) Plain language is that which conveys an intelligible meaning in one or more of the following languages, each word and each expression having the meaning normally assigned to it in the language to which it belongs —

Plain language.

Abyssinian	Hindi	Polish
Afrikaans	Hungarian	Portuguese
Albanian	Ibo	Pushtu
Amharic	Icelandic	Romanch
Arabic	Indonesia	Romanian
Armenian	Iranian	Russian
Bielorussian	Irish	Sarawak
Bulgarian	Italian	Samoan
Cambodian	Japanese	Serb
Carelian	Kadazan	Slovak
Chinese*	Kazakh	Slovene
Croat	Kigongo	Spanish
Czech	Kirghiz	Swedish
Danish	Kisuahili (Swahili)	Tadjik
Dutch	Korean	Tahitian
Dayak	Lapp	Thai
English	Laotian	Tongan
Esperanto	Latin	Tahiluba
Estonian	Lettish	Turcoman
Faroese	Lingala	Turkish
Filipino	Lithuanian	Ukrainian

[Subsidiary]

Finnish	Luxembourg	Uoloff
Flemish	Macedonian	Urdu
French	Malagsay	Uzbek
Georgian	Malay	Vietnamese
German	Maltese	(quoc-ngu)
Greek	Maori	Welsh
Greenlandic	Moldavian	Yiddish
Hausa	Norwegian	Yoruba
Hebrew	Papiamento	

* Refers to groups of 4 figures taken from the Official Dictionary of the Chinese Telegraph Administration.

(2) A foreign telegram originating in or addressed to a place in China may be expressed wholly by means of groups of 4 figures taken from the Official Dictionary of the Chinese Telegraph Administration.

(3) Tamil and other Indian languages may not be available for the purpose of transmission of foreign telegrams in plain language, and enquires regarding this matter may be made at any telegraph office.

(4) The sender of a plain language telegram written in any language or combination of languages as provided in paragraph (1) shall, at the request of the accepting officer, furnish him with a written statement of the language used and that none of the matter in the telegram is expressed in secret language.

(5) A plain language telegram means a telegram in which the text is wholly in plain language. The character of a plain language telegram is not changed by the inclusion of —

(a) numbers written in letters or figures, or groups of letters or figures, provided that such numbers and groups have no secret meaning;

(b) arbitrary or abbreviated addresses;

(c) commercial marks, trade marks, designations of goods, arbitrary technical terms used to denote machines or machine parts, reference numbers or indications and other similar expressions, whether composed of letters, figures or signs, provided that they are used in a catalogue available to the public, price list, invoice, bill of lading or similar document;

(d) exchange or market quotations;

(e) groups, which may include the letter X, representing meteorological observations;

(f) abbreviated expressions in current use in ordinary commercial correspondence, such as FOB, CIF, CAF, SVP, or any similar expression, which shall be accepted at the discretion of the accepting officer; or

(g) a single check word or check number placed at the beginning of the text, not exceeding 5 letters or 5 figures in length.

12. (1) A secret language telegram means a telegram which contains one or more in secret language. The sender of a secret language telegram shall produce the code from which the text or part of the text of the telegram is compiled if the accepting officer asks him for it.

Secret language.

(2) Secret language, which shall be written in accordance with the provisions of Regulations 6, 7 and 8, is formed of —

(a) artificial words composed exclusively of letters, such words not exceeding 5 letters in length;

(b) real words used with the meaning not normally assigned to them in the language to which they belong, and which do not form intelligible phrases in one or more of the languages provided in paragraph (1) of Regulation 11;

(c) Arabic figures or groups or series of Arabic figures having a secret meaning;

(d) words, names, expressions or combinations of letters which do not conform to the provisions of paragraph (1) of Regulation 11; or

(e) a mixture of words and expressions pursuant to subparagraphs (a), (b), (c) and (d).

Words in secret language must not contain the accented letter *e*.

(3) Groups expressed according to the provisions of paragraph (2) of regulation 11 are not considered as having a secret meaning.

(4) A telegram in secret language shall be charged at the ordinary or urgent rate as the case may be and no other rates shall be applicable.

13. The different parts comprising a telegram shall be written in the following order —

Parts of a telegram.

(a) special instructions, if any;

(b) address;

(c) the text of the telegram; and

(d) signature, if any.

[Subsidiary]

Route.

14. (1) If the sender wishes to specify the route of a telegram, he shall write the necessary instruction on the telegraph form. Instructions as to route shall be transmitted free.

(2) When the sender specifies the route to be followed, the telegram shall be forwarded by that route unless such route is interrupted, or transmission by it is likely to cause undue delay. In such a case no objection to the employment of another route shall be entertained. If sender does not specify a route the telegram shall be sent by the best route covered by the charges paid.

Special instructions.

15. (1) Special instructions, as provided in Regulation 7 which the sender desires to use shall be written upon the telegraph form in the space provided for the purpose.

(2) In the case of a multiple telegram the special instruction which concerns each addressee shall be written immediately before his name, but in the case of an urgent or repeated multiple telegram the instruction relative to urgency or repetition need only be written once before the first address.

(3) Special instructions shall be charged for and transmitted only in the abbreviated forms as provided in Regulation 7. The accepting officer may delete any instruction written in full by the sender and substitute for it the corresponding abbreviation.

Address.

16. (1) Every address shall contain at least 2 words: the first designating the addressee, the second indicating the name of the terminal telegraph office.

(2) The address shall contain all particulars necessary for delivery of the telegram to the addressee, without search or enquiry.

(3) In the case of large towns the address shall contain the name of the street and the number of the house or, in the absence of these particulars, it shall state the occupation of the addressee or give any other information which may facilitate the delivery of the telegram.

(4) For small localities the name of the addressee shall be supplemented, as far as possible, by additional particulars for the guidance of the terminal telegraph Office.

(5) When the sender desires his telegram to be delivered by telephone he shall use the service indication =TF= before the telephone number of the addressee, followed by the addressee's name the name of the town. For example —

(i) =TF Brunei Darussalam 123 = JOHARI BRUNEI DARUSSALAM;

(ii) = TF MAYFAIR 1234 =ROBINSON LONDON.

Even though a telephone address is given, a telegram may be delivered by other means.

When a telegram is delivered by telephone a confirmatory copy shall be sent by post, free of charge.

The address may also be composed of the addressee's name and his post office box number. The address shall then be worded as in the following example: "SAMAD POST BOX 218 BRUNEI DARUSSALAM".

(6) When a telegram is addressed to a person at the address of another, the address shall contain, immediately after the name of the actual addressee, the expression "CHEZ", "AUX SOINS DE" or other equivalent expression. In the case of a foreign telegram the abbreviation "c/o" shall not be used.

(7) The address of a telegram addressed "Poste Restante" or "Telegraph Restant" shall give the name of the addressee. The use of initials, figures, Christian names only and fictitious names is not permitted.

17. (1) Any firm or individual may register an abbreviated address at a telegraph office. When so registered the address on a telegram may be written in that form. The fee charged for registration of an abbreviated address shall be —

Registered
abbreviated
addresses.

(a) for any period commencing before 1st July to 31st December following \$50.00;

(b) for any period commencing on or after 1st July to 31st December following \$25.00.

(2) No abbreviated address can be accepted for registration unless it is first approved by the telecommunications authority.

(3) For an abbreviated address, only easily pronounced genuine or artificial words not exceeding 10 letters in length will be registered. Proper names will not be accepted.

(4) A charge of one dollar shall be made for the delivery of a telegram bearing an abbreviated address which has not been registered at the terminal telegraph office. This charge will be collected on delivery.

(5) The registration of an abbreviated address may be cancelled. On such cancellation that part of the registration fee proportionate to the unexpired period in respect of which a registration fee has been paid shall be refunded.

18. (1) A telegram which does not satisfy the provisions of Regulations 16 and 17 may nevertheless be accepted and transmitted at the sender's risk.

Insufficient
address.

(2) No responsibility shall attach to Government for the consequences of an insufficient address; after a telegram has been despatched it can neither be completed nor altered, except by a service advice.

19. A signature is not essential on a telegram; it may be written by the sender in a customary abridged form or may be replaced by a registered

Signature.

[Subsidiary]

address, but in any event the sender shall insert his name and address in the space provided on the telegraph form.

Proof of identity.

20. The sender and addressee of a private telegram shall prove their identity when requested to do so by the telegraph office of origin or terminal telegraph office.

Rectification and repetition of telegrams.

21. (1) The sender and addressee of any telegram already transmitted, or in course of transmission, may, during the period of preservation of records, cause enquiry to be made or instructions to be given respecting such telegram, by telegraph. For this service the following charges shall be paid —

- (i) the cost of the telegram making the request; and
- (ii) the cost of the reply telegram, if a reply by telegraph is requested.

(2) For the purpose of checking the contents of a telegram sent or received, the sender or addressee may have the telegram repeated wholly or in part by the telegraph office of origin, transit or terminal telegraph office:

Provided that in the case of repetition requested by the addressee —

(a) the full charge for each word to be repeated shall be paid; and

(b) by paying an additional fee of \$2.00 the addressee may also request that the sender be consulted regarding the words of which repetition is sought.

(3) A telegraphic communication relating to a telegram already despatched or in course of transmission, when addressed by one telegraph office to another, shall be sent in the form of a service advice at the cost of the sender or the addressee. If the sender requests that the reply to a service advice be sent by post, a charge of one dollar shall be made for such reply.

(4) A communication as provided in this Regulation may be made by post through the agency of the telegraph office of origin or terminal telegraph office. Such a communication shall be sent under registered cover at the cost of the person making the request who shall, in addition, pay the cost of a reply by post when he demands one.

Chargeable text.

22. (1) Every word or isolated letter or figure written upon the telegraph form by the sender for transmission to the addressee shall be charged for.

(2) Signs of punctuation, apostrophes and hyphens shall only be transmitted if the sender pays for them as isolated figures or letters. In the absence of any request by the sender it shall be assumed that he does not wish them to be transmitted. When signs of punctuation, instead of being used singly, are repeated one after the other, they shall be charged for as groups of figures.

(3) Any special instruction relating to a telegram or its service indication, written by the sender, shall, unless otherwise provided, be charged for.

(4) The counting of words by the telegraph office of origin shall be decisive.

23. (1) The name of the telegraph office of origin, the date and time of receipt of the telegram from the sender, instructions as to the route, and words, numbers or signs, constituting the preamble of a telegram and added by the telegraph office for official purposes, shall not be charged for.

Preamble of telegram.

(2) The sender may insert the particulars as provided in this Regulation, wholly or in part, in the text of his telegram, but in such case they will be charged for.

24. (1) The following items shall each count as one word —

Items counted as one word.

(a) in the address —

- (i) the name of the terminal telegraph office, coast or ship station when written as published in the International List or List of Coast and Ship Stations;
- (ii) when the name of the terminal telegraph office, coast or ship station has not been published in the International List or List of Coast and Ship Stations, the name of such telegraph office or station, completed by the name of the country or smaller division of territory, or both, or by any other particulars;
- (iii) the name of a country or smaller division of territory written as published in the International List, including any alternative forms given in the preface to the list; and
- (iv) the name or recognised indicator of a district in the town to which a telegram is addressed, if added to the name of the town: for example:

KATONG, SINGAPORE.
LONDON, N.10;

(b) in money order telegrams, the name of the post office of issue, the name of the post office of payment and the name of the locality in which the payee lives;

(c) every isolated character, letter, figure, sign of punctuation, apostrophe, hyphen or fraction bar, transmitted at the request of the sender;

(d) brackets (the 2 signs are counted as one word); and

[Subsidiary]

(e) special instructions written in accordance with the provisions of Regulation 7.

(2) In a plain or secret language telegram each word shall be chargeable which appears in a standard dictionary of one of the languages as provided in paragraph (1) of Regulation 11, or is in common use in one of such languages, and any expression as provided in paragraph (6) shall be so chargeable:

Provided that a word or expression containing more than 15 characters shall be chargeable at the rate of one word for each 15 characters or part thereof.

(3) Words which do not conform to the provisions of paragraph (1), and groups composed of letters, figures, signs or a mixture thereof, house numbers or ordinal numbers (e.g. 2nd, 25th, etc.), shall be counted at the rate of one word for each 5 characters or part thereof.

(4) The method of counting bank telegrams and other telegrams of a similar nature containing a check word or check number as the first word of a plain language text shall be in accordance with the provisions of paragraphs (2) and (3), but the length of the check word or check number shall not exceed 5 letters or figures. Commercial marks shall be counted at the rate of 5 characters to the word, plus one word for any excess.

(5) A registered abbreviated telegraphic address, whether used in the address, text or signature, shall be treated as plain language words.

(6) Family names belonging to one person, the full or abbreviated names of places, squares, boulevards, streets and other public ways, names of ships, designations of aircraft and railway trains, compound words, subject to the discretion of the telecommunication authority, and whole numbers, fractions, decimal or fractional numbers written in words, may be grouped as a single word which shall be counted as provided in paragraphs (2) and (3). Numbers written in words in which the figures are represented separately or in groups, for example: THIRTY THIRTY instead of THREE THOUSAND AND THIRTY or SIX FOUR SIX instead of SIX HUNDRED AND FORTY SIX, shall be counted in the same way. Asian names shall be accepted as one word if so written. Words separated or joined by an apostrophe, hyphen or fraction bar shall be counted as separate words.

(7) Groups of figures or letters, and commercial marks composed of figures and letters, shall be counted at the rate of one word for each 5 figures or letters which they contain, plus one word for any excess. Each of the combinations AE, AA, AO, OE, UE, and CH shall be counted as 2 letters. The letters "FOB" (Free on Board), "CIF" (Cost Insurance Freight), "CAF" (Court, Assurance, Fret), "SVP" (S'il vous plait), or any similar expression in general use, not exceeding 5 letters, shall each count as one word.

Signs used with figures or letters.

25. A full stop, comma, colon, dash and fraction bar shall each count as a figure or a letter in group in which it occurs. This shall also apply to each letter added to a group of figures to form an ordinal number, as well as to a letter or figure added to the number of house in an address, including an

address in the text of a telegram a fraction bar shall not be that in the address of a telegram a fraction bar shall not be counted as a character.

26. The transmission of telegrams shall take place in the following order — Priority order.

- (a) Air Warning Priority messages;
- (b) Telegrams relating to the safety of life by land, at sea or in the air;
- (c) Urgent Government telegrams which include in the address the prefixes “EMERGENCY”, “IMMEDIATE” or “PRIORITY”;
- (d) Urgent service telegrams relating to interruption of communication;
- (e) Meteorological telegrams;
- (f) Other urgent telegrams whether Government, service, private or press;
- (g) Non-urgent Government, service, private or press telegrams, other than Letter Telegrams; and
- (h) Letter Telegrams and Intra-Commonwealth Social Telegrams.

27. Subject to a minimum charge, as shown, the charges for inland telegrams shall be — Inland telegram charges.

Class	First 5 words	Each additional word	Minimum charge as for:
Urgent	\$1.50	30 cts.	5 words
Non-urgent	75 cts.	15 cts.	5 words
	First 3 words		
Press	25 cts.	10 cts.	3 words
Press (urgent)	\$1.00	30 cts.	3 words

28. (1) All charges shall be prepaid, except (a) those for supplementary services or special conveyance beyond the free delivery limit of the terminal telegraph office which may be collected from the addressee; or (b) where special arrangements have been made for the receiver to pay. Method of payment.

[Subsidiary]

(2) If a telegram is handed in at a telegraph office charges shall be paid in cash, or by debit to a telegram deposit account, at the discretion of the telecommunication authority.

A receipt shall be given for all charges in respect of a telegram accepted for transmission.

Recovery of charges from addressee, etc.

29. (1) Where charges are due to be collected on delivery, the telegram shall only be handed to the addressee upon payment of the amount due.

(2) Undercharges made in error, and charges and expenses not recovered from the addressee in consequence of his refusal to pay them, or the impossibility of finding him, shall be recoverable from the sender.

Interruption of communication.

30. If it is found that a telegram cannot be sent to its destination owing to interruption of the specified route, the telegram shall be forwarded by the best means available without further cost to the sender.

Cancellation.

31. The sender of a telegram may cancel a telegram before transmission has begun and, in such case, the charges, less a fee of one dollar, will be refunded. If the telegram is in course of transmission or has already been despatched, it may be cancelled only by a service advice addressed to the terminal telegraph office. The sender shall then pay, at his option, the cost of a telegraphic or postal reply to the service advice of cancellation. If the telegram has been delivered to the addressee he shall be informed of its cancellation, unless the service advice contains instructions to the contrary.

Delivery at destination.

32. A telegram is delivered according to its address either at business premises, a residence, Poste Restante or Telegraph Restant. It may also be forwarded to the addressee by telephone.

Free delivery limits.

33. A telegram is delivered free of charge within 2 miles of the terminal telegraph office, measured by route distance. Beyond this limit, a telegram is delivered by post without charge, or by such other means as may be arranged between the terminal telegraph office and the sender or addressee.

Persons to whom a telegram may be delivered.

34. A telegram taken to the addressee's place of residence may be delivered either to the addressee or to any adult member of his family, any of his employees, lodgers or guests, or to the porter of the hotel or house, unless the addressee has named in writing a particular person to whom he wishes the telegram delivered, or the sender has written on the telegraph form the special instruction =MP=, in which case the telegram shall be delivered to the addressee personally.

Telegram addressed Poste Restante, etc.

35. (1) Where a telegram is addressed "Poste Restante" it shall at once be posted to or delivered at the appropriate post office, where it shall be subject to the same conditions relating to delivery and period of preservation as postal correspondence. When addressed "Telegraph Restant" it shall be kept at the terminal telegraph office for a period of 6 weeks.

(2) When a charge is due to be collected on a telegram addressed "Poste Restante" or "Telegraph Restant" and the telegram has not been claimed by the addressee, a service advice of non-delivery shall be sent to the

sender by post at the expiration of the period for retaining such correspondence.

36. A telegram addressed to a passenger on board a ship arriving at a port shall be delivered, if possible, before disembarkation. Such telegram may, at the discretion of the terminal telegraph office, be delivered to the shipping agents.

Delivery to ship.

37. The telegraph messenger who delivers a telegram may be entrusted with the reply, provided that he is not detained for this purpose for more than 5 minutes. The fact of the reply having been given to a messenger, and the amount paid to him, shall be written on the receipt given for the original telegram.

Reply by messenger.

38. (1) When a telegram cannot be delivered, the terminal telegraph office shall send a service telegram to inform the sender. But no telegram advising on-delivery shall be sent in respect of —

Undelivered telegram.

(a) a telegram addressed to await arrival, Poste Restante, Telegraph Restant, c/o post (or telegraph) office;

(b) a telegram addressed to a place outside the free delivery limit of the terminal telegraph office which has been posted and is subsequently returned as undelivered by the post office; and

(c) a telegram addressed to an hotel, unless returned immediately to the terminal telegraph office as being undeliverable.

(2) When in consequence of an inexact or insufficient address, or of the addressee's absence or refusal to accept a telegram, charge due on the telegram have not been paid by the addressee, such charges shall be recoverable from the sender.

(3) If the messenger finds no one at the address given who will accept a telegram for the addressee, an advice of the fact shall be left at the address given and the telegram shall be brought back to the terminal telegraph office to await collection by the addressee.

(4) Before a telegram is delivered by the messenger the form of receipt accompanying the telegram must be signed by the addressee or his representative, and all due charges paid. The time at which the telegram is delivered shall be written by the recipient on the form of receipt.

39. (1) At the request of the addressee made in writing at a telegraph office, a telegram addressed to him at that telegraph office shall be re-directed to any telegraph office in Brunei Drussalam. The charge for such re-direction shall be the same as for the original telegram, and may be prepaid by the addressee or recovered from him on delivery of the telegram.

Re-directed telegram.

(2) Any instruction which a person leaves at a telegraph office in respect of the delivery or re-transmission of a telegram shall, if necessary, be renewed at intervals of 6 months.

[Subsidiary]

Telegram
to follow.

40. (1) The sender of a telegram addressed to a country whose regulations so permit, may, by inserting before the address "To Follow", request that the terminal telegraph office shall cause his telegram to follow the addressee.

(2) The sender shall pay in advance the charge for transmission of the telegram to the first address, and the cost of further transmission shall be collected from the addressee on delivery of the telegram.

(3) If the telegram cannot be delivered, the sender shall be so advised and any charges due on the telegram shall be recoverable from him.

(4) If the addressee refuses to pay the re-direction charges, the telegram shall nevertheless be delivered and the telegraph office of origin shall be so advised. Any charge remaining unpaid shall be recoverable from the sender.

(5) If the sender of a telegram "To Follow" requests a telegraphic acknowledgement of receipt, and the telegram is re-transmitted beyond the limits of the country of destination given in such telegram, he shall pay any charge that is necessarily incurred to complete the cost of the acknowledgement of receipt. Such charge shall be according to the distance actually traversed by the telegram and shall be independent of the charges for re-transmission which the terminal telegraph office may be unable to recover.

Prepaid reply.

41. (1) The sender of a telegram may prepay a reply. The instruction "Reply paid" shall be written before the address and the sender shall state the number of words he has prepaid; for example, "Reply paid 20 words", or =RP=.

(2) The sender may also prepay an urgent reply to his telegram; in such case he shall write before the address the instruction "Reply paid urgent".

(3) At the terminal telegraph office a voucher shall be issued to the addressee stating the number of words for which a reply has been prepaid. This voucher shall give him the right to send a telegram, up to its value, from any telegraph office within the Administration of the terminal telegraph office to any destination in Brunei Darussalam. A reply paid voucher shall be valid for 3 months from the date of issue.

(4) When the charge for the reply exceeds the value of the voucher, the excess charge shall be paid by the sender using the voucher.

Repeated
telegram.

42. The sender may have his telegram repeated on payment of an additional charge of one-half the tariff rate and, in such case, the instruction "Repetition paid" shall be written before the address.

Notification
of delivery.

43. (1) The sender may request that the date and time at which his telegram is delivered to the addressee be notified to him by telegraph post.

(2) The instruction "Notification of Delivery" shall be written before the address on the telegram. The cost of notification of delivery by telegraph shall be the charge for a similar telegram of 6 words; for notification

by post, the charge shall be one dollar. When a telegram with notification of delivery cannot be delivered, a service advice reporting non-delivery shall be sent to the telegraph office of origin. If at a later time within a period of 6 weeks the telegram can be delivered to the addressee, notification of delivery shall be refunded to the sender on application. The charge for postal notification of delivery shall not be refunded.

44. (1) A multiple telegram is a telegram addressed to —

- (a) several persons in the same telegraph delivery area;
- (b) one person at several addresses in the same telegraph delivery area.

Multiple telegram.

The service indication =TM= shall be written before the address; the name of the terminal telegraph office shall appear only once at the end of the address.

A telegram addressed to 2 persons jointly (for example, Mr. and Mrs. Smith) at the same address shall not be regarded as a multiple telegram, and only one copy of the telegram shall be delivered.

(2) No multiple telegram may be addressed to more than one terminal telegraph office.

(3) A multiple telegram shall be charged as a single telegram, and a copying fee of one dollar for every 50 chargeable words or part thereof shall be chargeable for each copy. In the case of an urgent multiple telegram the copying fee shall be doubled. One copy of the multiple telegram shall be made for each address.

(4) Unless the sender requests otherwise, each copy of a multiple telegram shall only bear its respective address. If it is required that all the addresses be communicated to each addressee, the sender shall write before the addresses the instruction "Communicate all Addressee's".

45. (1) A telegram addressed to a place where there is no telegraph office, or to an address beyond the free delivery limit of a telegraph office, may be delivered at destination either by post or special messenger, according to the request of the sender.

Telegram addressed where no telegraph office exists.

(2) The address of a telegram to be conveyed beyond the free delivery limit of a telegraph office shall be preceded by an instruction denoting the means of delivery to be employed, whether post or special messenger. The name of the terminal telegraph office shall be stated at the end of the address. For example —

Post (or Express) Ah Fat, Gardener, Table Estate, Temburong.

(3) No responsibility shall attach to Government for non-delivery of a telegram if the sender has not prepaid the charges for delivery by special messenger and it is considered by the terminal telegraph office that the addressee cannot be relied on to pay the charges due. Should the addressee

[Subsidiary]

refuse to accept the telegram or pay the charges due, the charges shall be recoverable from the sender.

(4) When the sender desires to prepay the cost of delivery and indicates the amount payable in respect of it, the telegram shall bear the service indication =XP=. If the sum paid is found to be insufficient, the difference shall be recoverable from the addressee, but if it exceeds the actual cost of delivery the difference shall not be refunded.

(5) The amount of portage, in the absence of special expenditure, shall be at the rate of 50 cents per mile or part thereof, calculated by route distance from the terminal telegraph office. No charge shall be made for the return journey. In cases where special expenditure such as motorcar hire, boat hire, etc., is incurred to effect delivery, the actual amount expended shall be recoverable from the sender or addressee as the case may be. Delivery of a telegram upon which portage is chargeable shall be conditional upon the service of a suitable messenger and means of conveyance being available.

Employment
of post for
delivery
outside free
delivery limit.

46. (1) The terminal telegraph office may employ the post for the purpose of delivering a telegram beyond the free delivery limit —

(a) in the absence of directions in the telegram as to the specific means of delivery to be employed; or

(b) whenever there is an unpaid charge recoverable from the addressee for portage on a previous telegram which he has refused to pay.

(2) A surcharge equivalent to a letter registration fee shall be payable on a telegram to be delivered by registered post to an address in Brunei Darussalam. No surcharge shall be made for the delivery of a telegram by ordinary post.

Press
telegram.

47. (1) A press telegram shall be written in one of the languages as provided in paragraph (1) of regulation 11. The use of abbreviated and registered addresses shall be accepted, but apart from the service indication =PRESSE=, which shall be written at the beginning of the address, no press telegram shall bear any service indication other than that relating to an urgent telegram or multiple telegram.

(2) A press telegram shall only contain matter which is clearly intended for publication or radio broadcasting. It may not contain any passage, advertisement or communication having the character of private correspondence, any advertisement or communication the insertion or radio broadcasting of which is to be inserted or broadcast free of charge. Instructions regarding the publications shall be written between brackets (which shall be charged for) either at the beginning or the end of the text. The number of words comprising instructions relating to a single telegram shall not be more than 10 per cent of the number of chargeable words in the text, with a maximum of 20 words.

(3) A press telegram may only be addressed to a newspaper, news agency or radio broadcasting station. If the contents are not duly published,

the rate as for an ordinary private telegram shall be chargeable and payable by the addressee, in the absence of satisfactory reasons being given for non-publication.

(4) A copy of every newspaper in which a press telegram is published shall on demand, be furnished to the telegraph office from which the press telegram was delivered.

(5) The acceptance of press telegrams is subject to arrangement between the telecommunication authority and the newspaper concerned. Press telegrams shall only be accepted as such if sender produces acceptable evidence of his identity in relation to the press.

48. An original telegram shall retain in the telegraph office of origin for a period of 3 days, after which it shall be sent to a central office for preservation for a period of 10 months, prior to destruction.

Preservation
of records.

49. On the ground of pending or contemplated judicial proceedings, application may be made by an interested party to the telecommunication authority, within the normal period of preservation, for the extended preservation of any specified telegram. Such telegram shall then be preserved for a further period of 4 months after which, in the absence of application for further preservation, it shall be destroyed; the duty of the telecommunication authority is confined to making the search and preserving the telegram, if found. No information as to the result of the search shall be furnished, and any telegram answering the description given shall only be produced on the order of a Court.

Extended
preservation.

50. Should the particulars furnished be insufficient to enable the telecommunication authority at once to trace a telegram applied for in accordance with the provisions of Regulation 49, the cost of searching for it shall be deposited by the applicant. A fee of \$5.00 shall be charged for searching through the telegrams of any telegraph office for one day; thus, if it is required to examine the telegrams of 2 telegraph offices over a period of 5 days, the search fee shall be \$50.00.

Searching fee.

51. (1) The sender or addressee of a telegram shall be furnished with a certified copy of the original telegram on application to the telecommunication authority within the period of preservation.

Copy of a
telegram.

(2) A fee of \$2.00 shall be charged for each certified copy of a telegram not exceeding 150 words, plus 50 cents for each additional 50 words or part thereof.

52. The contents of a telegram shall only be communicated to the sender or addressee, or their authorised representatives.

Secrecy.

53. (1) The following telegraphic charges shall be refunded to persons who have paid them —

Refunds.

(a) any excess charge erroneously collected. If the excess charge is at least one dollar it shall be refunded even though the sender has not claimed it;

[Subsidiary]

(b) the full charge for a telegram which has failed to reach its destination through fault in the telegraph service;

(c) the full charge for every telegram stopped in transmission owing to interruption of route, and for that reason cancelled by the sender;

(d) the full charge for a telegram which through fault in the telegraph service is received later than 24 hours after handing in:

Provided that in respect of Letter Telegrams and Intra-Commonwealth Social Telegrams, the period of 24 hours shall be reckoned from the time at which the telegram would normally have been delivered;

(e) the full charge for a telegram which, owing to the change or alteration of the name of the terminal telegraph office during transmission, has not fulfilled its purpose;

(f) any supplementary charges for special services not rendered, in addition to the charge for the relative service indication;

(g) the amount deposited for the repetition of a passage in a telegram alleged to be incorrect, if the repetition does not agree with the first transmission:

Provided that when some words have been correctly and some incorrectly transmitted in the telegram, the charge for the words correctly transmitted shall not be refunded unless the error rendered unintelligible the words which have not been mutilated. No refund shall be made in respect of errors in the telephonic delivery of a telegram;

(h) the charge for any service advice necessitated by fault in the telegraph service;

(i) the full amount deposited for a reply when the addressee has not been able to make use of the reply voucher, or has refused it, or when such voucher remains in the hands of, or within 3 months from the date of issue has been returned to, the telegraph office which issued it;

(j) the charge in respect of the telegraph section not traversed by a telegram when, owing to interruption of a telegraph route, the telegram has been forwarded to its destination by post or other means. The cost of any other means of delivery shall be deducted from the amount to be refunded;

(k) the charge for a telegram and prepaid reply, if any, when through fault in the telegraph service the telegram or prepaid reply has not fulfilled its object;

(l) the charge, when it amounts to at least one dollar, for any error or omission in the transmission of a telegram, unless the error or omission has been corrected by service advice;

(m) the difference between the prepaid value of a reply voucher, and the charge for the relative reply telegram when of less value, provided that such difference is at least one dollar;

(n) the full charge for a telegram stopped by reason of it being considered to be prejudicial to the safety or interest of Brunei Darussalam, contrary to law, indecent or obscene, or owing to the suspension of the telegraph service; and

(o) the charge for a cancelled telegram proportionate to the distance travelled by the telegram before cancellation.

(2) In the case of a partial refund of charges on account of a multiple telegram, the refund in respect of each copy shall be the total charge received divided by the number of addressees on the telegram.

(3) When through fault in the telegraph service an error in a telegram has been corrected by service advice within the time provided in subparagraph (d) of paragraph (1) refund shall only be made in respect of charges for such service advice. No refund shall be made in respect of the telegram to which such service advice relates.

(4) No refund shall be made for rectifying a telegram when, instead of being rectified by a service advice, it has been rectified by telegram exchanged direct between sender and addressee.

(5) A claim for refund shall be made within 6 months of the date of sending the telegram, except when made pursuant to the provisions of subparagraph (i) of paragraph (1), when the claim shall be made within 3 months from the date of issue of the reply voucher.

(6) A claim for refund may be made at any telegraph office and shall be supported by documentary evidence. If the telegram has been delayed or has not been delivered the evidence shall consist of a written statement of the fact from the terminal telegraph office or the addressee: if the claim is in respect of an alteration or omission in a telegram, the copy of the telegram delivered to the addressee shall accompany the claim.

(7) A claim for refund may be made by the addressee to the terminal telegraph office, which shall decide whether it will deal with it or whether the claim shall be forwarded for payment to the telegraph office of origin.

(8) The right to receive a refund shall lapse after a period of 6 months from the date of the official letter by which the sender of the telegram is informed that a refund will be granted.

PART III

FOREIGN TELEGRAMS

54. (1) Foreign telegram shall be subject to the Regulations laid down by the International Telecommunication Convention.

General
condition.

[Subsidiary]

(2) The control of Government over a foreign telegram shall be deemed to cease at the point where it is entrusted (and Government shall have full power to so entrust) for transmission beyond Brunei Darussalam.

Language
and text.

55. (1) In some countries the use of secret language is prohibited and particulars of these countries are available at any telegraph office.

(2) Subject to the provision of paragraph (1), the text of a foreign telegram may be expressed in plain language or secret language.

Counting
words.

56. The counting of words in a telegram by the accepting officer shall be decisive:

Provided that when a telegram contains combinations or alterations of words of a language other than that of the country of the telegraph office of origin, as provided in paragraph (2) of regulation 12, so as to alter the number of chargeable words as counted by the telegraph office of origin and increase the charges for the telegram, the terminal telegraph office shall only deliver the telegram on payment of the amount of under-charge by the addressee. If the addressee refuses to pay the under-charge a service advice shall be sent to the telegraph office of origin explaining the cause of non-delivery. On payment of the under-charge by the sender the terminal telegraph office shall deliver the telegram. When the telegraph office of origin ascertains from a telegraph office of transit or terminal telegraph office that an under-charge has been made for a telegram, it may recover the deficiency from the sender.

Address.

57. (1) Particulars in the address shall be written in the language of the country of destination, but surnames, Christian names, names of firms and the name of the place of delivery are accepted as the sender writes them.

(2) The name of the terminal telegraph office shall be written in the form in which it appears in the International List.

(3) If the name of the terminal telegraph office is not published in the International List, the sender shall complete the address by the designation of the country, the territorial sub-division, or any other information which he considers sufficient for the purpose. A telegram so addressed shall only be accepted for transmission at the sender's risk.

Charges.

58. (1) Charges for the transmission of foreign telegrams shall be at such rates as may from time to time be fixed by the various national Telegraph Administrations taking part in the transmission and, so far as they are concerned, by any private telegraph companies which also take part in the transmission:

Provided that in respect of ordinary private telegrams, for that part of the route within Brunei Darussalam the rate per word shall not exceed 25 cents. In the case of other classes of telegrams the rate per word shall be such part of the ordinary rate as may from time to time be fixed by the various national Telegraph Administrations and private telegraph companies concerned. The charge per word for foreign telegrams of any description may, at the discretion of the telecommunication authority, be increased or decreased to a

convenient multiple of 25 cents, but in no case shall such increase or decrease exceed 15 cents.

(2) The minimum charge for a foreign telegram, except in the case of a press telegram, Letter Telegram or Intra-Commonwealth Social Telegram, shall be the charge for 5 words.

(3) An additional fee of \$3.00 shall be payable by the sender of a service advice in respect of a foreign telegram who requires that the sender be consulted as provided in paragraph (1) of Regulation 21.

59. The chargeable rate for an urgent foreign telegram, for which the service indication is =URGENT=, shall be twice the rate for an ordinary foreign telegram.

Urgent telegram.

(2) Urgent telegrams are not accepted as such by certain countries, and during transmission over the wires of those countries they will rank with ordinary telegrams.

60. (1) The provision of Regulation 47 shall apply to a foreign press telegram:

Foreign press telegram.

Provided that the language of a foreign press telegram shall only be —

- (i) French;
- (ii) the national language of the country of origin or destination; or
- (iii) such other languages, as provided in paragraph (1) of Regulation 11, as may be approved by the telecommunication authority as being used in the country of origin or destination.

(2) The minimum charge for a foreign press telegram is the charge for 3 words.

61. (1) Telegrams bearing the service indication =LT=, are classed as “Letter Telegram”.

Letter telegram.

(2) The minimum number of chargeable words in a Letter Telegram shall be 22, including the address and service indication =LT=. The charge per word shall be half the rate applicable to an ordinary foreign telegram.

(3) The text of a Letter Telegram shall be wholly expressed in plain language as provided in Regulation 11, except that in a money order telegram transmitted as a Letter Telegram the words indicating the amount of the money order may be replaced by official telegraph office code words.

(4) Only special services covered by the following service indications, as provided in Regulation 7, are accepted in Letter Telegrams — =LT= (obligatory), =RP=, =FS=, =TM=, =CTA=, =POST=, =PR=, =GP=, and

[Subsidiary]

=TR=. These service indications shall be chargeable at the Letter Telegram rate.

Intra
Common-
wealth Social
telegram.

62. (1) Telegrams bearing the non-chargeable service indication =GTL= are classed as Intra-Commonwealth Social Telegrams and shall be accepted for destinations within the British Commonwealth.

(2) The minimum number of chargeable words, including the address, shall be 10. The charge per word shall be at the same rate as for Letter Telegrams.

(3) The text must be expressed wholly in plain language, but excluding the provisions of subparagraphs (c), (d), (e), (f) and (g) of paragraph 5 of Regulation 11, and shall on the face of it bear an intelligible meaning. Figures and numbers may be included, but a succession of figures or numbers, or mixtures of both, without an apparent intelligible meaning, shall not be accepted.

(4) Only special services covered by the following service indications, as provided in regulation 7, are accepted in Intra-Commonwealth Social Telegrams — =PR=, =Post=, =GP=, and =TR=. These service indications are chargeable at the Letter Telegram rate.

PART IV

RADIOTELEGRAMS

General
conditions.

63. Radiotelegrams are regarded as foreign telegrams and, subject to the provisions of this Part, the provisions of Part III shall apply to Radiotelegrams.

Acceptance
and services.

64. Radiotelegrams addressed to ships at sea shall be accepted for transmission at all telegraph offices. No radiotelegrams to aircraft shall be accepted.

(2) Radiotelegrams shall be accepted for transmission in the following classes —

- (a) private radiotelegrams at ordinary rate;
- (b) private radiotelegrams at urgent rate; and
- (c) Meteorological telegrams.

(3) The following special service instructions only are accepted for radiotelegrams —

=RP=, =TC=, =PCP=, =PC=, =TM=, =CTA= as provided in Regulation 7; =RM= (retransmission) as provided in Regulation 66 and =Jx= (retain for x days) as provided in paragraph (2) of regulation 69.

The service indication =OBS= must precede the address in a meteorological telegram.

The service indication =URGENT= on a radiotelegram shall only be acted upon in respect of transmission over land lines and cables. Such a radiotelegram receives no priority in transmission at a coast radio station.

(4) No telegraph Money Orders shall be accepted as radiotelegrams.

(5) A radiotelegram may be repeated at the request of the addressee as provided in regulation 21.

(6) A multiple-address radiotelegram may only be addressed to persons on the same ship. The address of a multiple-address radiotelegram shall be in the following form —

= TM 3= Brown	}	Carthage Jesseltonradio
Smith		
Jones		

65. The address of a radiotelegram shall contain —

Address.

(a) the name of the addressee;

(b) the name of the ship; and

(c) the name of the coast radio station through which the radiotelegram is to be transmitted.

66. (1) Charges for radiotelegrams for transmission through coast radio stations shall include —

Charges.

(a) coast radio station charges;

(b) ship charges;

(c) land line and other telegraphic charges; and

(d) charges for special services, if any.

(2) Charges for radiotelegrams shall be as follows —

(a) coast radio station charges for Government radio stations shall be one dollar per word;

(b) charges for all other coast radio stations, and ship charges shall be in accordance with agreements made by Government with other telegraph Administrations concerned in transmission, or in the absence of such agreements, shall be as published in the List of Coast Stations and Ship Stations;

[Subsidiary]

(c) the Brunei Darussalam land line charge shall be 15 cents per word; other telegraphic charges shall be the same as for foreign telegrams, as provided in Regulation 58; and

(d) the charge for special services shall be as provided in Regulation 7.

Counting words.

67. The counting of words in a radiotelegram shall be the same as for foreign telegrams as provided in Regulation 56. The name of the ship with its call sign shall be counted and charged for as one word. The word "Radio", or the name of the coast radio station when written as published in the List of Coast Stations and Ship Stations is counted and charged for as one word.

Re-transmission.

68. Radiotelegrams may be exchanged with ships which are out of range by means of retransmission through intermediate ships. Provided that —

(a) the number of retransmissions shall be limited to 2;

(b) the transit charge shall be in accordance with the Regulations of the International Telecommunication Union; and

(c) a radiotelegram so forwarded shall bear the service indication "RM".

Non-delivery.

69. (1) When a ship does not communicate with a coast station a radiotelegram addressed to it shall normally be retained for a period of 3 days before non-delivery is advised, but if it is clear before the expiration of that period that a radiotelegram cannot be delivered, non-delivery shall be advised at once. The sender may then ask the coast station, by service advice (telegraphic or postal) to retain his message for a maximum further period of 14 days, from the date of handing in.

(2) If the sender does not wish his message to be retained at the coast radio station for the full period of 3 days he may indicate the maximum period for which he so desires the message to be retained, by inserting before the address the service indication "J1" or "J2" (meaning; retain one day, 2 days, etc.).

Messages to H.M. ships.

70. Private radio telegrams are subject to the following conditions, accepted for transmission to Her Majesty's ships —

(a) charges shall be as specified in Regulation 66:

Provided that —

(i) the coast radio station charge shall be 20 cents per word; and

(ii) no ship charge shall be made;

(b) the radiotelegrams shall have the name "Warship" followed by the name of the vessel; and

(c) messages to Her Majesty's ship in port shall be sent to the port by telegram.