

S.I. 2004 No. 8

Telecommunications Act
(Act 2001-36)

TELECOMMUNICATIONS (AIRCRAFT)
REGULATIONS, 2004

The Minister in exercise of the powers conferred on him by section 110(1) of the *Telecommunications Act* makes the following Regulations:

1. These Regulations may be cited as the *Telecommunications (Aircraft) Regulations, 2004*.

2. In these Regulations,

"aeronautical mobile service" means a mobile service between aeronautical stations and aircraft stations, in which survival aircraft stations or radio beacon stations indicating designating distress and emergency frequencies may participate;

"aircraft station" means a mobile station in the aeronautical mobile service, other than a survival craft station, located on board an aircraft;

"Convention" means the International Telecommunications Convention signed in Paris on the 17th day of May 1865 as amended;

"International Telecommunications Union (ITU)" means the UN specialized agency of that name established and developed to facilitate amendments to the Convention and to draw up international legislation and operational practices governing telecommunications;

"licence" means a valid licence obtained under regulation 14;

"Organisation" means the International Civil Aviation Organisation (ICAO) set up by the signatories to the Convention on International Civil Aviation to secure international co-operation and conformity in regulations, standards and procedures regarding civil aviation matters;

"receiver watch" means watch keeping by an aircraft station for distress and safety transmission;

"Regional Agreement" means any Regional Agreement relating to Telecommunications to which Barbados is a Party.

3. Radiocommunications lawfully installed in any aircraft station may be operated while that aircraft is in or over Barbados or over the territorial waters of Barbados for the purposes and subject to the provisions of these Regulations.

4. Calls or communications by an aircraft station shall be made only

- (a) to or with lawfully established aeronautical stations in Barbados;
- (b) with other aircraft in or over Barbados or the territorial waters of Barbados; or
- (c) with such other stations as the Chief Telecommunications Officer may specify or approve.

5. Subject to the provisions of regulation 10, calls or communications sent by means of the aircraft station shall be limited to the minimum necessary for

- (a) securing the safety, proper guidance and control of aircraft in or over Barbados or the territorial waters of Barbados; and
- (b) the safety of the passengers and crew of the aircraft.

6. Calls or communications sent by means of an aircraft station shall be on frequencies as allocated by the Organisation, or on such other frequency as the Chief Telecommunications Officer may specify or approve.

7. No calls or communications sent by means of the aircraft station shall commence without first listening in on the frequency to be used in order to ascertain whether serious interference is likely to be caused with any other station that may be working.

8. A period of communication by an aircraft station shall not exceed five consecutive minutes in duration unless a case of distress exists, and each period of communication shall be followed in case of communication with

- (a) an aeronautical station, by not less than thirty seconds listening in on the sending frequency of the aircraft station; or
- (b) another aircraft station, by not less than thirty seconds listening in on the sending frequency of the aeronautical station.

9. Subject to the provisions of regulations 6 and 7, a receiver watch shall be kept as continuously as possible by the aircraft station on a frequency as allocated by the Organisation or on such other frequency as the Chief Telecommunications Officer may from time to time specify or approve.

10. The call signs of the aircraft station and of the station with which it is communicating shall be clearly given by each such station at least once during every period of the sending of communications.

11. Except for the customary brief tests made immediately prior to take-off for the purpose of ensuring that radiocommunication apparatus is in good working order, the working of the aircraft station for purposes of test, adjustment or experiments shall be carried out only in such a manner, and at such times, and under such conditions, as the Chief Telecommunications Officer may specify or approve.

12. Where a request to discontinue the working of an aircraft station is received from a lawfully established aeronautical station in Barbados or from the Chief Telecommunications Officer, the aircraft station must be discontinued immediately unless a case of distress exists.

13. Subject to the provisions of the Act, these Regulations or any Regional Agreement, the working of an aircraft station shall be in accordance with any Regulations made by the Organisation for the time being in force.

14. (1) A person who is desirous of operating an aircraft station may

(a) on application to the Minister in the form set out in Part I of the Schedule to the *Telecommunications (General Radio-Communication Station Licence) Regulations, 2003*; and

(b) on payment of the relevant fee specified in the *Telecommunications (Licence Fees) Regulations, 2003*

obtain a licence for the purpose.

(2) A licence issued under paragraph (1)

(a) shall be in the form set out in the *Schedule*; and

(b) is not transferable.

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Schedule.

Made by the Minister this 16th day of January, 2004.

ANTHONY P. WOOD
Minister responsible for Telecommunications.