

The Myanmar Wireless (Foreign Aircraft) Rules, 1937.

No.198

[Amendment : 18.06.1989]

No. 198.-In exercise of the powers conferred by sub-section (1) of section 4 of the Myanmar Telegraph Act, the Governor of Myanmar makes the following rules regulating the establishment, maintenance and working of wireless telegraphs on aircraft within or above Myanmar or Myanmar territorial waters:-

Short Title.

1. These rules may be called the Myanmar Wireless (Foreign Aircraft) Rules, 1937.

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Definitions.

2. In these rules, unless there is something repugnant in the subject or context-

- (1) "Convention" means the International Telecommunication Convention of Madrid, 1932, and the General and Additional Radiocommunication Regulations annexed thereto and includes any modification of the said Convention or Regulations made from time to time;
- (2) "Harbour" includes harbours, whether natural or artificial, estuaries, navigable rivers, piers, jetties and other works in or at which ships can obtain shelter or ship or unship goods or passengers;
- (3) "Fixed Station," "Land Station" and "Mobile Station" have respectively the meaning assigned to them in the Convention; and
- (4) "Service Signalling" means signalling by means of any system of wireless telegraphy between any fixed, land or mobile stations of His Majesty's Imperial, Dominion or Myanmar Naval, Military or Air Forces.

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3. Subject to the conditions contained in these rules, a wireless telegraph may be established, maintained and worked on any aircraft, other than an aircraft registered in Myanmar, which or above Myanmar or Myanmar territorial waters without a licence under the Myanmar Telegraph Act.

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4. The wireless telegraph shall be duly licensed in accordance with the Convention.

5. No person shall work the transmitting apparatus of the wireless telegraph unless he holds a certificate granted in accordance with the Convention.
6. In the case of aircraft registered in countries which have not adhered to the Convention there may be substituted for the licence and the certificate referred to in Rules 4 and 5 such other licence or certificate as the Telegraph Authority may direct.
7. No person shall send any message by means of the wireless telegraph in any aircraft (other than military aircraft) whilst the aircraft is within or above Myanmar or Myanmar territorial waters when and where such message can be forwarded by a Government telegraph.

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8. Except with the general or special permission in writing of the Telegraph Authority no person shall work or use a wireless telegraph in any aircraft (other than military aircraft) within or above Myanmar or Myanmar territorial waters except during the actual flight or in case of forced landing and then only for the purpose of transmitting or receiving messages of the following categories:-
 - (a) urgency or safety messages.
 - (b) meteorological messages.
 - (c) navigational messages.
 - (d) signals for ascertaining positions.
 - (e) reports of departure, position or arrival.
 - (f) messages necessary for the conduct of the flight or air service

Provided that military aircraft accompanying a foreign ship-of-war when working or using a wireless telegraph while the ship is in any harbour in Myanmar shall comply with the following conditions, namely:-

- (a) Transmission shall be discontinued on request from-
 - (1) the Telegraph Authority;
 - (2) any British Naval, Royal Myanmar Marine or Royal Air Force Authority;
 - (3) the Port authorities ; or
 - (4) any land station.
- (b) Protracted signalling involving the use of apparatus transmitting other than pure continuous waves shall be avoided.

(c) If there is a British ship-of -war lying in the harbour, the British Senior Naval Officer shall be consulted before the wireless telegraphy is worked or used.

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9. No person shall work or use the wireless telegraph in any aircraft whilst the aircraft is within or above Myanmar or Myanmar territorial waters in such a way as to interrupt or interfere with service signalling or the transmission of messages between other wireless stations.

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10. When communications are made by wireless telegraph between any aircraft within or above Myanmar or Myanmar territorial waters and a land station the rules given in the hand-book "General Rules and Departmental Instructions for Radio-Telegraph Stations" shall be observed.

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11. Nothing in these rules shall apply to the use of wireless telegraph for the purpose of making or answering signals of distress.

12. Except as provided in these rules the wireless telegraph shall be worked in accordance with any rules for the conduct of wireless telegraphs made under section 7 of the Myanmar Telegraph Act, in so far as they are applicable.

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----- Footnote -----

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