



# Jamaica Gazette

## Supplement

### BILLS AND LAWS

VOL. LXVIII

THURSDAY, 5TH JULY, 1945

No. 15

THE GOVERNOR directs the publication of the following Bills which it is proposed to introduce at the present Session of the Legislature entitled "A Law to Amend the Telephone Law" and "A Law to Amend Further the Poor Relief Law", together with Memoranda of Objects and Reasons for the Bills.

#### A BILL

##### ENTITLED

A LAW to Amend the Telephone Law.

[ ]

ENACTED by the Governor of Jamaica with the advice and consent of the Legislative Council and House of Representatives.

1—This Law may be cited as the Telephone (Amendment) Law, 1945, and shall be read and construed as one with the Telephone Law, hereinafter referred to as the principal Law.

Short title  
and construction.  
Cap. 245.

2—Section 5 of the principal Law is hereby repealed and the following section substituted therefor—

Repeal and  
replacement  
of section 5  
of principal  
Law.

"Power to  
licence  
telephonic  
works.

5—(1) Subject to the provisions of this Law, the Governor in Executive Council may grant to any person a licence for any term not exceeding forty years to establish telephonic communication within any area



specified in the licence and for that purpose to erect and maintain poles and wires along, over, under or across, the public roads, streets, lanes and open spaces, within such area.

(2) Any licence granted under this section may confer upon the licensee the exclusive right to establish or to maintain a telephonic system within the area to which the licence relates, or within any part of such area specified in the licence.

(3) The Governor in Executive Council may, during the continuance in force of any licence, renew such licence for a further term of not more than forty years from the date of such renewal.

(4) Where any licence is renewed under sub-section (3) of this section, such renewal shall take effect subject to such modification as the Governor in Executive Council may prescribe at the time of the renewal''.

Repeal of  
section 6 of  
principal  
Law.

3—Section 6 of the principal Law is hereby repealed.

Amendment  
of section 9  
of principal  
Law.

4—Section 9 of the principal Law is hereby amended by the deletion from the eighth line of the section of the word "local".

Repeal of  
section 19 of  
principal  
Law.

5—Section 19 of the principal Law is hereby repealed.

Re-number-  
ing of sec-  
tions 20 to 27  
of principal  
Law.

6—Sections 20 to 27 (both inclusive) of the principal Law are hereby re-numbered as sections 19, 20, 21, 22, 23, 24, 25 and 26 respectively.

Amendment  
of section 22  
of principal  
Law.

7—Section 22 of the principal Law (as re-numbered by this Law) is hereby amended by the deletion from the second, third and fourth lines of the section of the words "or who shall be licensed under section 19 of this Law to have and maintain a private telephonic line".



8—The principal Law is hereby amended by the addition of the following sections as sections 27 and 28—

Addition of sections 27 and 28 to principal Law.

“Exemption in favour of the existing telephone system maintained by the Jamaica Public Service Company Limited. Cap. 256.

27—Nothing in this Law shall apply to the telephone system maintained immediately before the 1st day of July, 1945, by the Jamaica Public Service Company Limited under the provisions of section 50 of the Tramways Law.

Exemption in favour of the telephone system maintained for the purposes of the Rio Cobre Irrigation Works.

28—Nothing in this Law shall apply to any telephone system maintained by or on behalf of the Government of Jamaica for the purposes of the Rio Cobre Canal Irrigation Works.”

#### MEMORANDUM OF OBJECTS AND REASONS

This Bill seeks to put it beyond doubt that the Governor in Executive Council has power to grant an exclusive licence to operate and maintain telephonic communication within any specified area.

2. It is also sought to repeal section 6 of the Law which makes the consent of the Local Authority having jurisdiction over any area in respect of which a licence is sought a prerequisite to the application for the grant of such licence, and to extend the power of the Governor in Executive Council in relation to the holding of enquiries into the operation of telephone systems.

HENRY MAYERS,  
Attorney General.  
29.6.45.





# Jamaica Gazette

## Supplement

### BILLS AND LAWS

VOL. LXVIII

THURSDAY, 2ND AUGUST, 1945

No. 19

IT IS HEREBY NOTIFIED that His Excellency the Governor on the 30th day of July, 1945, gave his Assent to the following Law passed by the Jamaica House of Representatives and the Legislative Council of Jamaica, viz.:—

Law 9 of 1945 entitled "The Telephone (Amendment) Law, 1945".

JAMAICA

**NO. 9—1945**

I assent

[L.S.]

J. HUGGINS,  
Governor,  
30th July, 1945

A LAW to Amend the Telephone Law.

[ 30th July, 1945 ]

ENACTED by the Governor of Jamaica with the advice and consent of the Legislative Council and House of Representatives.

1—This Law may be cited as the Telephone (Amendment) Law, 1945, and shall be read and construed as one with the Telephone Law, hereinafter referred to as the principal Law.

Short title  
and construction.

Cap. 245.

2—Section 5 of the principal Law is hereby repealed and the following section substituted therefor—

Repeal and  
replacement  
of section 5  
of principal  
Law.

"Power to  
licence  
telephonic  
works.

5—(1) Subject to the provisions of this Law, the Governor in Executive Council may grant to any person a licence for any term not exceeding forty years to establish telephonic communication within any area



specified in the licence and for that purpose to erect and maintain poles and wires along, over, under or across, the public roads, streets, lanes and open spaces, within such area.

(2) Any licence granted under this section may confer upon the licensee the exclusive right to establish or to maintain a telephonic system within the area to which the licence relates, or within any part of such area specified in the licence.

(3) The Governor in Executive Council may, during the continuance in force of any licence, renew such licence for a further term of not more than forty years from the date of such renewal.

(4) Where any licence is renewed under sub-section (3) of this section, such renewal shall take effect subject to such modification as the Governor in Executive Council may prescribe at the time of the renewal”.

Repeal of  
section 6 of  
principal  
Law.

3—Section 6 of the principal Law is hereby repealed.

Amendment  
of section 9  
of principal  
Law.

4—Section 9 of the principal Law is hereby amended by the deletion from the eighth line of the section of the word “local”.

Repeal of  
section 19 of  
principal  
Law.

5—Section 19 of the principal Law is hereby repealed.

Re-number-  
ing of sec-  
tions 20 to 27  
of principal  
Law.

6—Sections 20 to 27 (both inclusive) of the principal Law are hereby re-numbered as sections 19, 20, 21, 22, 23, 24, 25 and 26 respectively.

Amendment  
of section 22  
of principal  
Law.

7—Section 22 of the principal Law (as re-numbered by this Law) is hereby amended by the deletion from the second, third and fourth lines of the section of the words “or who shall be licensed under section 19 of this Law to have and maintain a private telephonic line”.



8—The principal Law is hereby amended by the addition of the following sections as sections 27 and 28—

Addition of sections 27 and 28 to principal Law.

“Exemption in favour of the existing telephone system maintained by the Jamaica Public Service Company Limited. Cap. 256.

27—Nothing in this Law shall apply to the telephone system maintained immediately before the 1st day of July, 1945, by the Jamaica Public Service Company Limited under the provisions of section 50 of the Tramways Law.

Exemption in favour of the telephone system maintained for the purposes of the Rio Cobre Irrigation Works.

28—Nothing in this Law shall apply to any telephone system maintained by or on behalf of the Government of Jamaica for the purposes of the Rio Cobre Canal Irrigation Works.”