

Subject: Wireless Regulations for British Subjects in China.  
Submitted by: A. Viola Smith, American Consul.

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(Follow-up of data requested in required Annual Radio Questionnaire,  
Electrical Division, Bureau of Foreign and Domestic Commerce)

British subjects in China are required henceforth to obtain license permits for the operation of wireless transmission sets.

Regulations made public on January 11, 1940 by the British Consulate General at Shanghai entitled "King's Regulations made under Articles 209 and 212 of the China Order-in-Council, 1925; No. 4 of 1939: The Wireless Transmission (Control) Regulations, 1939", read as follows:

- "1. In these regulations "Ambassador" shall mean His Majesty's Ambassador in China and shall include Charge d'Affaires or other chief diplomatic representative.
2. No British subject or corporation shall, without the authority of a written license granted by the Ambassador, operate, or assist in, or provide any facilities for the operation of any telegraphic or telephonic wireless transmitting apparatus.
3. (1) The Ambassador may issue any license under these regulations upon and subject to such terms, conditions and restrictions as he may think fit, and may in his discretion at any time suspend, or revoke any such licence.  
(2) Every license shall be in such form and for such period as the Ambassador may determine, and shall contain the terms, conditions and restrictions on and subject to which the licence is granted.
4. Any British subject or corporation who or which contravenes the provisions of Section 2 of these regulations or fails to comply with any of the terms, conditions or restrictions on and subject to which any licence is issued hereunder, and every director, manager, secretary, and other officer of such corporation who is knowingly a party to the contravention or default, shall be guilty of an offence, and upon conviction shall be liable to a fine not exceeding £50 or to imprisonment with or without hard labour for a term not exceeding three months, or both.

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"5. In any prosecution of a director, manager, secretary or other officer of any corporation for an offence under Section 4 of these regulations, the proof that the offence was committed without his knowledge or consent shall be on the defendant in such prosecution.

6. If in any prosecution for a contravention of Section 2 of these regulations it shall be established to the satisfaction of the Court that the defendant in such prosecution was at the time of the offence charged, in the possession or control of

(a) any wireless transmitting apparatus, or

(b) any article designed for the purpose only of being used for the operation of a wireless transmitting apparatus, or

(c) any type of apparatus designed to be used also as a wireless transmitting apparatus or readily adaptable for the purpose of being so used:

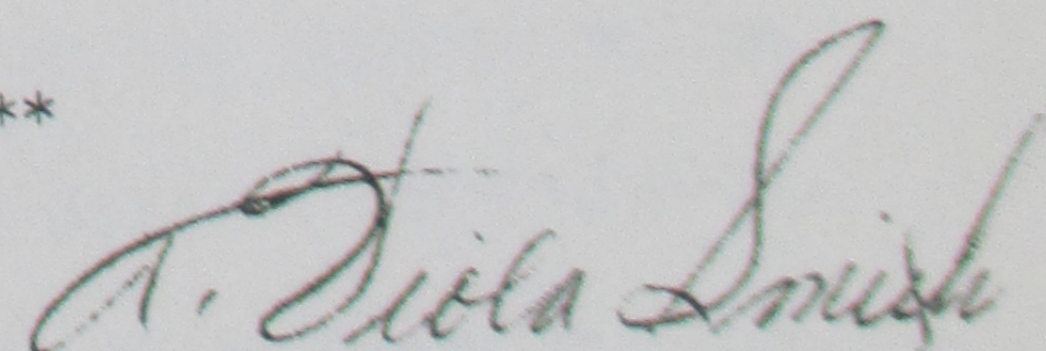
then and in every such case the proof that he has not contravened these regulations shall be on the defendant in such prosecution.

7. In any prosecution for a contravention of Section 2 of these regulations, it shall be a defence for the defendant in such prosecution to prove that, at the date of the offence charged, application had been made (for the first time) for the required licence in relation to the apparatus in respect of which the offence is charged, and that the application was still pending at that date.

8. Any licence authorised under these regulations to be granted by the Ambassador may be granted by anyone authorised in that behalf by the Ambassador, or, in the absence of the Ambassador from the Consular District of Shanghai, by the Senior Diplomatic Officer for the time being in charge of His Majesty's Embassy at Shanghai.

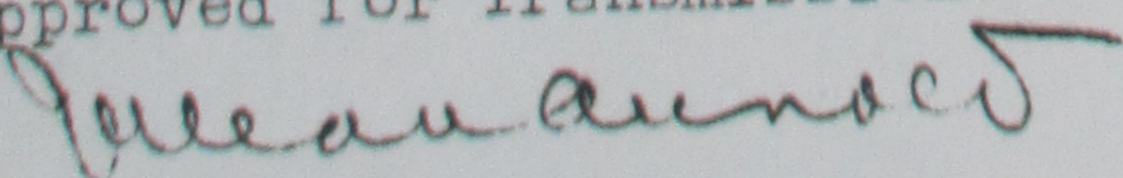
9. These regulations may be cited as "The Wireless Transmission (Control) Regulations, 1939."

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Approved for Transmission:



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