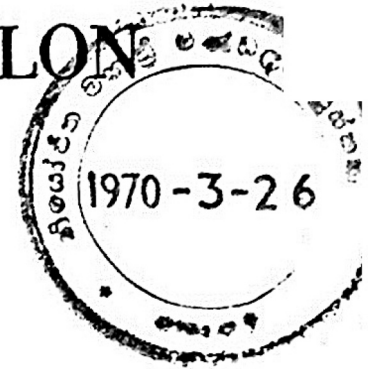


PARLIAMENT OF CEYLON

5th Session 1969-70



Telecommunications (Amendment)

Act, No. 10 of 1970

Date of Assent : March 1, 1970

Printed on the Orders of Government

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Postage : 10 cents

Telecommunications (Amendment)
Act, No. 10 of 1970

L. D.—O. 48/69.

AN ACT TO AMEND THE TELECOMMUNICATIONS
ORDINANCE.

Chapter 192,
Vol. VII,
Page 236.

[Date of Assent: March 1, 1970]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Telecommunications (Amendment) Act, No. 10 of 1970.

Short title.

2. Section 28 of the Telecommunications Ordinance, hereinafter referred to as the principal enactment, is hereby amended as follows:—

Amendment
of section
28 of
Chapter 192.

(1) by the renumbering of that section as sub-section (1) of that section; and

(2) by the insertion, immediately after the renumbered sub-section (1), of the following new sub-section:—

“(2) If a Magistrate is satisfied by information on oath that there is reasonable ground for believing that, in contravention of the provisions of this Ordinance or any rule or regulation made thereunder, any action has been taken or is likely to be taken in any place, vehicle, ship or aircraft within his jurisdiction, for the unlawful interception or the unlawful recording of a telephone conversation between any two persons or for the unlawful communication of such telephone conversation between such persons to a third person, such Magistrate may grant a search warrant to any police officer authorizing that officer to enter and inspect such place, vehicle, ship or aircraft and to seize any apparatus of any of the following descriptions:—

(a) any unauthorized cables and any unauthorized telephone connections;

(b) any unauthorized wire connections to existing telephone apparatus, wires and cables of the Government;

- (c) any unauthorized apparatus for interception or recording of telephone conversations at any point on the telecommunication system.”.

Amendment of
section 38
of the
principal
enactment.

3. Section 38 of the principal enactment is hereby amended as follows:—

- (1) in sub-section (1) thereof, by the substitution, for all the words from “guilty of an offence” to the end of that sub-section, of the words “guilty of an offence, and shall, notwithstanding the provisions of section 44, upon conviction after summary trial by a Magistrate, be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding one year, or to both such fine and such imprisonment.”;

- (2) by the addition, at the end of that section, of the following new sub-section:—

“(3) Every person who unlawfully and wilfully listens in to a telephone conversation between two other persons shall be guilty of an offence and shall, notwithstanding the provisions of section 44, upon conviction after summary trial by a Magistrate, be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding two years, or to both such fine and such imprisonment.”; and

- (3) by the substitution, for the marginal note to that section, of the following marginal note:—

“Penalty for causing annoyance by telephone calls and for unlawfully listening in to telephone conversations.”.

Amendment of
section 43
of the
principal
enactment.

4. Section 43 of the principal enactment is hereby amended by the substitution, for all the words from “guilty of an offence” to the end of that section, of the words “guilty of an offence, and shall, notwithstanding the provisions of section 44, upon conviction after summary trial by a Magistrate, be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding one year, or to both such fine and such imprisonment.”.