

2017-09-13

OBJECTS AND REASONS

This Bill would amend the *Telecommunications Act*, Cap. 282B to ensure that specified provisions of the Act are applicable to the rules, regulations and orders made in accordance with the Act.

Arrangement of Sections

1. Short title
2. Amendment to section 72 of Cap. 282B
3. Amendment to section 75 of Cap 282B
4. Amendment to section 76 of Cap. 282B
5. Amendment to section 77 of Cap. 282B

BARBADOS

A Bill entitled

An Act to amend the *Telecommunications Act*, Cap. 282B.

ENACTED by the Parliament of Barbados as follows:

Short title

- 1.** This Act may be cited as the *Telecommunications (Amendment) Act, 2017*.

Amendment to section 72 of Cap. 282B

2. *Section 72 of the Telecommunications Act, in this Act referred to as the principal Act, is amended by deleting paragraph (b) of subsection (1) and substituting the following paragraph:*

“(b) has failed to comply with any rules, regulations or orders made by the Minister under this Act or any order issued by the Minister requiring a person to comply with that order, ”.

Amendment to section 75 of Cap 282B

3. *Section 75 of the principal Act is amended by deleting paragraph (a) of subsection (1) and substituting the following paragraph:*

“(a) investigate any complaint or conduct concerning an allegation of a contravention of this Act, a licence issued under this Act or a licence issued under rules, regulations or orders made under this Act;”.

Amendment to section 76 of Cap. 282B

4. *Section 76 of the principal Act is amended by deleting subsection (1) and substituting the following subsection:*

“(1) Subject to subsection (2) and subsections (1), (2), (3) and (4) of section 77, an inspector may, on reasonable suspicion that a person is engaged in conduct that is contrary to

- (a) this Act;
- (b) any licence granted under this Act;

(c) any licence granted under any rule, regulation or order made in accordance with this Act; or

(d) any registration or authorisation done under this Act,

enter and search any vehicle, ship, vessel, aircraft or premises and may in that process seize any document or extracts of any document, telecommunications or radiocommunications apparatus from the person who has the custody or is in possession of the document or apparatus. ”.

Amendment to section 77 of Cap. 282B

5. Section 77 of the principal Act is amended by deleting

(a) subsection (1) and substituting the following subsection:

“(1) Where a magistrate is satisfied by information on oath that there is reasonable ground for suspecting that an offence under this Act or rules, regulations or orders made in accordance with this Act has been committed or is about to be committed, the magistrate may issue a search warrant authorising the inspector named in the warrant, with or without a member of the Police Force to

(a) enter and search the vehicle, ship, vessel, aircraft or premises specified in the information; and

(b) examine, test or seize any document, extract of a document, telecommunications or radiocommunications apparatus or other item.”; and

(b) subsection (3) and substituting the following subsection:

“(3) A person who

(a) wilfully obstructs, hinders, molests, assaults or otherwise interferes with an inspector engaged in the performance of

any duty or the exercise of any power conferred on him under the Act or under rules, regulations or orders made in accordance with the Act; or

(b) knowingly gives false information to an inspector,

is guilty of an offence and is liable on summary conviction to a fine of \$50, 000 or to imprisonment for a term of 6 months.”.

Read three times and passed the House of Assembly this
day of _____, 2017.

Speaker

Read three times and passed the Senate this _____ day of
, 2017.

President