



Wireless Telegraphy Act 2006

2006 CHAPTER 36

PART 1

GENERAL PROVISION ABOUT RADIO SPECTRUM

Radio spectrum functions of OFCOM

1 General functions

- (1) It is a function of OFCOM—
 - (a) to give such advice in relation to the use of the electromagnetic spectrum for wireless telegraphy,
 - (b) to provide such other services, and
 - (c) to maintain such records,as they consider appropriate for the purpose of facilitating or managing the use of the spectrum for wireless telegraphy.
- (2) It is a function of OFCOM, in relation to the use of the electromagnetic spectrum for wireless telegraphy—
 - (a) to give such further advice,
 - (b) to provide such other services, and
 - (c) to maintain such other records,as the Secretary of State may require for the purpose of securing compliance with the international obligations of the United Kingdom.
- (3) The advice, other services and records that OFCOM may give, provide or maintain under this section include advice, other services and records with respect to the use of the electromagnetic spectrum at places outside the United Kingdom.
- (4) The powers of OFCOM under Part 1 of the Communications Act 2003 (c. 21) to carry out research, or to arrange for others to carry out research, are to be exercisable, in particular, for ascertaining, for the purpose of carrying out OFCOM's functions under this section, information about—

Changes to legislation: There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 1. (See end of Document for details)

- (a) the demands for use of the electromagnetic spectrum for wireless telegraphy in the United Kingdom;
 - (b) the effects, in the United Kingdom, of any such use of the spectrum;
 - (c) likely future developments in relation to those matters; and
 - (d) any other connected matters that OFCOM think relevant.
- (5) OFCOM may make a grant to any person if, in their opinion, the making of the grant is likely to promote—
 - (a) the efficient use in the United Kingdom of the electromagnetic spectrum for wireless telegraphy; or
 - (b) the efficient management of that use.
- (6) A grant—
 - (a) may be made to a person holding a wireless telegraphy licence or a grant of recognised spectrum access or to any other person; and
 - (b) is to be made on such terms and conditions as OFCOM consider appropriate; and the terms and conditions may include terms requiring the repayment of the grant in specified circumstances.
- (7) The consent of the Treasury is required—
 - (a) for the making of a grant under subsection (5); and
 - (b) for the terms and conditions on which such a grant is made.
- (8) Where OFCOM are required to give advice or provide another service to a person under this section, they may make the giving of the advice or the provision of the other service conditional on the payment to them of such sums—
 - (a) as they may determine in advance; or
 - (b) as may be agreed between them and that person.
- (9) In this section references to providing a service to a person include references to a service consisting in—
 - (a) the entry of that person's particulars in a register or other record kept by OFCOM for the purpose of carrying out their functions under this section; or
 - (b) the taking of steps for the purposes of determining whether to grant an application for an entry in a register or record so kept.

Changes to legislation:

There are currently no known outstanding effects for the Wireless Telegraphy Act 2006, Section 1.