
STATUTORY INSTRUMENTS

2000 No. 1013

TELEGRAPHS

The Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) (Amendment) Order 2000

<i>Made</i>	- - - -	<i>6th April 2000</i>
<i>Laid before Parliament</i>		<i>10th April 2000</i>
<i>Coming into force</i>	- -	<i>1st May 2000</i>

Whereas it appears to the Secretary of State to be expedient to apply restrictions under section 7 of the Wireless Telegraphy Act 1967(1) to certain wireless telegraphy apparatus specified in this Order for the purpose of preventing or reducing the risk of interference with wireless telegraphy and to impose marking requirements in relation to certain such apparatus in accordance with the provisions of section 85 of the Telecommunications Act 1984(2);

And whereas the Secretary of State is satisfied as required by section 7(9) of the 1967 Act that this Order is compatible with the international obligations of the United Kingdom;

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 7(2) of the 1967 Act and sections 84 and 85(1) of the 1984 Act and of all other powers enabling him in that behalf, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) (Amendment) Order 2000 and shall come into force on 1st May 2000.

Interpretation

2. In this Order, “the Principal Order” means the Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) Order 1998(3).

Amendment

3. The Principal Order is hereby amended as follows—
(a) in article 3—

(1) 1967 c. 72; section 7 was substituted by section 77 of the Telecommunications Act 1984 (c. 12).
(2) 1984 c. 12.
(3) S.I. 1998/2531.

- (i) the following definition shall be inserted after the definition of “the 1984 Act”—
- ““the Directive” means Directive 1999/5/EC of the European Parliament and of the Council on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity(4);”;
- (ii) “and” at the end of the definition of “MPT 1333” shall be deleted, and “January 1997; and” shall be substituted for “January 1997.” at the end of the definition of “MPT 1382”; and
- (iii) the following definition shall be inserted after the definition of “MPT 1382”—
- ““United Kingdom Radio Interface Requirement (IR)” means the interface requirement published by the Radiocommunications Agency of the Department of Trade and Industry (RA) in accordance with Article 4.1 of the Directive.”;
- (b) “prior to 1st May 2000” shall be inserted after “CB apparatus” in the second line of article 4(1);
- (c) the following paragraphs shall be inserted after article 4(1)—
- “(1A) After 30th April 2000, subject to paragraphs (1B) and (4) of this article, no person shall take any of the actions listed in paragraph (3) in relation to CB apparatus unless such apparatus complies with IR 2027 entitled “UK Radio Interface Requirement for CB Transmitters and Receivers for Use in the Citizens' Band Radio Service” published by RA in March 2000, provided that paragraph (3) shall not apply to CB apparatus which complies with article 4(1)(a) to (c) as appropriate and in respect of which the relevant restricted action listed in paragraph (3) has occurred prior to 8th April 2001.
- (1B) Notwithstanding paragraph (1A) of this article, a person may have CB apparatus which complies with article 4(1)(a) to (c) as appropriate in his custody or control or undertake second-hand sale and advertisement of such apparatus if the relevant restricted action listed in paragraph (3) has occurred in relation thereto prior to 8th April 2001.”;
- (d) article 4(2) shall be deleted; and
- (e) “which complies with article 4(1)(a) to (c) as appropriate prior to 1st May 2000 and in respect of which the relevant restricted action listed in paragraph (3) has occurred prior to 8th April 2001” shall be inserted between “CB apparatus” and “shall be marked” in article 5(1).

6th April 2000

Patricia Hewitt
Minister of State for Small Business and E-
Commerce,
Department of Trade and Industry

(4) O.J. No. L91, 7.4.99, p. 10; the Directive was largely implemented in the United Kingdom by the Radio Equipment and Telecommunications Terminal Equipment Regulations 2000 (S.I. 2000/730).

EXPLANATORY NOTE

(This note is not part of the Order)

Directive [1999/5/EC](#) (“the Directive”) of the European Parliament and of the Council on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity provides for the essential requirements, the procedures for conformity assessment, the placing on the market and the bringing into service in respect of such equipment.

Pursuant to the Directive (which was largely implemented in the United Kingdom by the Radio Equipment and Telecommunications Terminal Equipment Regulations 2000 (S.I.2000/730)), wireless telegraphy equipment is no longer required to be approved under section 84 of the Telecommunications Act 1984 (c. 12), and this Order makes consequential amendments to the Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) Order 1998 (S.I. 1998/2531; “the Principal Order”).

In accordance with this Order, the restrictions in article 4(3) of the Principal Order in respect of manufacture, sale, possession and importation (“the restrictions”) will apply after 30th April 2000 to CB apparatus (as defined in article 3 of the Principal Order) unless such apparatus complies with UK Radio Interface Requirement IR 2027. The restrictions do not apply, however, to CB apparatus which has been type approved or meets the requirements of Department of Trade and Industry Performance Specification MPT 1320 or MPT 1382 as appropriate prior to 1st May 2000 and in respect of which any of the restrictions has occurred prior to 8th April 2001 (article 3(c)).

In addition, this Order removes the application of the restrictions to amateur apparatus designed or adapted for the purpose of transmitting messages solely in the frequency band 28 MHz to 29.7 MHz (article 3(d)).

A copy of IR 2027 referred to in this Order may be obtained from the Radiocommunications Agency Library at Wyndham House, 189 Marsh Wall, London E14 9SX (Tel: 020 7211 0211). IR 2027 is also available on the Agency’s Internet web site: www.radio.gov.uk. In addition, a full regulatory impact assessment report of the effect that this Order would have on the costs of business is available to the public from the Agency Library or on that web site.