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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations consolidate, with amendments, the Wireless Telegraphy (Exemption) Regulations 1999 (S.I. 1999/930), as amended by S.I.s 2000/1012, 2001/730 and 2002/1590 (“the 1999 Regulations”). The Regulations exempt certain wireless telegraphy stations and apparatus from the requirement to be licensed under section 1 of the Wireless Telegraphy Act 1949 (c. 54). These stations and apparatus are defined in Schedules 3 to 9 to the Regulations. Accordingly, it is not necessary to hold a licence to establish or use any such station or install or use any such apparatus (regulation 4). The exemption is subject to the terms specified in regulation 5. An exempted station or apparatus must be available for inspection and their use must cease, or their operation be restricted, on the demand of a person authorised in that behalf by the Secretary of State where such terms are not complied with (regulation 6). Failure to comply with such a demand is an offence under section 3 of the Wireless Telegraphy Act 1949.

The principal change made by these Regulations to the exemption regime under the 1999 Regulations is that the following additional apparatus is specified as being exempt from the requirement to be licensed:

- (a) fixed terrestrial (point-to-point) links apparatus in the uncoordinated 57.1 to 58.9 GHz frequency band, where it meets the technical criteria set out in Schedule 8; and
- (b) radio local area network apparatus in the frequency bands 5150 to 5350 MHz and 5470 to 5725 MHz, where it meets the technical criteria set out in Schedule 9.

The exemption in respect of such apparatus applies to the provision of public as well as private telecommunications services (regulation 4). The Regulations also extend the range of Land Mobile Earth Stations established in connection with the provision of a satellite service which have the benefit of the licence exemption to include Orbcomm and SpaceChecker terminals (Schedule 5). Finally, references to apparatus relating to the analogue first generation telecommunications network, which has now been taken out of service in the United Kingdom, are omitted in Schedule 3. A number of minor and typographical amendments are also made to the Regulations which are of no substantive effect.

Copies of the UK Radio Interface Requirements referred to in the Schedules may be obtained from the Radiocommunications Agency Library at Wyndham House, 189 Marsh Wall, London E14 9SX (Tel: 020 7211 0211) or by visiting the Agency’s Internet web site at [www.radio.gov.uk](http://www.radio.gov.uk). A full regulatory impact assessment of the effect that these Regulations would have on the costs to business is available from the Agency Library and can be found on the web site. Copies of this report have also been placed in the libraries of both Houses of Parliament.

Copies of the Radio Regulations may be obtained from the Sales Service, International Telecommunication Union, Place des Nations, CH-1211 Geneva 20, Switzerland (Tel: 0041 22 730 6141).

Copies of the European Telecommunications Standards and the draft European Telecommunications Standards referred to in the Schedules to these Regulations may be obtained from the British Standards Institution (BSI), 389 Chiswick High Road, London W4 4AL (Tel: 020 8996 9000) or from the European Telecommunications Standards Institute (ETSI) at F-06921 Sophia Antipolis, Cedex, France (Tel: 00334 92 94 42 00).

Copies of the Common Technical Regulations contained within the Official Journal and referred to in the Schedules may be obtained from the Stationery Office Books, PO Box 276, London SW8

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5DT (Tel: 020 7873 9090) and from the European Information Centres (EICs) situated in the United Kingdom.

Copies of BABT/SITS/92/50 referred to in Schedule 3 may be obtained from the British Approvals Board for Telecommunications (BABT) at Claremont House, 34 Molesey Road, Hersham, Walton-on-Thames, Surrey KT12 4RQ (Tel: 01932 222289).