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STATUTORY INSTRUMENTS

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**2008 No. 237**

**ELECTRONIC COMMUNICATIONS**

**The Wireless Telegraphy (Automotive Short Range Radar)  
(Exemption) (No. 2) (Amendment) Regulations 2008**

*Made - - - - 6th February 2008*

*Coming into force - - 27th February 2008*

The Office of Communications (“OFCOM”) make the following Regulations in exercise of the power conferred by section 8(3) of the Wireless Telegraphy Act 2006<sup>(1)</sup> (“the Act”).

Before making these Regulations, OFCOM have given notice of their proposal to do so in accordance with section 122(4)(a) of the Act, published notice of their proposal in accordance with section 122(4)(b) of the Act and have considered the representations made to them before the time specified in the notice in accordance with section 122(4)(c) of the Act.

**Citation and commencement**

1. These Regulations may be cited as The Wireless Telegraphy (Automotive Short Range Radar) (Exemption) (No. 2) (Amendment) Regulations 2008 and shall come into force on 27th February 2008.

**Amendment of the Wireless Telegraphy (Automotive Short Range Radar) (Exemption) (No. 2) Regulations 2005**

2.—(1) The Wireless Telegraphy (Automotive Short Range Radar) (Exemption) (No. 2) Regulations 2005<sup>(2)</sup> are amended in accordance with the following paragraphs of this regulation.

(2) In regulation 3 for “section 1(1) of the Wireless Telegraphy Act 1949” substitute “section 8(1) of the Wireless Telegraphy Act 2006<sup>(3)</sup>”;

(3) In regulation 4(6) for “section 1(1) of the Wireless Telegraphy Act 1949” substitute “section 8(1) of the Wireless Telegraphy Act 2006”;

(4) Replace regulation 4(7) in its entirety with:

“(7) Equipment operating in the frequency band between 22.21 gigahertz and 24.00 gigahertz must where the equipment has been established or installed in a vehicle put into service in the Community before 27th February 2008 —

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(1) [2006 c.36](#)  
(2) [S.I. 2005/1585](#)  
(3) [2006 c.36](#)

- (a) automatically deactivate so that all emissions cease while the vehicle in which it is established or installed is within an exclusion zone; or
  - (b) be capable of manual deactivation so that all emissions cease while the vehicle in which it is established or installed is within an exclusion zone.”
- (5) After regulation 4(7) add the following paragraph:

“(8) Equipment operating in the frequency band between 22.21 gigahertz and 24.00 gigahertz must where the equipment has been established or installed in a vehicle put into service in the Community on or after 27th February 2008 automatically deactivate so that all emissions cease while the vehicle in which it is established or installed is within an exclusion zone.”

6th February 2008

*Ed Richards*  
Chief Executive of the Office of  
Communications  
For and by the authority of the Office of  
Communications

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## EXPLANATORY NOTE

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

These Regulations amend the Wireless Telegraphy (Automotive Short Range Radar) (Exemption) (No. 2) Regulations 2005 (S.I. 2005/1585) (the “principal Regulations”) which exempt the establishment or installation of automotive short range radar equipment in a vehicle and the use of automotive short range radar equipment so established or installed from the requirement to be licensed under section 8(1) of the Wireless Telegraphy Act 2006 (c. 36). The principal Regulations implemented the Commission Decision 2005/50/EC (the “Decision”) on the harmonisation of the 24 GHz radio spectrum band for the time-limited use by automotive short-range radar equipment in the Community (OJ No L 21, 25.1.05, p. 15).

Regulation 2 makes amendments to update references from the Wireless Telegraphy Act 1949 (c. 54) to the Wireless Telegraphy Act 2006 (c. 36). Regulation 2 also amends regulation 4(7) of the principal Regulations so that the time-limited exemption for equipment capable of manual deactivation provided for in Article 6(3) of the Decision applies only to equipment (or replacing such equipment) established or installed in vehicles put into service in the Community before 27th February 2008.

A full regulatory impact assessment and report of the effect that these Regulations will have on the costs to business is available from the OFCOM Library at Riverside House, 2a Southwark Bridge Road, London SE1 9HA (tel: 020 7981 3000) or on the OFCOM internet web site at <http://www.ofcom.org.uk>. Copies of the report have also been placed in the libraries of both Houses of Parliament.