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STATUTORY INSTRUMENTS

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**2011 No. 441**

**ELECTRONIC COMMUNICATIONS**

**The Wireless Telegraphy (Limitation of Number of Grants of Crown Recognised Spectrum Access) Order 2011**

*Made* - - - - *17th February 2011*

*Coming into force* - - *14th March 2011*

The Office of Communications (“OFCOM”), in exercise of the powers conferred by sections 29(1) to (3) of the Wireless Telegraphy Act 2006(1) (the “Act”), make the following Order.

Before making the Order, 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, commencement and extent**

1.—(1) This Order may be cited as the Wireless Telegraphy (Limitation of Number of Grants of Crown Recognised Spectrum Access) Order 2011 and shall come into force on 14th March 2011.

(2) This Order shall not extend to the Channel Islands or to the Isle of Man.

**Limitation of grants**

2.—(1) The Office of Communications will make a limited number of grants of recognised spectrum access for use of the frequency bands listed in the Schedule.

(2) The grants shall only be made to the Crown.

(3) Grants shall only be made where a wireless telegraphy station or wireless telegraphy apparatus is operated within any of the frequency bands listed in the Schedule by or on behalf of the Crown.

(4) The number of grants will be the number which is most likely to secure the optimal use of the electromagnetic spectrum and promote competition in electronic communication services having regard to the matters set out in section 3(1) and (2) of the Wireless Telegraphy Act 2006.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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17th February 2011

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

SCHEDULE

Article 2

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*Frequency bands*

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3400–3480 Megahertz

3500–3580 Megahertz

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**EXPLANATORY NOTE**

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

This Order specifies frequencies for which the Office of Communications (“OFCOM”) will grant recognised spectrum access.

Article 2(1) provides that a limited number of grants of recognised spectrum access will be available in the frequency bands listed in the Schedule. The grants shall only be made to the Crown (Article 2(2)). Article 2(3) and (4) set out the criteria OFCOM shall apply in determining the limit on the number of grants.

A full regulatory impact assessment of the effect that this Order will have on the costs to business is available to the public from the OFCOM library at Riverside House, 2a Southwark Bridge Road, London SE1 9HA (Tel: 020 7981 3000) or on the OFCOM website at [www.ofcom.org.uk](http://www.ofcom.org.uk). Copies of the report have also been placed in the libraries of both Houses of Parliament.