

2013 No. 1787

ELECTRONIC COMMUNICATIONS

**The Wireless Telegraphy (Limitation of Number of Licences)
Order 2013**

Made - - - - *17th July 2013*
Coming into force - - *29th July 2013*

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

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 Licences) Order 2013 and shall come into force on 29th July 2013.

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

Limitation of licences

2.—(1) OFCOM shall grant a limited number of wireless telegraphy licences for the purposes of establishing digital terrestrial television multiplexes in the frequency band 550 – 606 megahertz in the United Kingdom.

(2) In determining the number of wireless telegraphy licences to be granted OFCOM shall select the number of licences which is most likely to secure—

- (a) the optimal use of the electromagnetic spectrum;
- (b) the availability throughout the United Kingdom of a wide range of electronic communications services; and
- (c) the availability throughout the United Kingdom of a wide range of television and radio services.

(3) In determining to whom to grant a licence OFCOM shall select the person—

- (a) whose use of the frequency band OFCOM considers will be the most likely to secure—
 - (i) the optimal use of the electromagnetic spectrum;

- (ii) the availability throughout the United Kingdom of a wide range of electronic communications services; and
 - (iii) the availability throughout the United Kingdom of a wide range of television and radio services; and
- (b) who has provided OFCOM with the information set out in regulation 5 of the Wireless Telegraphy (Licensing Procedures) Regulations 2010(a).

17th July 2013

Stephen Unger
Group Director of Strategy, International, Tech, Economist
For and by the authority of the Office of Communications

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies the frequencies and purposes for which the Office of Communications (“OFCOM”) will grant wireless telegraphy licences.

Article 2(1) provides that a limited number of licences will be granted for the use of frequencies in the specified frequency band. Article 2(2) sets out the criteria that OFCOM will apply in determining the number of licences to be granted. Article 2(3) sets out the criteria that OFCOM will apply in determining the persons to whom those licences will be granted.

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. Copies of the impact assessment have also been placed in the libraries of both Houses of Parliament.

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(a) S.I. 2010/1823.

£4.00

UK201307171004 07/2013 19585

<http://www.legislation.gov.uk/id/uksi/2013/1787>

ISBN 978-0-11-110193-3



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