

2015 No. 999

ELECTRONIC COMMUNICATIONS

**The Wireless Telegraphy (Limitation of Number of Licences)
(Amendment) Order 2015**

Made - - - - *27th March 2015*

Coming into force - - *17th April 2015*

The Office of Communications (“Ofcom”), in exercise of the powers conferred by sections 29(1) to (3) of the Wireless Telegraphy Act 2006(a)(“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 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. This Order may be cited as The Wireless Telegraphy (Limitation of Number of Licences) (Amendment) Order 2015 and shall come into force on 17th April 2015.

Amendment of the Wireless Telegraphy (Limitation of Number of Licences) Order 2014

2. The Wireless Telegraphy (Limitation of Number of Licences) Order 2014(b) (“the principal Order”) shall be amended as set out in the following articles.

Amendment to Article 6

3. In article 6 (determination of limitations on the number of wireless telegraphy licences) of the principal Order, for “will” substitute “shall”.

Amendment to Part 1 of Schedule 1

4. In Schedule 1 to the principal Order, Part 1 (frequencies allocated to broadcasting use), for “217.5-230.0 MHz (T-DAB)” substitute “210.792-230.0 MHz (T-DAB)”.

(a) 2006 c.36. section 29(1) to (3) of the Act was extended to the Bailiwick of Guernsey by article 2 of the Wireless Telegraphy (Guernsey) Order 2006 (S.I. 2006/3325); to the Bailiwick of Jersey by article 2 of the Wireless Telegraphy (Jersey) Order 2006 (S.I. 2006/3324); and to the Isle of Man by article 2 of the Wireless Telegraphy (Isle of Man) Order 2007 (S.I. 2007/278).
(b) S.I. 2014/774.

Amendment to Part 1 of Schedule 3

5. In Schedule 3 to the principal Order, Part 1 (frequencies allocated to fixed links use), after “457.50-464.00 MHz” insert—

“Fixed Wireless Access

5725-5850 MHz”

27th March 2015

Philip Marnick
Group Director, Spectrum Policy Group
For and by the authority of the Office of Communications

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Wireless Telegraphy (Limitation of Number of Licences) Order 2014 (“the principal Order”). The principal Order was made under section 29 of the Wireless Telegraphy Act 2006 (“the Act”). Section 29 of the Act implements Article 7(1)(c) of Directive 2002/20/EC of the European Parliament and of the Council of 7th March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive) as amended by Directive 2009/140/EC.

Article 3 of this Order makes a minor drafting change to Article 6 of the principal Order which sets out how OFCOM shall determine limitations on the number of wireless telegraphy licences.

Articles 4 and 5 make minor changes to Part 1 of Schedule 1 and Part 1 of Schedule 3 to the principal Order which set out the uses and frequencies for which OFCOM will only grant a limited number of wireless telegraphy licences.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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