

2018 No. 399

ELECTRONIC COMMUNICATIONS

**The Wireless Telegraphy (Mobile Repeater) (Exemption)
Regulations 2018**

Made - - - - *22nd March 2018*

Coming into force - - *12th April 2018*

The Office of Communications (“OFCOM”), in exercise of the powers conferred by sections 8(3) and section 122(7) of the Wireless Telegraphy Act 2006(a) and in exercise of those sections of the Act(b) as extended to the Bailiwick of Guernsey, to the Bailiwick of Jersey and to the Isle of Man, make the following Regulations.

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 (Mobile Repeater) (Exemption) Regulations 2018 and shall come into force on 12th April 2018.

Interpretation

2. In these Regulations—

- (a) “downlink frequencies” means the frequency bands 791-721 MHz, 925-960 MHz, 1805-1880 MHz and 2110-2170 MHz;
- (b) “ETSI” means the European Telecommunications Standards Institute;
- (c) “GSM system” means an electronic communications network that complies with standards EN 301 502(c) and EN 301 511(d) published by ETSI for the Global System for Mobile Communications (also known as GSM);
- (d) “indoors” means inside premises which—
 - (i) have a ceiling or a roof; and
 - (ii) except for any doors, windows or passageways, are wholly enclosed;

(a) 2006 c. 36.

(b) Section 8(3) and section 122(7) were 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).

(c) EN 301 502 (version 12.5.2) published in OJEU No C180, 8.6.2017, p.14.

(d) EN 301 511 (version 9.0.2) published in OJEU No C180, 8.6.2017, p.14.

- (e) “IR2102.1” means section “2102.1: Minimum requirements for the use of: static mobile phone repeaters for indoor use” contained within the document with title “UK Interface Requirements IR2102 - Licence exempt static indoor and low gain mobile phone repeaters” published by Ofcom on 22 March 2018;
- (f) “IR2102.2” means section “2102.2: Minimum requirements for the use of: low gain mobile phone repeaters for in-vehicle use” contained within the document with title “UK Interface Requirements IR2102 - Licence exempt static indoor and low gain mobile phone repeaters” published by Ofcom on 22 March 2018;
- (g) “LTE system” means an electronic communications network that complies with standards EN 301 908—1(a), EN 301 908—13(b) and EN 301 908—14(c) published by ETSI for the Long Term Evolution telecommunication system (also known as LTE);
- (h) “MHz” means megahertz;
- (i) “mobile repeater device” means a wireless telegraphy station or wireless telegraphy apparatus which amplifies the radio signals carried over a GSM system, a LTE system, a UMTS system or a WiMAX system;
- (j) “motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads;
- (k) “UMTS system” means an electronic communications network that complies with standards EN 301 908—1, 301 908—2(d) and EN 301 908—3(e) published by ETSI for the Universal Mobile Telecommunications System (also known as UMTS);
- (l) “uplink frequencies” means the frequency bands 832-862 MHz, 880-915 MHz, 1710-1785 MHz and 1920-1980 MHz; and
- (m) “WiMAX system” means an electronic communications network that complies with standards EN 301 908—1, EN 301 908—21(f) and EN 301 908—22(g) published by ETSI for the Worldwide Interoperability for Microwave Access telecommunication system (also known as WiMAX).

Exemption for indoor use

3.—(1) The establishment, installation and use of a mobile repeater device is exempt from the provisions of section 8(1) of the Act where the terms, provisions and limitations in this regulation are met.

(2) The mobile repeater device and its establishment, installation and use must comply with IR2102.1.

(3) The mobile repeater device must only be established, installed and used where the transmissions it makes using downlink frequencies are made indoors.

(4) The mobile repeater device may amplify signals carried over a GSM system, a UMTS system, an LTE system or a WiMAX system or more than one of them. Where it amplifies signals carried over an LTE system or a WiMAX system or both, it must also amplify signals carried over a GSM system or a UMTS system or both.

(5) The establishment, installation and use must not cause or contribute to any undue interference to any wireless telegraphy.

(a) EN 301 908–1 (version 11.1.1) published in OJEU No C180, 8.6.2017, p.17.
 (b) EN 301 908–13 (version 11.1.1) published in OJEU No C180, 8.6.2017, p.18.
 (c) EN 301 908–14 (version 11.1.2) published in OJEU No C180, 8.6.2017, p.18.
 (d) EN 301 908–2 (version 11.1.1) published in OJEU No C180, 8.6.2017, p.17.
 (e) EN 301 908–3 (version 11.1.3) published in OJEU No C180, 8.6.2017, p.17.
 (f) EN 301 908–21 (version 6.1.1) published in OJEU No C180, 8.6.2017, p.19.
 (g) EN 301 908–22 (version 6.1.1) published in OJEU No C180, 8.6.2017, p.19.

Exemption for use in a motor vehicle

4.—(1) The establishment, installation and use of a mobile repeater device is also exempt from the provisions of section 8(1) of the Act where the terms, provisions and limitations in this regulation are met.

(2) The mobile repeater device and its establishment, installation and use must comply with IR2102.2.

(3) The mobile repeater device must only be established, installed and used in a motor vehicle.

(4) The establishment, installation and use must not cause or contribute to any undue interference to any wireless telegraphy.

22nd March 2018

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations exempt the establishment, installation and use of certain wireless telegraphy stations or apparatus, known as “mobile repeaters,” which comply with certain terms, provisions and limitations, from the requirement to be licensed under section 8(1) of the Wireless Telegraphy Act 2006 (c 36).

The mobile repeaters that are exempted are those used indoors and which amplify signals transmitted using GSM and/or UMTS technologies, known as “2G” and “3G” respectively, in addition to any amplification they make of signals transmitted using LTE (“4G”) technology, and also those which are used in vehicles. In each case, the mobile repeaters must comply with technical specifications and conditions set out in Interface Requirements published by the Office of Communications (“Ofcom”).

Interface Requirements are documents containing technical specifications and conditions which are published by OFCOM in accordance with Article 8.1 of Directive 2014/53/EU of the European Parliament and of the Council of 16 April 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC. The Interface Requirements are published by Ofcom and available to the public on its official website at <https://www.ofcom.org.uk/> and from its library at Riverside House, 2a Southwark Bridge Road, London SE1 9HA.

The Official Journal of the European Union (OJEU) publishes a list of the most recent and relevant versions of the ETSI standards referred to in the Regulations. That list is available to the public from the official website of the European Union at <http://eur-lex.europa.eu/oj/direct-access.html> or from the EU Bookshop (as managed by the Publications Office of the European Union) by emailing: bookshop@publications.europa.eu, or from the Publications Office of the European Union at 2 rue Mercier, 2985 Luxembourg, Luxembourg. The ETSI standards themselves are available to the public from ETSI on their website at <http://www.etsi.org> or from the ETSI Secretariat at 650 Route des Lucioles, 06921 Sophia-Antipolis CEDEX, France (Tel: +33 4 92 94 42 00).

A full regulatory impact assessment of the effect that these Regulations will have on cost to business is available to the public from OFCOM’s website at <http://www.ofcom.org.uk> or from the OFCOM library at Riverside House, 2a Southwark Bridge Road, London SE1 9HA. Copies of this assessment have also been placed in the library of the House of Commons.

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