

SCHEDULE 5

Regulation 3(g)

SCHEDULE 3 AUTHORISATION TO CONNECT OTHER TELECOMMUNICATION SYSTEMS AND APPARATUS TO THE APPLICABLE SYSTEMS AND TO PROVIDE TELECOMMUNICATION SERVICES BY MEANS OF THE APPLICABLE SYSTEMS

1. Nothing in this Licence removes any need to obtain any other licence that may be required under any other enactment.

Connection authorisation

2. Subject to paragraph 1, this Licence authorises the connection to the Applicable Systems of:
- (a) any telecommunication system run under a Licence;
 - (b) any telecommunication system run by the Crown;
 - (c) telecommunication apparatus of every description which is comprised in a telecommunication system mentioned in paragraphs 2(a) and 2(b); and
 - (d) any hearing aid.

Service authorisation

3. Subject to paragraph 1, this Licence authorises the provision by means of the Applicable Systems of Radiopaging Services except:

- (a) Conditional Access Services:
 - (i) provided or intended to be provided to another person; or
 - (ii) provided for the Licensee's own use if it provides any Conditional Access Services to another person by means of telecommunication systems run under another licence but which could also come within the description of the Applicable Systems authorised to be run by this Licence; and
- (b) Access Control Services:
 - (i) provided or intended to be provided to another person; or
 - (ii) provided for the Licensee's own use.

Definitions and Interpretation

4. In this Schedule, unless the context otherwise requires:

“Access Control Services” means those telecommunication services which are:

- (i) telecommunication services other than:
 - (A) Conditional Access Services; or
 - (B) Network Servicesprovided to a person providing telecommunication services under a Licence, by means of which the supply to end-users of a Relevant Other Telecommunication Service of any description may be controlled; and
- (ii) described in paragraph 4 of Schedule 3 to the Licence entitled “Class Licence for the Running of Telecommunication Systems for the Provision of Access Control Services” granted by the Secretary of State under section 7 of the Telecommunications Act 1984 on 27 August 1999 or any successor thereto;

Status: This is the original version (as it was originally made).

“Conditional Access Services” means telecommunication services (including services which are treated as telecommunication services pursuant to regulation 8(2) of and paragraph 1(b) of Schedule 1 to the Advanced Television Services Regulations 1996 (S.I.1996/3151)):

- (i) by means of which access to Digital Television Services may be controlled so that only those viewers who are authorised to receive such services do so; and
- (ii) fall within the definition of “Conditional Access Services” given in paragraph 4(b) of the licence entitled “Class Licence for the Running of Telecommunication Systems for the Provision of Conditional Access Services” granted by the Secretary of State under section 7 of the Telecommunications Act 1984 on 7 January 1997 or any successor thereto;

“Digital Television Services” has the same meaning as in Directive 95/47/EC of the European Parliament and the Council of 24 October 1995 on the use of standards for the transmission of television signals;

“Message” means anything falling within paragraphs (a) to (d) of section 4(1) of the Act;

“Network Service” means any of the following :

- (i) a service consisting only of functions which enable end-users to send, receive, or both, Messages to or from one or more end-users, including functions which enable the establishment of a prior connection between such end-users;
- (ii) a service which consists only of functions which could not practically be provided to any end-user in identical form by anyone other than the Licensee because those functions are dependent upon the functions referred to in sub-paragraph (i) above; or
- (iii) any service which has been agreed by the Licensee and the Director;

“Radiopaging Service” means telecommunication services consisting in the conveyance of Messages by means of Wireless Telegraphy where every Message, apart from simple acknowledgement, is ultimately transmitted from a Station for Wireless Telegraphy comprised in the Applicable Systems run by the Licensee to a Station for Wireless Telegraphy or Wireless Telegraphy Apparatus that is not comprised in those Applicable Systems;

“Relevant Other Telecommunication Services” means telecommunication services, whether supplied by the Licensee or any other party, but not including:

- (i) any of the services specified in section 72(2)(a) to (f) of the Broadcasting Act 1990 other than licensable programme services specified in section 46(1) of that Act which are conveyed for reception at different times in response to requests made by different users of the service;
- (ii) Digital Television Services; or
- (iii) Network Services; and

“Wireless Telegraphy”, “Station for Wireless Telegraphy” and “Wireless Telegraphy Apparatus” have the same meaning as in the Wireless Telegraphy Act 1949.

5. Expressions cognate with those referred to in this Schedule shall be construed accordingly.