

2008 No. 2426

ELECTRONIC COMMUNICATIONS

**The Wireless Telegraphy (Exemption) (Amendment) (No. 2)
Regulations 2008**

Made - - - - *10th September 2008*

Coming into force - - *1st October 2008*

The Office of Communications (“OFCOM”) make the following Regulations in exercise of the power conferred by section 8(3) of the Wireless Telegraphy Act 2006(a) (the “Act”).

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 (Exemption) (Amendment) (No. 2) Regulations 2008 and shall come into force on 1st October 2008.

Amendment of the Wireless Telegraphy (Exemption) Regulations 2003

2. The Wireless Telegraphy (Exemption) Regulations 2003(b) shall be amended in accordance with the following provisions of these Regulations.

Amendment of regulation 3

3. In regulation 3 (interpretation), in paragraph (1), in the definition of “relevant apparatus”, for “Schedules 3 to 10” substitute “Schedules 3 to 11”.

Amendment of Schedule 5

4. In Schedule 5 (land mobile-satellite service stations), in Part III (interface requirement) for “published by OFCOM in April 2006” substitute “published by OFCOM in September 2008”.

Amendment of Schedule 6

5. In Schedule 6 (short range devices), in Part III (interface requirement) for “published by OFCOM in November 2006” substitute “published by OFCOM in September 2008”.

(a) 2006 c.36
(b) S.I. 2003/74, amended by S.I. 2003/2155, S.I. 2005/3481, S.I. 2006/2994 and S.I. 2008/236

Addition of Schedule 11

6. After Schedule 10 (citizens' band radio equipment) add the following Schedule—

“SCHEDULE 11

Regulation 3(1)

HIGH DENSITY FIXED SATELLITE APPLICATIONS

PART I

Interpretation

In this Schedule “prescribed apparatus” means apparatus described in the Interface Requirement referred to in Part III of this Schedule.

PART II

Additional Terms, Provisions and Limitations

The prescribed apparatus shall be subject to and comply with the Interface Requirement referred to in Part III of this Schedule.

PART III

Interface Requirement

IR 2066 - UK Interface Requirement for High Density Fixed Satellite Applications published by OFCOM in September 2008.”

Ed Richards

Chief Executive of the Office of Communications
For and by authority of the Office of Communications

10th September 2008

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Wireless Telegraphy (Exemption) Regulations 2003 (S.I. 2003/74) (the “principal Regulations”).

Schedule 5 of the principal Regulations is amended to refer to the updated IR 2016 which makes provision for land mobile-satellite service stations.

Schedule 6 of the principal Regulations is amended to refer to the updated IR 2030 which makes provision for short range devices. This amendment also ensures compliance with Commission Decision 2008/432/EC of 23rd May 2008 amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices (OJ No L 151, 11,6,2008, p. 49).

These Regulations also provide for a new exemption from wireless telegraphy licensing for high density fixed satellite applications through the addition of a new Schedule 11 to the principal Regulations.

Copies of IR 2016 and IR 2030 referred to in the principal Regulations and IR 2066 referred to in these Regulations may be obtained from OFCOM at Riverside House, 2a Southwark Bridge Road, London SE1 9HA and are available on the OFCOM website at <http://www.ofcom.org.uk>.

A full regulatory impact assessment and report of the effect that these Regulations will have on the costs to business is available from the OFCOM Library at Riverside House and the OFCOM website. Copies of the regulatory impact assessment have also been placed in the libraries of both Houses of Parliament.

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STATUTORY INSTRUMENTS

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