

2020 No. 549

ELECTRONIC COMMUNICATIONS

**The Wireless Telegraphy (Exemption and Amendment)
(Amendment) Regulations 2020**

Made - - - - *28th May 2020*

Coming into force - - *17th June 2020*

The Office of Communications (“OFCOM”), makes the following Regulations in exercise of the powers conferred by sections 8(3) and 122(7) of the Wireless Telegraphy Act 2006^(a) (“the Act”) and in exercise of those sections of the Act^(b).

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 and Amendment) (Amendment) Regulations 2020 and shall come into force on 17th June 2020.

Interpretation

2. In these Regulations “the Principal Regulations” means the Wireless Telegraphy (Exemption and Amendment) Regulations 2010^(c).

Revocations and amendments

3.—(1) The Principal Regulations shall be amended in accordance with paragraphs (2) and (3).

(2) Regulation 4 (railway level crossing radar) of the Principal Regulations is revoked.

(3) In Regulation 5 (short range devices), for ““IR 2030 – UK Interface Requirements 2030 Licence Exempt Short Range Devices”, published by OFCOM in November 2018”, substitute ““IR 2030 – UK Interface Requirements Licence Exempt Short Range Devices”, published by OFCOM in May 2020”.

(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) S.I. 2010/2512 as amended by S.I. 2011/3035, S.I. 2013/1253, S.I. 2014/1484, S.I. 2017/746, S.I. 2018/263 and S.I. 2018/1140.

28th May 2020

Philip Marnick
Group Director, Spectrum Group
Office of Communications

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Regulations amend the Wireless Telegraphy (Exemption and Amendment) Regulations 2010 (the Principal Regulations). The Regulations exempt the establishment, installation and use of certain devices 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).

Regulation 3(2) revokes Regulation 4 of the Principal Regulations which exempted the use of railway level crossing radar (a safety device), subject to certain terms and limitations. Railway level crossing radar is now subject to licensing.

Regulation 3(3) amends Regulation 5 of the Principal Regulation which exempts the use of short-range devices, subject to certain terms and limitations. Regulation 5 is amended to extend the exemptions to give effect to Commission Decision 2018/1538 on the harmonisation of radio spectrum for use by short-range devices within the 874-876 and 915-921 MHz frequency bands and amends the Interface Requirements which are referred to in the 2010 Regulations. 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.

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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