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STATUTORY INSTRUMENTS

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**1995 No. 1947**

**TELECOMMUNICATIONS**

**The Satellite Communications Services Regulations 1995**

<i>Made</i>	- - - -	<i>24th July 1995</i>
<i>Laid before Parliament</i>		<i>24th July 1995</i>
<i>Coming into force</i>	- -	<i>14th August 1995</i>

The Secretary of State, being a Minister designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(1)</sup> in respect of measures relating to competition in the markets for satellite communications and telecommunications services other than public voice telephony, mobile and telex services, and satellite communications and telecommunications terminal equipment in exercise of the power conferred by the said section 2(2), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Satellite Communications Services Regulations 1995 and shall come into force on 14th August 1995.

**Interpretation and effect**

2.—(1) In these Regulations—

“the Act” means the Telecommunications Act 1984<sup>(2)</sup>;

“the Directive” means Commission Directive 94/46/EC<sup>(3)</sup> amending Directive 88/301/EEC<sup>(4)</sup> and Directive 90/388/EEC<sup>(5)</sup> in particular with regard to satellite communications;

“EEA State” means a State, not being a member State<sup>(6)</sup>, which is a Contracting Party to the European Economic Area Agreement;

“licence” means, save in paragraph (3) of this regulation, a licence to run a telecommunications system granted pursuant to section 7 of the Act;

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(1) S.I.No.1995/751.

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(2) 1984 c. 12.

(3) OJ No. L268, 19.10.94, p.15.

(4) OJ No. L131, 27.5.88, p.73.

(5) OJ No. L192, 24.7.90, p.10.

(6) On 1st January 1995, Finland, Sweden and Austria became members of the European Community. Whilst the Aland Islands were not regarded as part of Finland for the purposes of the EEA Agreement, they are part of the European Community for the purposes of these Regulations.

“network termination point” means all physical connections and their technical access specifications which form part of the public telecommunications network and are necessary for access to and efficient communication through that public network;

“public voice telephony” means the commercial provision for the public of the direct transport and switching of speech in real-time between public switched network (or the equivalent in such other State) termination points, enabling any user to use equipment connected to such a network termination point in order to communicate with any other network termination point;

“satellite earth station” means a station for wireless telegraphy established for the purposes of providing uplinks and downlinks between itself and space segment; and

“satellite services” means the provision of satellite communications services or the provision of satellite network services or both; and in this definition—

- (a) “satellite communication services” means any service other than radio or television broadcasting to the public whose provision makes use, wholly or partly, of satellite network services; and
- (b) “satellite network services” means the establishment and operation of satellite earth station networks; these services consist, as a minimum, in the establishment, by satellite earth stations, of radiocommunications to space segment (“uplinks”), and in the establishment of radiocommunications between space segment and satellite earth stations (“downlinks”).

(2) Words and expressions used in these Regulations shall, unless the context otherwise requires, have the same meaning as in the Act.

(3) Nothing in these Regulations shall be taken as dispensing with the requirement for a licence granted under section 1 of the Wireless Telegraphy Act 1949 for the establishment and use of any satellite earth station.

**Licencees authorised to provide full range of satellite services in traffic between the United Kingdom, and the European Community and European Economic Area**

3. The Schedule hereto shall have effect for the purposes of amending the licences specified therein to permit the provision of all satellite services, other than those consisting in public voice telephony, between a network termination point in the United Kingdom and a network termination point in another member State or EEA State, to comply with the requirements of the Directive.

24th July 1995

*Ian Taylor*  
Minister for Science and Technology,  
Department of Trade and Industry

## SCHEDULE

### PART I

#### licences granted to public telecommunications operators

1. In the licences the titles and dates of grant of which are listed in the table below, there shall be substituted for paragraph 3(e) of the Service Authorisation in Schedule 3 to each such licence the following sub-paragraph—

“any service consisting in the transmission of Messages to or the reception of Messages from earth orbiting apparatus where such Messages consist in live speech and have been or are to be conveyed both:

(i) by means of a Public Switched Network in the United Kingdom; and

(ii) by means of the equivalent of a Public Switched Network in another country or territory;

provided that, in relation to such services provided between a network termination point in the United Kingdom and a network termination point in another member State of the European Community or an EEA State, this sub-paragraph shall have effect as if it provided as follows:

“any service consisting in public voice telephony involving the transmission of Messages to or the reception of Messages from earth orbiting apparatus where such messages have been or are to be conveyed both:

(i) by means of a Public Switched Network in the United Kingdom; and

(ii) by means of the equivalent of a Public Switched Network in another member State of the European Community or EEA State,” and in this sub-paragraph—

(aa) “public voice telephony” means the commercial provision for the public of the direct transport and switching of speech in real-time between public switched network (or the equivalent in such other State) termination points, enabling any user to use equipment connected to such a network termination point in order to communicate with any other network termination point; and

(bb) “EEA State” means a State, not being a member State of the European Community, which is a Contracting Party to the European Economic Area Agreement.”.

#### TABLE

Title of licence	Date of grant
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO CITY OF LONDON TELECOMMUNICATIONS LTD UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	30th April 1993
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO ENERGIS COMMUNICATIONS LIMITED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	24th May 1993
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO SCOTTISH HYDRO-ELECTRIC	24th May 1993

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Title of licence	Date of grant
PLC UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO MFS COMMUNICATIONS LIMITED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	24th September 1993
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO SCOTTISHPOWER TELECOMMUNICATIONS LIMITED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	24th September 1993
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO TORCH COMMUNICATIONS LIMITED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	24th September 1993
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO NORWEB PLC UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	3rd March 1994
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO VIDEOTRON CITY AND WESTMINSTER LIMITED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	3rd March 1994
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO SPRINT HOLDING (UK) LIMITED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	31st March 1994
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO TELSTRA (UK) LIMITED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	31st March 1994
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO WORLDCOM INTERNATIONAL, INC UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	31st March 1994
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO RACAL NETWORK SERVICES	2nd September 1994

Title of licence	Date of grant
LIMITED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	
LICENCE GRANTED BY THE SECRETARY OF STATE FOR TRADE AND INDUSTRY TO AT & T COMMUNICATIONS (UK) LTD UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984	20th December 1994

## PART II

satellite licences granted to persons other than public telecommunications operators except for maxat limited, national transcommunications limited, satellite financial services ltd and teleport london international ltd

2. In each of the licences the titles and dates of grant of which are listed in the table below, there shall be substituted for paragraph 3(ii) of the Service Authorisation in Schedule 3 to each such licence the following sub-paragraph—

“Messages which consist in live speech and have been or are to be conveyed both:

- (i) by means of a Public Switched Network in the United Kingdom; and
- (ii) by means of the equivalent of a Public Switched Network in another country or territory outside the United Kingdom;

provided that, in relation to services provided between a network termination point in the United Kingdom and a network termination point in another member State of the European Community or an EEA State, this sub-paragraph shall have effect as if it provided as follows:

“Messages which consist in public voice telephony and which have been or are to be conveyed both:

- (i) by means of a Public Switched Network in the United Kingdom; and
- (ii) by means of the equivalent of a Public Switched Network in another member State or EEA State,”and in this sub-paragraph—
  - (aa) “public voice telephony” means the commercial provision for the public of the direct transport and switching of speech in real-time between public switched network (or the equivalent in such other State) termination points, enabling any user to use equipment connected to such a network termination point in order to communicate with any other network termination point; and
  - (bb) “EEA State” means a State, not being a member State of the European Community, which is a Contracting Party to the European Economic Area Agreement.”.

## TABLE

Title of licence	Date of grant
LICENCE GRANTED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984 TO PANAMSAT L.P. TO RUN TELECOMMUNICATION SYSTEMS FOR THE PROVISION OF SATELLITE TELECOMMUNICATION SERVICES	19th April 1993

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Title of licence	Date of grant
LICENCE GRANTED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984 TO E-SAT TELECOMMUNICATIONS LTD TO RUN TELECOMMUNICATION SYSTEMS FOR THE PROVISION OF SATELLITE TELECOMMUNICATION SERVICES	2nd April 1993
LICENCE GRANTED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984 TO INCOM (UK) LTD TO RUN TELECOMMUNICATION SYSTEMS FOR THE PROVISION OF SATELLITE TELECOMMUNICATION SERVICES	11th November 1993
LICENCE GRANTED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984 TO KINGSTON COMMUNICATIONS (HULL) PLC TO RUN TELECOMMUNICATION SYSTEMS FOR THE PROVISION OF SATELLITE TELECOMMUNICATION SERVICES	26th October 1993

### PART III

#### other licences

3. In the licence entitled “LICENCE GRANTED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984 TO SATELLITE FINANCIAL SERVICES LIMITED TO RUN TELECOMMUNICATION SYSTEMS FOR THE PROVISION OF SATELLITE TELECOMMUNICATION SERVICES” granted on 30th September 1993, there shall be substituted for paragraph 3(b) of the Service Authorisation in Schedule 3 to such licence the following sub-paragraph—

“Messages which have been or are to be conveyed also by both of:

- (i) a Public Switched Network in the United Kingdom; and
- (ii) the equivalent of a Public Switched Network in another country or territory outside the United Kingdom;

provided that, in relation to services provided between a network termination point in the United Kingdom and a network termination point in another member State of the European Community or an EEA State, this sub-paragraph shall have effect as if it provided as follows:

“Messages which consist in public voice telephony and which have been or are to be conveyed also by both of:

- (i) a Public Switched Network in the United Kingdom; and
  - (ii) the equivalent of a Public Switched Network in another member State of the European Community or EEA State,”and in this sub-paragraph—
- (aa) “public voice telephony” means the commercial provision for the public of the direct transport and switching of speech in real-time between public switched network (or the equivalent in such other State) termination points, enabling any user to use

equipment connected to such a network termination point in order to communicate with any other network termination point; and

- (bb) “EEA State” means a State, not being a member State of the European Community, which is a Contracting Party to the European Economic Area Agreement.”.

4. In the licence entitled “LICENCE GRANTED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984 TO TELEPORT LONDON INTERNATIONAL LIMITED TO RUN TELECOMMUNICATION SYSTEMS FOR THE PROVISION OF SATELLITE TELECOMMUNICATION SERVICES” granted on 13th January 1995, there shall be substituted for paragraph 3(a)(ii) of the Service Authorisation in Schedule 3 to such licence the following sub-paragraph—

“Messages comprising live speech which have been or are to be conveyed also by both of:

- (i) a Public Switched Network in the United Kingdom; and
- (ii) the equivalent of a Public Switched Network in another country or territory outside the United Kingdom;

provided that, in relation to services provided between a network termination point in the United Kingdom and a network termination point in another member State of the European Community or an EEA State, this sub-paragraph shall have effect as if it provided as follows:

“Messages comprising public voice telephony which have been or are to be conveyed also by both of:

- (i) a Public Switched Network in the United Kingdom; and
  - (ii) the equivalent of a Public Switched Network in another member State of the European Community or EEA State,”and in this sub-paragraph—
- (aa) “public voice telephony” means the commercial provision for the public of the direct transport and switching of speech in real-time between public switched network (or the equivalent in such other State) termination points, enabling any user to use equipment connected to such a network termination point in order to communicate with any other network termination point; and
- (bb) “EEA State” means a State, not being a member State of the European Community, which is a Contracting Party to the European Economic Area Agreement.”.

5. In the licence entitled “LICENCE GRANTED UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984 TO MAXAT LIMITED TO RUN TELECOMMUNICATION SYSTEMS FOR THE PROVISION OF SATELLITE TELECOMMUNICATION SERVICES” granted on 1st October 1993, there shall be substituted for paragraph 3(b) of the Service Authorisation in Schedule 3 to such licence the following sub-paragraph—

“Messages comprising live speech which have been or are to be conveyed also by both of:

- (i) a Public Switched Network in the United Kingdom; and
- (ii) the equivalent of a Public Switched Network in another country or territory outside the United Kingdom;

provided that, in relation to services provided between a network termination point in the United Kingdom and a network termination point in another member State of the European Community or an EEA State, this sub-paragraph shall have effect as if it provided as follows:

“Messages comprising public voice telephony which have been or are to be conveyed also by both of:

- (i) a Public Switched Network in the United Kingdom; and

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- (ii) the equivalent of a Public Switched Network in another member State of the European Community or EEA State,”and in this sub-paragraph—
- (aa) “public voice telephony” means the commercial provision for the public of the direct transport and switching of speech in real-time between public switched network (or the equivalent in such other State) termination points, enabling any user to use equipment connected to such a network termination point in order to communicate with any other network termination point; and
- (bb) “EEA State” means a State, not being a member State of the European Community, which is a Contracting Party to the European Economic Area Agreement.”.

6. In the licence entitled “LICENCE GRANTED TO NATIONAL TRANSCOMMUNICATIONS LIMITED TO RUN TELECOMMUNICATION SYSTEMS UNDER SECTION 7 OF THE TELECOMMUNICATIONS ACT 1984” granted on 30th December 1992, there shall be substituted for paragraph 3(e) of the Service Authorisation in Schedule 3 to such licence the following sub-paragraph—

“any service consisting in the transmission of Messages to or the reception of Messages from earth orbiting apparatus where such Messages consist in live speech and have been or are to be conveyed both:

- (i) by means of a Public Switched Network in the United Kingdom; and
- (ii) by means of the equivalent of a Public Switched Network outside the United Kingdom;

provided that, in relation to such services provided between a network termination point in the United Kingdom and a network termination point in another member State of the European Community or an EEA State, this sub-paragraph shall have effect as if it provided as follows:

“any service consisting in public voice telephony involving the transmission of Messages to or the reception of Messages from earth orbiting apparatus where such messages have been or are to be conveyed both:

- (i) by means of a Public Switched Network in the United Kingdom; and
- (ii) by means of the equivalent of a Public Switched Network in another member State of the European Community or EEA State,”and in this sub-paragraph—
- (aa) “public voice telephony” means the commercial provision for the public of the direct transport and switching of speech in real-time between public switched network (or the equivalent in such other State) termination points, enabling any user to use equipment connected to such a network termination point in order to communicate with any other network termination point; and
- (bb) “EEA State” means a State, not being a member State of the European Community, which is a Contracting Party to the European Economic Area Agreement.”.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations implement Commission Directive [94/46/EC](#) which provides for the removal of special and exclusive rights in respect of fixed satellite communication services, other than public voice telephony, between the United Kingdom and other member States and members of the EEA and



of the market for satellite earth station equipment by amending Directives [88/301/EEC](#) and [90/388/EEC](#). There are no special or exclusive rights in respect of satellite earth station equipment in the United Kingdom. The obligations in respect of satellite communication services are given effect to by detailed amendment of the service authorisations in each of the individual licences granted under the Telecommunications Act 1984 and authorising the provision of telecommunication services by means of satellites, so as to authorise the provision of all telecommunication services, other than public voice telephony and mobile services, by means of satellites between a network termination point in the United Kingdom and another such point elsewhere in the European Community or the EEA.