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STATUTORY INSTRUMENTS

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**2011 No. 2761**

**ELECTRONIC COMMUNICATIONS**

**The Wireless Telegraphy (Recognised Spectrum  
Access and Licence) (Spectrum Trading)  
(Amendment) (No. 2) Regulations 2011**

*Made* - - - - *17th November 2011*

*Coming into force* - - *12th December 2011*

The Office of Communications (“OFCOM”) make the following Regulations in exercise of the powers conferred by section 30(1) to (3) and section 122(7) of the Wireless Telegraphy Act 2006<sup>(1)</sup> (the “Act”).

Before making the 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 (Recognised Spectrum Access and Licence) (Spectrum Trading) (Amendment) (No. 2) Regulations 2011 and shall come into force on 12th December 2011.

**Amendment of the Wireless Telegraphy (Recognised Spectrum Access and Licence) (Spectrum Trading) Regulations 2009**

**2.—(1)** For regulation 3(3) of the Wireless Telegraphy (Recognised Spectrum Access and Licence) (Spectrum Trading) Regulations 2009<sup>(2)</sup> (the “Principal Regulations”), substitute the following—

“Paragraph (1) shall apply to grants of RSA and licences of a class specified in Column 1 of each of the Parts of Schedules 1, 2 and 3, which apply to stations or apparatus operating within any of the frequency bands specified in Column 2 of the same Part of the same Schedule.”

**(2)** In regulation 4 of the Principal Regulations—

(a) delete “or” where it appears at the end of regulation 4(a)(v)(bb);

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(1) [2006 c.36](#)

(2) [S.I. 2009/17](#) as amended by [S.I. 2011/440](#)

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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- (b) at the end of regulation 4(a)(vi) substitute “or” for “and”;
- (c) after regulation 4(a)(vi), insert the following regulation 4(a)(vii)—
- “(vii) a part of the range of frequencies in which the holder of a grant of RSA or licence is recognised as using wireless telegraphy stations or wireless telegraphy apparatus under one of the grants of RSA or a licence of a class specified in Column 1 of each Part of Schedule 3 which apply to stations or apparatus operating within any of the frequency bands specified in Column 2 of the same Part of Schedule 3; and”
- (3) The Principal Regulations are amended by adding the following Schedule 3:

“SCHEDULE 3

Regulations 3 and 4

PART 1

| <i>Column 1</i>  | <i>Column 2</i>       |
|--|-----------------------|
| <i>Class of Licence or RSA</i>                           | <i>Frequency Band</i> |
| Receive-Only Earth Stations<br>(Fixed Satellite Service) | 3600–4200 Megahertz   |

PART 2

| <i>Column 1</i>   | <i>Column 2</i>                             |
|---|---|
| <i>Class of Licence or RSA</i>                                    | <i>Frequency Bands</i>                      |
| Receive-Only Earth Stations<br>(Meteorological Satellite Service) | 1690–1710 Megahertz<br>7750–7850 Megahertz” |

*Hyacinth S. Nwana*  
Group Director, Spectrum Policy Group of the  
Office of Communications  
For and by the authority of the Office of  
Communications

17th November 2011

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## EXPLANATORY NOTE

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

These Regulations amend the Wireless Telegraphy (Recognised Spectrum Access and Licence) (Spectrum Trading) Regulations 2009 (SI 2009/17) (the “Principal Regulations”).

The Principal Regulations authorise the transfer of all or part of the rights and obligations arising by virtue of the grants of recognised spectrum access or wireless telegraphy licences listed.

Regulation 2 of these Regulations amends the Principal Regulations by authorising the transfer of rights and obligations arising by virtue of a grant of recognised spectrum access or a licence for fixed satellite services in the frequency band 3600–4200 MHz and for meteorological satellite services in the frequency bands 1690–1710 MHz and 7750–7850 MHz.

A full regulatory impact assessment of the effect that these Regulations will have on the costs to business is available to the public from the OFCOM Library at Riverside House, 2a Southwark Bridge Road, London SE1 9HA (Tel: 020 7981 3000) or on the OFCOM website at [www.ofcom.org.uk](http://www.ofcom.org.uk). Copies of the report have also been placed in the libraries of both Houses of Parliament.