
STATUTORY INSTRUMENTS

1988 No. 1215

TELEGRAPHS

**The Wireless Telegraphy (Citizens' Band and
Amateur Apparatus) (Various Provisions) Order 1988**

<i>Made</i>	- - - -	<i>13th July 1988</i>
<i>Laid before Parliament</i>		<i>15th July 1988</i>
<i>Coming into force</i>	- -	<i>8th August 1988</i>

Whereas it appears to the Secretary of State to be expedient that the provisions of section 7 of the Wireless Telegraphy Act 1967(1) should apply to the wireless telegraphy apparatus specified in this Order for the purpose of preventing or reducing the risk of interference with wireless telegraphy and that certain of such apparatus should be marked in accordance with the provisions of section 85 of the Telecommunications Act 1984(2);

And whereas the Secretary of State is satisfied as required by section 7(9) of the 1967 Act that the Order is compatible with the international obligations of the United Kingdom;

Now, therefore, the Secretary of State in exercise of the powers conferred by section 7(2) of the 1967 Act and sections 84 and 85(1) of the 1984 Act hereby makes the following Order:

Citation

1. This Order may be cited as the Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) Order 1988 and shall come into force on 8th August 1988.

Interpretation

2. In this Order:—

“the 1967 Act” means the Wireless Telegraphy Act 1967;

“the 1984 Act” means the Telecommunications Act 1984;

“MPT 1320” means Performance Specification MPT 1320, as amended, published in April 1981;

“MPT 1333” means Performance Specification MPT 1333, published in December 1986;

(1) 1967 c. 72; section 7 was amended by the Telecommunications Act 1984 (c. 12), section 77.
(2) 1984 c. 12.

“British Standard 5850: 1981” means the Specification for Safety of electrically energized office machines published by the British Standards Institution and reprinted in 1981;

“CB apparatus” means wireless telegraphy apparatus known as “Citizens' Band” which is designed or adapted, or has facilities permitting its adaptation, for the purpose of transmitting spoken messages on the frequency band 26.1 MHz to 28 MHz.

Restriction on dealings and custody

3.—(1) No person shall take any of the actions listed in paragraph (3) of this article in relation to CB apparatus unless:—

- (a) the CB apparatus operates only on one or more of the frequencies specified in paragraph 1.3 of MPT 1320 or paragraph 1.3 of Part A of MPT 1333;
- (b) the CB apparatus complies with the requirements specified in Schedule 1 to this Order; and
- (c) CB apparatus which operates on any of the frequencies specified in paragraph 1.3 of Part A of MPT 1333 is approved for the time being by the Secretary of State under section 84 of the 1984 Act for the purposes of this Order.

(2) No person shall take any of the actions listed in sub-paragraphs (3)(a) and (d) of this article in relation to wireless telegraphy apparatus designed or adapted for the purpose of transmitting messages in the frequency band 28 MHz to 29.7 MHz and in no other frequency band.

(3) The actions restricted by this article are:—

- (a) manufacture (whether or not for sale);
- (b) selling or offering for sale, letting on hire or offering to let on hire, or indicating (whether by display of the apparatus or by any form of advertisement) one’s willingness to sell or let on hire;
- (c) having in one’s custody or control; and
- (d) importation.

Marking

4.—(1) CB apparatus shall be marked in accordance with the requirements specified in Schedule 2 to this Order.

(2) No person shall, in the course of any trade or business, supply or offer to supply CB apparatus which does not comply with paragraph (1) of this article.

Isle of Man

5. This Order shall not extend to the Isle of Man.

Revocation

6. The Wireless Telegraphy (Control of Manufacture and Importation) Order 1982(3) is hereby revoked.

13th July 1988

John Butcher
Parliamentary Under Secretary of State,
Department of Trade and Industry

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

SCHEDULE 1

Article 3

1.—(1) In this Schedule, the words listed in the first column of the Table below shall have the meanings assigned to them by the paragraphs listed in the second column of the Table which are contained in the MPT Performance Specifications listed in the third column of the Table.

Table

Words	Paragraph	MPT Specification
“frequency error”	4.1.1	MPT 1320
	4.1.1 Part B	MPT 1333
“carrier power”	4.2.1	MPT 1320
	4.2.1 Part B	MPT 1333
“frequency deviation”	4.3.1	MPT 1320
“adjacent channel power”	4.4.1	MPT 1320
	4.3.1 Part B	MPT 1333
“spurious emissions” (when used with reference to CB transmitters)	4.5.1	MPT 1320
	4.4.1 Part B	MPT 1333
“spurious emissions” (when used with reference to CB receivers)	5.1.1	MPT 1320
	5.5.1 Part B	MPT 1333
“maximum usable sensitivity”	5.1.1 Part B	MPT 1333
“adjacent channel selectivity”	5.2.1 Part B	MPT 1333
“spurious response rejection”	5.3.1 Part B	MPT 1333
“intermodulation response”	5.4.1 Part B	MPT 1333

(2) Where reference is made in any provision of this Schedule to more than one MPT performance specification, the specification to be applied in each case shall be that relevant to the frequencies used by the CB apparatus.

2. Where reference is made in this Schedule to the measurement of any of the characteristics of CB apparatus, such measurement shall be:—

- (a) carried out under the conditions specified in chapters 2 and 3 of MPT 1320 or chapters 2 and 3 of Part B of MPT 1333;
- (b) accurate within the tolerance specified in chapter 6 of MPT 1320 or chapter 7 of Part B of MPT 1333; and
- (c) made following tests carried out in accordance with chapters 4 and 5 of MPT 1320 or chapters 4 and 5 of Part B of MPT 1333.

3. The modulation of CB apparatus shall be that specified in paragraph 1.4 of MPT 1320 or paragraph 1.3 of Part A of MPT 1333.

4. The frequency error of CB apparatus shall be that specified in paragraph 4.1.3 of MPT 1320 or paragraph 2.1 of Part A of MPT 1333.

5. The carrier power of CB apparatus shall not exceed that specified in:—

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

- (a) paragraph 4.2.4 of MPT 1320 as measured by the methods described in paragraphs 4.2.2 or 4.2.3; or
 - (b) paragraph 2.2 of Part A of MPT 1333 as measured by the methods described in paragraphs 4.2.2 or 4.2.3 of Part B.
- 6.** Where CB apparatus operates on any of the frequencies specified in paragraph 1.3 of MPT 1320, the frequency deviation shall not exceed that specified in paragraph 4.3.3 of MPT 1320 as measured by the method described in paragraph 4.3.2.2.
- 7.** The adjacent channel power of CB apparatus shall not exceed that specified in:—
- (a) paragraph 4.4.3 of MPT 1320 as measured by the method described in paragraph 4.4.2 using the equipment described in paragraph 4.4.4; or
 - (b) paragraph 2.3 of Part A of MPT 1333 as measured by either of the methods described in paragraph 4.3.2 of Part B.
- 8.—(1)** The level of spurious emissions from the transmitter in CB apparatus shall not exceed that specified in:—
- (a) paragraph 4.5.4 of MPT 1320 as measured by the methods described in paragraphs 4.5.1, 4.5.2 and 4.5.3; or
 - (b) paragraph 2.4 of Part A of MPT 1333 as measured by the methods described in paragraphs 4.4.1, 4.4.2 and 4.4.3 of Part B.
- (2)** The level of spurious emissions from the receiver in CB apparatus shall not exceed that specified in:—
- (a) paragraph 5.1.4 of MPT 1320 as measured by the methods described in paragraphs 5.1.2 and 5.1.3; or
 - (b) paragraph 3.5 of Part A of MPT 1333 as measured by the methods described in paragraphs 5.5.1, 5.5.2 and 5.5.3 of Part B.
- 9.** Where CB apparatus operates on any of the frequencies specified in paragraph 1.3 of Part A of MPT 1333 and is equipped with a terminal that can be used for the connection of an external antenna:—
- (a) maximum usable sensitivity shall be that specified in paragraph 3.1 of Part A of MPT 1333 as measured by the method described in paragraph 5.1.2 of Part B;
 - (b) adjacent channel selectivity shall be that specified in paragraph 3.2 of Part A of MPT 1333 as measured by the method described in paragraph 5.2.2 of Part B;
 - (c) spurious response rejection shall be that specified in paragraph 3.3 of Part A of MPT 1333 as measured by the method described in paragraph 5.3.2 of Part B; and
 - (d) intermodulation response shall be that specified in paragraph 3.4 of Part A of MPT 1333 as measured by the method described in paragraph 5.4.2 of Part B.
- 10.** Where CB apparatus operates on more than one of the frequencies specified in paragraph 1.3 of MPT 1320 or paragraph 1.3 of Part A of MPT 1333, adjacent channel carrier frequencies shall be separated as specified in paragraph 1.1 of MPT 1320 or paragraph 1.3 of Part A of MPT 1333.
- 11.** CB apparatus shall not be capable of transmitting or receiving any digital signals except digital signals designed solely for the purpose of identifying or selecting a particular station or for indicating the end of a transmission.

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

SCHEDULE 2

Article 4

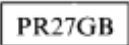
1. CB apparatus which complies with the requirements of Schedule 1 to this Order and which operates:—

- (a) on any of the frequencies specified in paragraph 1.3 of MPT 1320 shall be marked as follows:—



; and

- (b) on any of the frequencies specified in paragraph 1.3 of Part A of MPT 1333 shall be marked as follows:—

- (i)  where the apparatus has been approved under section 84 of the 1984 Act; or
- (ii) as specified in paragraph (i) where the apparatus has been approved in a country listed in the Annex to this Schedule before being approved under section 84 of the 1984 Act except that the symbol “GB” shall be replaced with the relevant symbol listed in the Annex to indicate the country in which approval has first been obtained.

2. The marks described in sub-paragraphs 1(a) and (b) shall:—

- (a) conform with the test of durability specified in sub-clause 7.14 of British Standard 5850: 1981;
- (b) be placed upon the apparatus in such a manner that they cannot easily be removed;
- (c) be placed on a background of plain white (unless they are embossed);
- (d) be delineated by a black line in the shape of a circle or a rectangle as shown in sub-paragraph 1(a) or paragraph 1(b)(i), respectively, of this Schedule;
- (e) be clearly and legibly printed in black (unless they are embossed); and
- (f) be printed with letters of uniform size and type not less than 2 mm. in height.

Annex to Schedule

Country	Symbol	Country	Symbol
Germany (FRG)	D	Luxembourg	L
Austria	A	Malta	M
Belgium	B	Monaco	MC
Cyprus	CY	Norway	N
Denmark	DK	Netherlands	NL
Spain	E	Portugal	P
Finland	SF	San Marino	RSM
France	F	Sweden	S
Greece	GR	Switzerland	CH

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

Country	Symbol	Country	Symbol
Irish Republic	IRL	Turkey	TR
Iceland	IS	Vatican City	SCV
Italy	I	Yugoslavia	YU

EXPLANATORY NOTE

(This note is not part of the Order)

This Order restricts the import, manufacture, sale, hire, offer or advertisement for sale or hire, custody and control of certain specified Citizens' Band ("CB") radio apparatus and the import and manufacture of certain specified amateur radio apparatus. The CB apparatus restricted is that which is designed or adapted, or has facilities permitting its adaptation, for the purpose of transmitting spoken messages in the frequency band 26.1 MHz to 28 MHz. This CB apparatus is restricted unless it operates only on one or more of the frequencies specified in Performance Specifications MPT 1320 or MPT 1333 and complies with the requirements of Schedule 1 to the Order. CB apparatus which falls within the purview of MPT 1333 must also be type approved by the Secretary of State for the purposes of the Order. The manufacture and import of amateur radio apparatus which operates only in the frequency band 28 MHz to 29.7 MHz is also restricted.

Under article 4 of the Order, CB apparatus is required to be marked to show compliance with the requirements of Schedule 1 in the manner indicated in Schedule 2.

Under section 7 of the Wireless Telegraphy Act 1967, the Secretary of State may by authority limit the effect of the Order in the manner specified in the authority. Apparatus which is held in breach of the Order or an authority is liable to seizure and may be subject to forfeiture. A person who contravenes the Order or an authority may be guilty of an offence under the Wireless Telegraphy Act 1949 and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Article 6 of the Order revokes the Wireless Telegraphy (Control of Manufacture and Importation) Order 1982 (S.I.1982/636). The present Order imposes wider controls on most CB apparatus operating in the frequency band 26.1 MHz to 28 MHz, except that it now allows the previously restricted import and manufacture of CB apparatus which operates in the band 26.960 MHz to 27.410 MHz and which complies with the relevant requirements of Schedule 1 (drawn from MPT 1333 which is based on Recommendation TR 20—02 of the European Conference of Postal and Telecommunications Administrations). The Order loosens controls on amateur apparatus operating in the band 28 MHz to 29.7 MHz. The restrictions on apparatus which operates in the band 88 MHz to 108 MHz are removed, although such apparatus must still be licensed for use.

CB apparatus operating in the frequency band 934 MHz to 935 MHz is subject to the Wireless Telegraphy (Control of Interference from Citizens' Band Radio Apparatus) Regulations 1982 (S.I. 1982/635) as amended.

Copies of Performance Specifications MPT 1320 and MPT 1333 are available free of charge from the Librarian, Radiocommunications Division, Department of Trade and Industry, Waterloo Bridge House, Waterloo Road, LONDON SE1 8UA. Copies of British Standard 5850: 1981 may be obtained from the British Standards Institution (Sales Section), 195 Pentonville Road, LONDON N1 9ND at a price of £46.

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