

1989 No. 604

TELEGRAPHS

The Wireless Telegraphy Apparatus (Low Power Devices) (Exemption) Regulations 1989

<i>Made</i> - - - -	<i>4th April 1989</i>
<i>Laid before Parliament</i>	<i>7th April 1989</i>
<i>Coming into force</i>	<i>1st May 1989</i>

The Secretary of State, in exercise of the powers conferred by sections 1 and 3 of the Wireless Telegraphy Act 1949(a) ("the 1949 Act") and now vested in him(b), the power conferred on him by section 84 of the Telecommunications Act 1984(c) ("the 1984 Act"), 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 Wireless Telegraphy Apparatus (Low Power Devices) (Exemption) Regulations 1989 and shall come into force on 1st May 1989.

Interpretation

2. In these Regulations -

"ERP" means effective radiated power, as defined in the Radio Regulations;

"EIRP" means equivalent isotropically radiated power, as defined in the Radio Regulations;

"field strength" means the magnitude of a component of specified polarisation of the electric or magnetic field, and a reference to the field strength of any signal means the field strength of that signal when measured at a distance of 10 metres;

"the Radio Regulations" means the 1982 edition of the Radio Regulations, as revised in 1985, 1986 and 1988, annexed to the International Telecommunication Convention 1982(d) pursuant to Articles 43 and 83 of that Convention; and

"relevant apparatus" means wireless telegraphy apparatus or apparatus designed or adapted for use in connection with wireless telegraphy apparatus.

Exemption

3. Subject to regulation 4, and except as provided for in regulation 5, the establishment, installation and use of any station or apparatus for wireless telegraphy of a description set out in the Schedule hereto (hereinafter referred to as a "relevant low power device") are hereby exempted from the provisions of section 1(1) of the 1949 Act.

(a) 1949 c.54. (b) Post Office Act 1969 (c.48), section 3; S.I. 1969/1369, article 3, 1969/1371, article 2, and 1974/691, article 2. (c) 1984 c.12. (d) Cmnd. 9557.

Terms, provisions and limitations

4. The exemption provided for in regulation 3 shall be subject to the terms, provisions and limitations that –

- (a) the relevant apparatus comprised in the relevant low power device shall be for the time being approved under section 84 of the 1984 Act; and
- (b) the relevant low power device shall not –
 - (i) infringe any requirements for the time being applied to it by or under any enactment for the purpose of preventing it from causing interference with any wireless telegraphy; or
 - (ii) cause undue interference with any wireless telegraphy.

Exceptions

5. The exemption provided for in regulation 3 shall not extend to any station or apparatus for wireless telegraphy the establishment, installation or use of which is exempted from the provisions of section 1(1) of the 1949 Act by –

- (a) the Wireless Telegraphy (Exemption) Regulations 1980(a);
- (b) the Wireless Telegraphy (Broadcast Licence Charges and Exemption) Regulations 1984(b); or
- (c) the Wireless Telegraphy Apparatus (Receivers) (Exemption) Regulations 1989(c).

Restrictions on use

6. Where the Secretary of State has reasonable cause to believe that a relevant low power device is causing undue interference with any wireless telegraphy, any person who is in possession or control of that device shall on the demand in that behalf of any person authorised for such purpose by the Secretary of State (“the authorised person”) forthwith cause the use of that device to –

- (a) cease; or
- (b) be restricted in the manner specified by the authorised person.

Robert Atkins
Parliamentary Under Secretary of State,
Department of Trade and Industry

4th April 1989

(a) S.I. 1980/1848, regulation 3. These Regulations were amended by S.I. 1987/776. (b) S.I. 1984/1053, regulations 3 and 4. There are amendments to S.I. 1984/1053 not relevant to these Regulations. (c) S.I. 1989/123, regulation 3.

SCHEDULE

Regulation 3

DESCRIPTIONS OF RELEVANT LOW POWER DEVICES

Emergency alarms

1. Wireless telegraphy apparatus designed or adapted –
 - (a) for the sole purpose of sending and receiving non-verbal signals in order to summon assistance to those persons who may require it by reason of old age or infirmity; and
 - (b) so as to be capable of use only –
 - (i) at a power not exceeding 0.5 mW ERP; and
 - (ii) on one or more of the frequencies listed below –

27.450 MHz	34.950 MHz
34.925 "	34.975 "

Field disturbance and Doppler apparatus

2. Wireless telegraphy apparatus –
 - (a) designed or adapted to produce a radiated field and respond to a variation in that field as a result of any intrusion or movement within that field by other devices, objects or persons in order to detect or monitor the movement of such devices, objects or persons; and
 - (b) constructed so as to be capable of use only on frequencies, and at a power, or field strength, as the case may be, not exceeding the maximum, specified for each category of apparatus in the table below –

<i>Category</i>	<i>Description of apparatus</i>	<i>Frequencies</i>	<i>Maximum power EIRP</i>	<i>Maximum field strength</i>
1	Apparatus designed solely to detect resonant circuits for use on a frequency of 13.56 MHz \pm 0.2%	13.56 MHz \pm 0.2 %		4500 μ V/m
2	Apparatus (other than category 1 above) designed solely to detect resonant circuits	2 – 32 MHz		1000 μ V/m
3	Apparatus designed solely for outdoor use	10.577 – 10.597 GHz	1.0 W	
4	Apparatus designed solely for indoor use	10.675 – 10.699 GHz	1.0 W	
5	Apparatus designed solely for use at a fixed location	24.150 – 24.250 GHz	2.0 W	
6	Apparatus designed solely for use in a mobile application	24.250 – 24.350 GHz	2.0 W	
7	Anti-collision devices	31.80 – 33.40 GHz	5.0 W	
8	Any apparatus not within any category above	2.445 – 2.455 GHz	0.1 W	

Induction system apparatus

3. That part of an induction system –
 - (a) designed or adapted to produce –
 - (i) a controlled magnetic field; and
 - (ii) a predetermined recognisable signal when operating within that magnetic field; and
 - (b) constructed so as to be capable of use only on frequencies, and at an output power, or field strength, as the case may be, not exceeding the maximum for such frequencies for each description of apparatus, specified in the table below –

<i>Frequencies</i>	<i>Apparatus with terminals for connection to an external loop antenna:</i>		<i>Apparatus with ferrite or coil antennas: Maximum field strength</i>
	<i>Maximum output power</i>		
0 – 185 kHz	10 W		265 μ A/m or 100 mV/m
240 – 315 kHz	10 W		17 μ A/m or 6.4 mV/m

Narrow band radio microphones

4. Any wireless telegraphy apparatus incorporating a microphone which is –
- (a) designed or adapted for transmission on a bandwidth not exceeding 25 kHz; and
 - (b) constructed so as to be capable of use only –
 - (i) at an ERP not exceeding 5 mW; and
 - (ii) on one or more of the frequencies listed below –

174.600 MHz	174.885 MHz
174.675 "	175.020 "
174.770 "	

Radio hearing aids

5. Any hearing aid operating by means of wireless telegraphy which is constructed so as to be capable of use only –

- (a) at an ERP not exceeding 2 mW; and
- (b) on one or more of the frequencies listed below –

173.350 MHz	173.695 MHz	174.120 MHz
173.400 "	173.775 "	174.185 "
173.465 "	173.825 "	174.270 "
173.545 "	173.950 "	174.360 "
173.640 "	174.070 "	174.415 "

Telemetry and telecommand apparatus

6. Wireless telegraphy apparatus –
- (a) designed or adapted for –
 - (i) automatically indicating or recording measurements at a distance from the measuring instrument; or
 - (ii) the transmission of signals to initiate, modify or terminate functions of equipment situated at a distance from such apparatus; and
 - (b) constructed so as to be capable of use only on frequencies, and at a power not exceeding the maximum for such frequencies, specified in the table below –

<i>Frequencies</i>	<i>Maximum power ERP</i>
26.995 MHz, 27.045 MHz, 27.095 MHz, 27.145 MHz or 27.195 MHz	1 mW
173.200 – 173.350 MHz	1 mW
417.90 – 418.10 MHz	250 μ W
458.5 – 458.8 MHz	500 mW

Wide band radio microphones

7. Any wireless telegraphy apparatus incorporating a microphone which is –
- (a) designed or adapted for transmission on a bandwidth of not less than 25 kHz; and
 - (b) constructed so as to be capable of use only –
 - (i) at an ERP not exceeding 2 mW; and
 - (ii) on one or more of the frequencies listed below –

173.800 MHz	174.800 MHz
174.100 "	175.000 "
174.500 "	

General purpose devices

8. Any wireless telegraphy apparatus, which is designed or adapted so as to be capable of use only –

- (a) within the frequency band 49.82 MHz to 49.98 MHz; and
- (b) at an ERP not exceeding 10 mW.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the exemption from the provisions of section 1(1) of the Wireless Telegraphy Act 1949 of various low power devices. Accordingly it will not be necessary to hold a licence to install and use apparatus to which these Regulations apply. The descriptions of low power devices which are exempt are set out in the Schedule.

Regulation 4 provides that, for the exemption to apply, certain conditions must be complied with. The low power device must be for the time being approved under section 84 of the Telecommunications Act 1984. Devices exempted from licensing by these Regulations must not cause interference.

The Regulations do not apply to apparatus which is exempt from the licensing requirement under certain other instruments (regulation 5).

Regulation 6 requires that the use of the device must cease, or its operation must be restricted, on the demand of a person authorised in that behalf by the Secretary of State. Failure to comply with such a demand is an offence under section 3 of the Wireless Telegraphy Act.