

1989 No. 943

TELEGRAPHS

The Wireless Telegraphy Apparatus (Citizens' Band European Users) (Exemption) Regulations 1989

<i>Made</i> - - - -	<i>6th June 1989</i>
<i>Laid before Parliament</i>	<i>9th June 1989</i>
<i>Coming into force</i>	<i>1st July 1989</i>

The Secretary of State, in exercise of the powers conferred by sections 1, 3 and 16 of the Wireless Telegraphy Act 1949(a) as enacted, and as extended by the Wireless Telegraphy (Channel Islands) Order 1952(b) and the Wireless Telegraphy (Isle of Man) Order 1952(c), and now vested in him(d), 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 (Citizens' Band European Users) (Exemption) Regulations 1989 and shall come into force on 1st July 1989.

**Interpretation**

2. In these Regulations-

"the Act" means the Wireless Telegraphy Act 1949;

"authorised person" means any person authorised by the Secretary of State for the purposes of the Wireless Telegraphy Acts of 1949 and 1967(e) (as amended) and for the purposes of the Telecommunications Act 1984(f), and in particular for the purposes of section 79(3) thereof;

"CEPT" means the European Conference of Postal and Telecommunications Administrations(g), and "CEPT country" means a country which is a member of CEPT;

"CEPT Recommendation T/R 20-02" means CEPT Recommendation T/R 20-02 entitled "Citizens' Band Radio" as adopted by CEPT on 1st September 1986; and

"relevant CB station" means a station for wireless telegraphy for the provision of voice radiocommunication in the frequency band 26.960 MHz to 27.410 MHz which complies with the requirements of CEPT Recommendation T/R 20-02.

**Exemption**

3. Subject to regulations 4 and 5, the establishment, installation and use of relevant CB stations are hereby exempted from the provisions of section 1(1) of the Act.

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(a) 1949 c.54.

(b) S.I. 1952/1900.

(c) S.I. 1952/1899.

(d) Post Office Act 1969 (c.48); S.I. 1969/1369, article 3; S.I. 1969/1371, article 2; and S.I. 1974/691, article 2.

(e) 1967 c.72.

(f) 1984 c.12.

(g) CEPT was set up in June 1959 in Montreux by the "Arrangement Instituant de la Conference Européenne des Administrations des Postes et des Télécommunications".

### Terms, provisions and limitations

4. The exemption provided for in regulation 3 shall be limited to—
- (a) establishment, installation and use of a relevant CB station by any person who is:—
    - (i) aged 14 years or over;
    - (ii) ordinarily resident in a country listed in Schedule 1; and
    - (iii) authorised by the government of that country to use a relevant CB station in its territory,(hereinafter referred to as a “CEPT CB user”); and
  - (b) use of a relevant CB station by any person under the supervision of a CEPT CB user.

5. The exemption provided for in regulation 3 shall be subject to the terms, provisions and limitations contained in Schedule 2.

### Inspection and restriction on use

6. The CEPT CB user shall forthwith on the demand of an authorised person—
- (a) permit and facilitate the inspection by that authorised person of the relevant CB station;
  - (b) cause the use of the relevant CB station to—
    - (i) cease; or
    - (ii) be restricted in the manner specified by that authorised person.

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

6th June 1989

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## SCHEDULE 1

Regulation 4

### LIST OF COUNTRIES RESIDENTS OF WHICH MAY USE RELEVANT CB STATIONS WITHOUT A LICENCE UNDER SECTION 1(1) OF THE ACT

Austria	Malta
Belgium	Monaco
Cyprus	Netherlands
Denmark	Norway
Finland	Portugal
France	San Marino
Germany (Federal Republic)	Spain
Greece	Sweden
Irish Republic	Switzerland
Iceland	Turkey
Italy	Vatican City
Liechtenstein	Yugoslavia
Luxembourg	

## TERMS, PROVISIONS AND LIMITATIONS OF EXEMPTION

1. A relevant CB station may be used for sending and receiving only—
  - (a) messages in plain speech; and
  - (b) signals of—
    - (i) less than 2.5 seconds in length, which are intended to call up any other relevant CB station; and
    - (ii) less than 1 second in length, which are intended to identify, or mark the end of a message sent by, any relevant CB station.
2. A relevant CB station shall not be used if, at any time, such use is likely to obstruct the police, any authorised person, or any government department in the carrying out of their duties.
- 3.—(1) Subject to sub-paragraph (2), only the following ancillary equipment may be connected between the antenna socket of the transceiver of the relevant CB station and its antenna—
  - (a) devices for suppressing interference;
  - (b) low pass filters; and
  - (c) mechanically operated co-axial antenna change over switches.

(2) A meter to measure the transmitter power or Voltage Standing Wave Ratio (VSWR) of the antenna may be temporarily inserted between the antenna socket of the transceiver and the antenna for the sole purpose of establishing or testing the relevant CB station provided that such meter is removed before the relevant CB station is used.
4. If the relevant CB station has provision for connection to an external antenna, only a single vertical omnidirectional monopole antenna may be connected, the driven element of which does not exceed 1.65 m in length or 55 mm in diameter, including any loading coils and associated circuitry and casings, but excluding any plates or radial wires or rods designed solely to act as a ground plane.
5. If the relevant CB station is situated within 1 km of the boundary of any aerodrome, the height of the antenna and any supporting mast or structure must not exceed 15 m.
6. The relevant CB station shall not be established, installed or used—
  - (a) in any aircraft or other airborne vehicle;
  - (b) on board ship or vessel except with the consent of the ship's Master; or
  - (c) for the purpose of advertising goods or services of any kind.
7. The relevant CB station shall not cause undue interference with any wireless telegraphy.

## EXPLANATORY NOTE

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

These Regulations exempt from the provisions of section 1(1) of the Wireless Telegraphy Act 1949 the use of certain Citizens' Band sets by visitors to the United Kingdom (including the Isle of Man and the Channel Islands) from certain European countries. Accordingly it is not necessary for such visitors to hold a United Kingdom wireless telegraphy licence (regulations 3 and 4).

The United Kingdom is a member of CEPT (the European Conference of Postal and Telecommunications Administrations). The visitors who may take advantage of the exemption are persons who are ordinarily resident in another CEPT member country (these countries are listed in Schedule 1) who are permitted to use the CB sets in their own countries.

The Citizen's Band sets which may be used pursuant to the exemption are those sets which operate in the 27 MHz frequency band, and which meet the technical standards contained in CEPT Recommendation T/R 20-02. Visitors are required to operate the sets in accordance with the requirements set out in Schedule 2 (regulation 5).

CB sets operating in the 27 MHz band which do not comply with the requirements of the Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) Order 1988 (S.I. 1988/1215) are restricted apparatus within section 7 of the Wireless Telegraphy Act 1967 (as substituted by section 77 of the Telecommunications Act 1984). Certain CB sets to which these Regulations apply will not comply with S.I. 1988/1215 on the ground that they are not for the time being approved under section 84 of the 1984 Act. Such sets may not (inter alia) be imported or kept in a person's custody and control except with the authority of the Secretary of State.

The Secretary of State granted general authority on 8th August 1988 for the import of such sets and for the importer to keep them in his custody or control. This authority was published in the London, Edinburgh and Belfast Gazettes on 12th August 1988. As a result, the sets may be used under these Regulations. They may not however be sold or let on hire or offered for sale or let on hire.

Regulation 6 requires the visitor to permit inspection of the set and to cause its use to cease or be restricted, on the demand of a person authorised by the Secretary of State for the purpose of investigating radio interference. An authorised person may be either an officer of the Department of Trade and Industry's Radio Investigation Service, or any other person. Failure to comply with a demand made by an authorised person under Regulation 6 is an offence under section 3 of Wireless Telegraphy Act 1949.

Copies of the English translation of CEPT Recommendation T/R 20-02 may be obtained from the Librarian, Radiocommunications Division, The Department of Trade and Industry, Waterloo Bridge House, Waterloo Road, London, SE1 8UA free of charge.

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