
STATUTORY INSTRUMENTS

1993 No. 21

TELEGRAPHS

The Wireless Telegraphy Apparatus (Land Mobile-Satellite Service) (Low Bit Rate Data) (Exemption) Regulations 1993

<i>Made</i>	- - - -	<i>8th January 1993</i>
<i>Laid before Parliament</i>		<i>14th January 1993</i>
<i>Coming into force</i>	- -	<i>15th February 1993</i>

The Secretary of State, in exercise of the powers conferred by sections 1(1) and 3(1)(a) and (b) of the Wireless Telegraphy Act 1949⁽¹⁾ and now vested in him⁽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 Wireless Telegraphy Apparatus (Land Mobile-Satellite Service) (Low Bit Rate Data) (Exemption) Regulations 1993 and shall come into force on 15th February 1993.

Interpretation

2. In these Regulations—

“the Act” means the Wireless Telegraphy Act 1949;

“authorised Land Mobile-Satellite Service” means a Land Mobile-Satellite Service provided by or through EUTELSAT, or INMARSAT or a Signatory to the said EUTELSAT or INMARSAT or TRAK-SAT Communications Limited⁽³⁾;

“EUTELSAT” means the European Telecommunications Satellite Organization established by Article II(a) of the Convention on the European Telecommunications Satellite Organization of 1982⁽⁴⁾;

(1) 1949 c. 54; section 1 was extended to the Channel Islands and the Isle of Man, respectively, by S.I. 1952/1900, amended by S.I. 1967/1279, 1969/1396 and S.I. 1952/1899; there are amendments to section 1 not relevant to these Regulations.
(2) 1969 c. 48, section 3; S.I. 1969/1369, article 3, 1371, article 2, and 1974/691, article 2.
(3) TRAK-SAT Communications Limited is a company registered in England, registration number 2436552. The registered office of the company is PO Box 40, Newbury, Berkshire RG14 6TS.
(4) The Convention on the European Telecommunications Satellite Organization was opened for signature in Paris on 15th July 1982; it was amended on 15th December 1983 and entered into force on 1st September 1985.

“INMARSAT” means the International Maritime Satellite Organization established by Article 2(1) of the Convention on the International Maritime Satellite Organization of 1976(5);

“Land Mobile-Satellite Service”, “Land Earth Station” and “Land Mobile Earth Station” have the meanings given to them in the 1982 edition of the Radio Regulations, as revised in 1985, 1986, 1988 and 1990 annexed to the International Telecommunication Convention 1982(6) pursuant to Articles 43 and 83 of that Convention;

“relevant station” means a Land Mobile Earth Station in an authorised Land Mobile-Satellite Service which—

- (a) complies with the specification and approval procedure set out in the Schedule for such a station applicable to that service; and
- (b) sends low bit rate data communications by wireless telegraphy via that service with any Land Earth Station in the same service.

Exemption

3.—(1) Subject to paragraph (2) below, the establishment and use of a relevant station is hereby exempted from the provisions of section 1(1) of the Act.

(2) The exemption provided for in paragraph (1) above shall be subject to the term that the use of the relevant station shall not cause undue interference with any wireless telegraphy.

Inspection and restrictions on use

4.—(1) Where a person authorised for the purposes of this regulation by the Secretary of State (“the authorised person”) has reasonable cause to believe that the use of the relevant station does not comply with regulation 3(2) above, any person who is in possession or control of the relevant station shall, on the demand of that authorised person—

- (a) permit and facilitate its inspection by that authorised person; and
- (b) if so demanded, cause its use to—
 - (i) cease; or
 - (ii) be restricted in the manner specified by that authorised person.

for a period ending either on a date, or on the occurrence of an event, specified by the authorised person.

(2) Any authorised person exercising powers under paragraph (1) above shall, if so required by the person in possession or control of the relevant station, produce evidence of his authority.

E. Leigh
Parliamentary Under-Secretary of State, For
Trade and Technology,
Department of Trade and Industry

8th January 1993

(5) The Convention on the International Maritime Satellite Organization was agreed on 30th September 1976 and entered into force on 16th July 1979; it was amended on 13th October 1989.

(6) The International Telecommunication Convention (Cmnd. 9557) was adopted by the International Telecommunication Union at Nairobi on 6th November 1982, and was ratified by the United Kingdom on 15th November 1984.

THE SCHEDULE

Regulation 2

Authorised Land Mobile Satellite provided by or through	Specification	Procedure	Date of Publication
INMARSAT	(i) INMARSAT–C System Definition, Volume 3, Part 2, Chapters 2, 6 and 7 Mobile Earth Technical Requirements.	(ii) INMARSAT Standard–C Ship Earth Station System Definition Manual Module 8 Part I.	(i) September 1992 (ii) June 1988
EUTELSAT	(iii) OmniTRACS Mobile Communications Technical Definition for the EUTELSAT Service, Version ETI–1.3.	(iv) EUTELSAT System Operations Guide (ESOG) Volume 1, sections 3 and 7, and (v) OmniTRACS Mobile Communications Terminal Technical Definition — Version ETI–1.3, Annex V.	(iii) 13th December 1990 (iv) section 3 — 10th June 1983 and section 7 — 28th September 1984 (v) 13th December 1990
TRAK–SAT	(vi) Canadian Astronautics Limited Specification CAL–SP–490–10001.	(vii) Government of Canada’s Department of Communications Document Number GL–22 Technical Acceptance of Mobile Satellite Earth Terminals.	(vi) 8th August 1989 (vii) 10th July 1990

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the exemption from the licensing requirements of section 1(1) of the Wireless Telegraphy Act 1949 (“the Act”) of Mobile Earth Stations which send low bit rate data communications by wireless telegraphy via a Land MobileSatellite Service provided by or through the European Telecommunications Satellite Organization (EUTELSAT) or the International Maritime Satellite Organization (INMARSAT) or a Signatory to the said organizations or TRAK-SAT Communications Limited with Land Earth Stations in that service (regulation 3(1)). Accordingly, it will not be necessary to hold a licence to establish and use the stations to which these Regulations apply.

These Regulations provide that, for the exemption to apply, the use of the Mobile Earth Stations shall not cause undue interference with any wireless telegraphy (regulation 3(2)).

Also, provision is made for the inspection of the Mobile Earth Stations by a person authorised by the Secretary of State, and the requirement for the use of such stations to cease, or be restricted, on the demand of that person (regulation 4). Failure to comply with such a demand is an offence under section 3 of the Act.

Copies of Volume 3 of the INMARSAT-C System Definition and Module 8, Part I of the INMARSAT Standard C System Definition Manual, which are referred to in these Regulations, may be obtained from INMARSAT 40 Melton Street Euston Square London NW1 2EQ. Copies of Version ETI—1.3 of OmniTRACS Mobile Communications Terminal Technical Definition and copies of sections 3 and 7 of the EUTELSAT Systems Operations Guide are obtainable from EUTELSAT Tour Maine-Montparnasse—33 avenue du Maine 75755 Paris Cedex 15—France (United Kingdom contact address Signatory Affairs Office (UK), 218 Caroon House, 14 Farringdon Street, London EC4A 4DX). Copies of the Canadian Astronautics Limited Specification CAL—SP—0490—10001 and the Government of Canada’s Department of Communications Document Number GL—22 may be obtained from TRAK—SAT Communications Limited, care of CAL Systems Limited, Portsmouth Enterprise Centre, Quatremaire Road, Portsmouth, Hampshire PO3 5QT.