
STATUTORY INSTRUMENTS

1995 No. 2588

TELEGRAPHS

The Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) (Amendment) Order 1995

<i>Made</i>	- - - -	<i>2nd October 1995</i>
<i>Laid before Parliament</i>		<i>5th October 1995</i>
<i>Coming into force</i>	- -	<i>27th October 1995</i>

Whereas the Secretary of State made the Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) Order 1988⁽¹⁾ as it appeared to him to be expedient to apply restrictions under section 7 of the Wireless Telegraphy Act 1967⁽²⁾ to certain wireless telegraphy apparatus specified therein for the purpose of preventing or reducing the risk of interference with wireless telegraphy and to impose marking requirements in relation to certain such apparatus in accordance with the provisions of section 85 of the Telecommunications Act 1984⁽³⁾;

And whereas it now appears to the Secretary of State to be expedient that the provisions of that Order should be amended by this Order;

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

Now therefore, the Secretary of State, in exercise of the powers conferred by sections 7(2) and 13(4) of the 1967 Act and sections 84 and 85(1) of the Telecommunications Act 1984 hereby makes the following Order:—

Citation and commencement

2. This Order may be cited as the Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) (Amendment) Order 1995 and shall come into force on 27th October 1995.

Interpretation

3. In this Order “the principal Order” means the Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) Order 1988.

(1) S.I. 1988/1215.

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

(3) 1984 c. 12.

Amendment of the Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) Order 1988

4. In article 2 of the principal Order—
- (a) after the definition of “the 1984 Act” there shall be inserted the following—
- ““EN45001 and EN45002” means European Standards (Normes Europeene) EN45001 and 45002 published in 1989 by the British Standards Institution;
- “ETS 300 135” means the European Telecommunications Standard 300 135 published in June 1991 by the European Telecommunications Standards Institute(4);
- “ISO guides 25 and 38” means the International Organisation for Standardisation Guides 25 and 38 published by the International Organisation for Standardisation in 1990 and 1993 respectively;”;
- (b) the definition of “British Standard 5850: 1981” shall be omitted.
5. For paragraph (1) of article 3 of the principal Order there shall be substituted the following—
- “(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 in the frequency band 27.59625– 27.99625 MHz and—
- (i) prior to 1st January 1996 either—
- (aa) complies with the requirements of MPT 1320; or
- (bb) is approved for the time being by the Secretary of State under section 84 of the 1984 Act for the purposes of this Order; and
- (ii) on or after 1st January 1996 complies with the requirement specified in article 3(1)(a)(i)(bb) provided that a person may have CB apparatus in his custody or control, which complies with the requirements of MPT 1320, if it was manufactured prior to 1st January 1996; or
- (b) the CB apparatus operates in the frequency band 26.960– 27.410 MHz and complies with ETS 300 135 by either—
- (i) being approved for the time being by the Secretary of State under section 84 of the 1984 Act for the purposes of this Order; or
- (ii) being approved to ETS 300 135 by the national administration of a country listed in Part II of Schedule 2 following type testing at a test laboratory, which has been accredited in accordance with ISO guides 25 and 38 or EN45001 and EN45002 or a national standard conforming to ISO guides 25 and 38 or EN45001 and EN45002,
- provided that a person may have CB apparatus in his custody or control, which operates in the frequency band 26.960 – 27.410 MHz and complies with the requirements of MPT 1333 by being approved for the time being by the Secretary of State under section 84 of the 1984 Act for the purposes of this Order, if it was manufactured prior to the date of the coming into force of this Order.”
6. Schedule 1 shall be omitted.
7. For Schedule 2 to the principal Order there shall be substituted the Schedule set out in the Schedule to this Order.

(4) The European Telecommunications Standards Institute (ETSI) was set up in 1988 as the joint initiative of the European Commission and the European Postal and Telecommunications Conference (CEPT).

2nd October 1995

Ian Taylor
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

“SCHEDULE 2

PART I

1. CB apparatus which complies with the requirements of—
 - (a) article 3(1)(a)(i)(aa) shall be marked as follows:—
CB
27/81;
 - (b) article 3(1)(a)(i)(bb) shall be marked as follows:—
CB 27/94; and
 - (c) article 3(1)(b) shall be marked as follows:—
 - (i) PR27GB where the apparatus is manufactured before 12th June 1990 and has been approved under section 84 of the 1984 Act; or
 - (ii) CEPT PR27GB where the apparatus is manufactured on or after 12th June 1990 and has been approved under section 84 of the 1984 Act; or
 - (iii) as specified in paragraph (ii) where the apparatus is manufactured on or after 1st June 1991 and has been approved in a country listed in Part II of this Schedule except that the symbol “GB” shall be replaced with the relevant symbol listed in Part II to indicate the country in which the approval has been obtained.
2. The marks described in paragraph 1 shall:—
 - (a) be placed on the CB apparatus in a visible place;
 - (b) be legible, tamperproof and durable; and
 - (c) have a letter and figure height not less than 2mm.

PART II

Country	Symbol
Albania	AL
Austria	A
Belgium	B
Bosnia and Herzegovina	BH
Bulgaria	BG
Croatia	HR
Cyprus	CY
Czech Republic	CZ
Denmark	DK
Estonia	EST
Finland	FI

Country	Symbol
France	F
Germany	D
Greece	GR
Hungary	H
Iceland	IS
Ireland	IRL
Italy	I
Liechtenstein	FL
Lithuania	LT
Luxembourg	L
Malta	M
Moldova	MLD
Monaco	MC
Netherlands	NL
Norway	N
Poland	PL
Portugal	P
Romania	RO
San Marino	RSM
Slovakia	SK
Slovenia	SLO
Spain	E
Sweden	S
Switzerland	CH
Turkey	TR
United Kingdom of Great Britain and Northern Ireland	GB
Vatican City	SCV”

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EXPLANATORY NOTE

(This note is not part of the Order)

The Order amends the Wireless Telegraphy (Citizens' Band and Amateur Apparatus) (Various Provisions) Order 1988 (“the principal Order”) which restricted the manufacture, sale, hire, offer or advertisement for sale or hire, custody and control and import of certain specified Citizens' Band (“CB”) radio apparatus and the manufacture and import of certain specified amateur radio apparatus.

CB apparatus which is manufactured, sold, hired, offered for sale or hire or imported on or after 1st January 1996 and which operates in the frequency band 27.59625 – 27.99625 MHz will now have to be type approved under section 84 of the Telecommunications Act 1984 in order not to be restricted. This means that it will have to comply with Performance Specification MPT 1382 rather than MPT 1320, which will be withdrawn on 1st January 1996. CB apparatus operating in this frequency band which complied with MPT 1320 at the time of manufacture may still be used on or after 1st January 1996 if it was manufactured prior to that date (article 5).

CB apparatus which is manufactured, sold, hired, offered for sale or hire or imported on or after the date of coming into force of this Order and which operates in the frequency band 26.960 – 27.410 MHz has to comply with ETS 300 135 either by being type approved under section 84 of the Telecommunications Act 1984 or by being type approved in certain other specified countries in order not to be restricted. CB apparatus operating in this frequency band which was manufactured before the date of the coming into force of this Order may still be used providing it was type approved under section 84 of the Telecommunications Act at the time of manufacture and thus complied with either ETS 300 135 or MPT 1333. Performance Specification MPT 1333 has now been withdrawn (article 5).

Schedule 2 has been updated to reflect certain changes to the marking requirements for CB apparatus.

Copies of Performance Specifications MPT 1333 and 1382 may be obtained from the Radiocommunications Agency Library at South Quay Three, 189 Marsh Wall, London E14 9SX (Tel: 0171-211 0211).

Copies of ETS 300 135 may be obtained from the British Standards Institution, 389 Chiswick High Road, London W4 4AL (Tel: 0181 996 7000).

In addition to the requirements set out in article 3 of the principal Order unrestricted CB and amateur apparatus which is available commercially will have to comply with the type approval requirements set out in Part VI of the Electromagnetic Compatibility Regulations 1992 (S.I. [1992/2372](#)) as amended by the Electromagnetic Compatibility (Amendment) Regulations 1994 (S.I. [1994/3080](#)) from 1st January 1996 before being supplied or taken into service.