

1999 No. 930

TELEGRAPHS

The Wireless Telegraphy (Exemption) Regulations 1999

| | |
|-------------------------------|------------------------|
| <i>Made</i> - - - - | <i>22nd March 1999</i> |
| <i>Laid before Parliament</i> | <i>23rd March 1999</i> |
| <i>Coming into force</i> | <i>19th April 1999</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(a) as enacted, and now vested in him(b), the power conferred on him by section 84(1)(b) of the Telecommunications Act 1984(c), 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 (Exemption) Regulations 1999 and shall come into force on 19th April 1999.

Revocation

2. The Regulations set out in Schedule 1 are hereby revoked.

Interpretation

3.—(1) In these Regulations—

“the 1949 Act” means the Wireless Telegraphy Act 1949;

“the 1984 Act” means the Telecommunications Act 1984;

“apparatus” means wireless telegraphy apparatus or apparatus designed or adapted for use in connection with wireless telegraphy apparatus as described in Part III of Schedule 6;

“authorised person” means any person authorised by the Secretary of State for the purpose of regulation 6;

“CEPT” means the European Conference of Postal and Telecommunications Administrations(d);

“Common Technical Regulation (CTR)” shall be construed in accordance with regulation 3(3) of the Telecommunications Terminal Equipment Regulations 1992(e);

“eirp” means equivalent isotropically radiated power, as defined in the Radio Regulations;

“erp” means effective radiated power, as defined in the Radio Regulations;

“EN45001 and EN45002” means European Standards (Normes Européenne) EN45001 and EN45002 published in September 1989 by the British Standards Institution;

(a) 1949 c. 54; sections 1 and 3 were extended to the Channel Islands by S.I. 1952/1900, as amended by S.I. 1967/1279 and S.I. 1969/1369, and to the Isle of Man by S.I. 1952/1899; there are amendments to section 1(1) not relevant to the Regulations.
(b) Post Office Act 1969 (c. 48), section 3; S.I. 1969/1369, article 3; S.I. 1969/1371, article 2; S.I. 1974/691, article 2.
(c) 1984 c. 12; section 84 was extended to the Bailiwick of Guernsey and the Isle of Man by S.I. 1994/1064 and S.I. 1995/268 respectively but has not been extended to the Bailiwick of Jersey.
(d) CEPT was set up in June 1959 in Montreux by the “Arrangement Instituant de la Conference Européenne des Administrations des Postes et des Télécommunications”.
(e) S.I. 1992/2423, amended and extended by S.I. 1994/3129.

“ETSI” means the European Telecommunications Standards Institute(a);

“ISO guides 25 and 58” means the International Organization for Standardization Guides 25 and 58 published by the International Organization for Standardization in 1990 and 1993 respectively;

“national administration” means the national administration of a country listed in Schedule 2;

“public switched telephone network” means a public telecommunication system by means of which two-way voice telephony services are provided whereby messages are switched incidentally to their conveyance;

“the Radio Regulations” means the 1998 edition of the Radio Regulations made under Article 13 of the Constitution of the International Telecommunication Union(b);

“relevant apparatus” means the prescribed apparatus as defined in Schedules 3 to 7 hereto;

“station” means a station for wireless telegraphy; and

“test laboratory” means a test laboratory which has been accredited in accordance with ISO guides 25 and 58 or EN45001 and EN45002 or a national standard conforming to ISO guides 25 and 58 or EN45001 and EN45002.

(2) In these Regulations, “connected”, “convey”, “telecommunication apparatus”, “telecommunication service” and “telecommunication system” shall be construed in accordance with section 4 of the 1984 Act, and “public telecommunication system” shall be construed in accordance with section 9(1) of the 1984 Act.

Exemption

4.—(1) Subject to regulation 5, the establishment, installation and use of the relevant apparatus are hereby exempted from the provisions of section 1(1) of the 1949 Act.

(2) The exemption in paragraph (1) shall not apply to relevant apparatus which is established, installed or used to provide or to be capable of providing a wireless telephony link between telecommunication apparatus, or a telecommunication system, and a public switched telephone network, by means of which a telecommunication service is provided by way of business to another person.

Terms, provisions and limitations

5.—(1) The exemption provided for in these Regulations shall be subject to the terms, provisions and limitations that—

- (a) the relevant apparatus shall not cause or contribute to any undue interference to any wireless telegraphy; and
- (b) frequency bands relating to the relevant apparatus are for terrestrial use only, unless otherwise stated in Schedule 6.

(2) Such exemption shall also be subject to such additional terms, provisions and limitations as are specified in the Schedules hereto in respect of the relevant apparatus.

Inspection and restrictions on use

6.—(1) Where an authorised person has reasonable cause to believe that any relevant apparatus is not complying with regulation 5, any person who is in possession or control of the relevant apparatus shall, on the demand of that authorised person—

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

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

(a) ETSI was set up in 1988 on the joint initiative of the European Commission and the CEPT.

(b) The Constitution and Convention of the International Telecommunication Union were adopted in Geneva in 1992 and ratified by the United Kingdom in 1996.

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

22nd March 1999

Michael Wills
Parliamentary Under Secretary of State
for Small Firms, Trade and Industry,
Department of Trade and Industry

SCHEDULE 1

Regulation 2

REVOCATIONS

| (1) <i>Regulations revoked</i> | (2) <i>References</i> |
|--|--------------------------|
| The Wireless Telegraphy (Exemption) Regulations 1980 | S.I. 1980/1848 |
| The Wireless Telegraphy (Exemption) (Amendment) (Model Control Apparatus) Regulations 1987 | S.I. 1987/776 |
| The Wireless Telegraphy Apparatus (Land Mobile-Satellite Service) (Low Bit Rate Data) (Exemption) Regulations 1993 | S.I. 1993/21 |
| The Wireless Telegraphy (Short Range Devices) (Exemption) Regulations 1993 | S.I. 1993/1591 |
| The Wireless Telegraphy (Short Range Devices) (Exemption) (Amendment) Regulations 1994 | S.I. 1994/2250 |
| The Wireless Telegraphy (Short Range Devices) (Exemption) (Amendment) Regulations 1995 | S.I. 1995/1081 |
| The Wireless Telegraphy (Cordless Telephone Apparatus) (Exemption) Regulations 1996 | S.I. 1996/316 |
| The Wireless Telegraphy (Short Range Devices) (Exemption) (Amendment) Regulations 1997 | S.I. 1997/1996 |
| The Wireless Telegraphy (Network User Stations) (Exemption) Regulations 1997 | S.I. 1997/2137 |

SCHEDULE 2

Regulation 3(1)

LIST OF NATIONAL ADMINISTRATIONS

| <i>Country</i> | <i>Symbol</i> | <i>Country</i> | <i>Symbol</i> |
|------------------------|---------------|--|---------------|
| Albania | AL | Malta | M |
| Andorra | AND | Moldova | MLD |
| Austria | A | Monaco | MC |
| Belgium | B | Netherlands | NL |
| Bosnia and Herzegovina | BH | Norway | N |
| Bulgaria | BG | Poland | PL |
| Croatia | HR | Portugal | P |
| Cyprus | CY | Romania | RO |
| Czech Republic | CZ | Russian Federation | RUS |
| Denmark | DK | San Marino | RSM |
| Estonia | EST | Slovak Republic | SK |
| Finland | FI | Slovenia | SLO |
| France | F | Spain | E |
| Germany | D | Sweden | S |
| Greece | GR | Switzerland | CH |
| Hungary | H | The Former Yugoslav Republic of Macedonia | MK |
| Iceland | IS | Turkey | TR |
| Ireland | IRL | Ukraine | UA |
| Italy | I | United Kingdom of Great Britain and Northern Ireland | GB |
| Latvia | LV | Vatican City | SCV |
| Liechtenstein | FL | | |
| Lithuania | LT | | |
| Luxembourg | L | | |

NETWORK USER STATIONS

PART I

INTERPRETATION

In this Schedule–

- “BABT” means the British Approvals Board for Telecommunications(a);
- “BTx” means Base Transmit, the frequency on which a base station transmits and a user station receives;
- “MPTs 1324 and 1326” means Department of Trade and Industry Performance Specifications 1324 and 1326 referred to in Part IV of this Schedule;
- “MTx” means Mobile Transmit, the frequency on which a user station transmits and a base station receives;
- “NTR 13” means Designation No. 95/037 NTR 13 given under section 22(6) of the 1984 Act by the Secretary of State on 14th December 1995;
- “prescribed apparatus” means a user station as defined below;
- “relevant network” means a telecommunication system consisting exclusively of stations established and used under and in accordance with a licence, which has been granted under section 1(1) of the 1949 Act by the Secretary of State and is of a type specified in Part III of this Schedule; and
- “user station” means a mobile station for wireless telegraphy designed or adapted–
- (a) to be connected by wireless telegraphy to one or more relevant networks; and
 - (b) to be used solely for the purpose of sending and receiving messages conveyed by a relevant network by means of wireless telegraphy.

PART II

ADDITIONAL TERMS, PROVISIONS AND LIMITATIONS

The prescribed apparatus shall be subject to and comply with the Common Technical Regulations referred to in Part IV of this Schedule as appropriate, and in the absence of a Common Technical Regulation applying to such apparatus, the prescribed apparatus–

- (a) is approved for the time being by the Secretary of State under section 84 of the 1984 Act for the purposes of these Regulations;
- (b) is approved to the ETSI standards or the draft ETSI standards referred to in Part IV as appropriate by a national administration following type testing at a test laboratory;
- (c) complies with the requirements of MPT 1324 or MPT 1326 as appropriate in relation to prescribed apparatus taken into service before section 84 of the 1984 Act came into force(b); or
- (d) complies with the BABT performance standards referred to in Part IV as appropriate, provided that paragraph (a) above shall not apply in relation to prescribed apparatus situated in the Bailiwick of Jersey.

PART III

TYPE OF LICENCE GRANTED UNDER SECTION 1(1) OF THE 1949 ACT FOR THE ESTABLISHMENT AND USE OF RELEVANT NETWORKS

Public Mobile Operator Licences

1. Public mobile data systems licensed for use in the following frequency bands–

(a) BABT was appointed by the Secretary of State on 10th September 1990 pursuant to section 25 of the 1984 Act for the purpose of approving telecommunication apparatus under section 22 of that Act.

(b) Section 84 of the 1984 Act came into force on 16th July 1984 pursuant to S.I. 1984/876.

105–165 MHz
174–208 MHz
420–470 MHz
(for non-voice only operation)

2. Cellular radiotelephone systems licensed for use in the following services on the relevant frequency bands–

(a) cellular radiotelephones:

| | |
|--|--|
| Extended Total Access Communications System (ETACS): | 872–888 MHz (MTx) 917–933 MHz (BTx) |
| Total Access Communications System (TACS): | 890–905 MHz (MTx) 935–950 MHz (BTx) |

(b) digital cellular radiotelephones:

| | |
|--|--|
| Global System for Mobile communications (GSM): | 905–915 MHz (MTx) 950–960 MHz (BTx) |
|--|--|

(c) digital cellular PCN radiotelephones:

| | |
|--|--|
| Personal Communications Network (PCN): | 1805–1880 MHz (MTx) 1710–1785 MHz (BTx) |
|--|--|

3. Public access mobile radio systems licensed for use in the following frequency bands–

174–208 MHz
410–430 MHz

Common Base Station Operator Licence

Common base station systems licensed for use in the following frequency bands–

81–87 MHz
162–167 MHz
440–449 MHz.

PART IV

COMMON TECHNICAL REGULATIONS AND STANDARDS

GSM

CTR 005—Commission Decision of 21st December 1993 on a common technical regulation for the general attachment requirements for public pan-European cellular digital land-based mobile communications(a), including the ETSI Technical Basis for Regulation (TBR) TBR 005 published in November 1993.

CTR 009—Commission Decision of 21st December 1993 on a common technical regulation for the telephony application requirements for public pan-European cellular digital land-based mobile communications(b), including the ETSI Technical Basis for Regulation TBR 009 published in November 1993.

I-ETS 300 020–1 (Edition 2) published by ETSI in January 1995.

TBR 019 published by ETSI in October 1996.

TBR 020 published by ETSI in October 1996.

Public mobile data systems

Final Draft pr ETS 300 113 published by ETSI in March 1996.

ETS 300 113 published by ETSI in July 1996.

(a) OJ No. L8, 12.1.94, p. 20.

(b) OJ No. L8, 12.1.94, p. 23.

ETACS/TACS

Department of Trade and Industry Performance Specification MPT 1324 published in 1983 and revised and reprinted in July 1994.

NTR13.

PCN

BABT Special Investigation Test Schedule (SITS) 92/50 published in March 1991 and revised and reprinted in June 1995.

Final Draft pr TBR 031: 1996–02 published by ETSI in February 1996.

Final Draft pr TBR 032: 1996–02 published by ETSI in February 1996.

Public access mobile radio systems

ETS 300 086 published by ETSI in January 1991.

ETS 300 113 published by ETSI in July 1996.

I-ETS 300 219 published by ETSI in October 1993.

Department of Trade and Industry Performance Specification MPT 1326 published in November 1985 and revised and reprinted in May 1993.

Common base station systems

ETS 300 086

ETS 300 113

MPT 1326.

SCHEDULE 4

Regulation 3(1)

CORDLESS TELEPHONE APPARATUS

PART I

INTERPRETATION

In this Schedule—

“data message” means a non-voice message;

“MPTs 1322, 1334, 1371 and 1384” means Department of Trade and Industry Performance Specifications 1322, 1334, 1371 and 1384 referred to in Part IV of this Schedule; and

“prescribed apparatus” means any station or apparatus described in Part III of this Schedule.

PART II

ADDITIONAL TERMS, PROVISIONS AND LIMITATIONS

Unless there is a Common Technical Regulation in force in respect of the prescribed apparatus, such apparatus must—

- (a) be approved for the time being by the Secretary of State under section 84 of the 1984 Act for the purposes of these Regulations;
- (b) be approved to the ETSI standards referred to in Part IV of this Schedule as appropriate by a national administration following type testing at a test laboratory; or
- (c) comply with the requirements of MPTs 1322, 1334, 1371 and 1384 as appropriate in relation to prescribed apparatus taken into service before section 84 of the 1984 Act came into force,

provided that paragraph (a) above shall not apply in relation to prescribed apparatus situated in the Bailiwick of Jersey.

PART III

DESCRIPTIONS OF THE PRESCRIBED APPARATUS

Analogue Cordless Telephone Apparatus (CT1)

1. Apparatus consisting of a base station and one or more portable stations designed or adapted in accordance with MPT 1322—

- (a) to be used to send and receive voice or data messages to be conveyed over a telecommunication system to which the base station is connected; and
- (b) so as not to operate on more than one of the pairs of frequencies set out below at any one time—

| <i>Channel No.</i> | <i>Base station transmission frequency</i> | <i>Portable station transmission frequency</i> |
|--------------------|--|--|
| 1 | 1642.00 kHz | 47.45625 MHz |
| 2 | 1662.00 kHz | 47.46875 MHz |
| 3 | 1682.00 kHz | 47.48125 MHz |
| 4 | 1702.00 kHz | 47.49375 MHz |
| 5 | 1722.00 kHz | 47.50625 MHz |
| 6 | 1742.00 kHz | 47.51875 MHz |
| 7 | 1762.00 kHz | 47.53125 MHz |
| 8 | 1782.00 kHz | or 47.44375 MHz 47.54375 MHz |

2. Apparatus consisting of a base station and one or more portable stations designed or adapted in accordance with MPT 1384—

- (a) to be used to send and receive voice or data messages to be conveyed over a telecommunication system to which the base station is connected; and
- (b) so as not to operate on more than one of the pair of frequencies set out below at any one time—

| <i>Channel No.</i> | <i>Base station transmission frequency</i> | <i>Portable station transmission frequency</i> |
|--------------------|--|--|
| 1 | 31.0375 MHz | 39.9375 MHz |
| 2 | 31.0625 MHz | 39.9625 MHz |
| 3 | 31.0875 MHz | 39.9875 MHz |
| 4 | 31.1125 MHz | 40.0125 MHz |
| 5 | 31.1375 MHz | 40.0375 MHz |
| 6 | 31.1625 MHz | 40.0625 MHz |
| 7 | 31.1875 MHz | 40.0875 MHz |
| 8 | 31.2125 MHz | 40.1125 MHz |

Analogue Cordless Telephone Extended Range Apparatus (Extended Range CT1)

3. Apparatus consisting of a base station and one or more portable stations designed or adapted in accordance with MPT 1371—

- (a) to be used to send and receive voice or data messages to be conveyed over a telecommunication system to which the base station is connected; and
- (b) so as to operate on either of the pairs of frequencies set out below—

| <i>Channel No.</i> | <i>Base station transmission frequency</i> | <i>Portable station transmission frequency</i> |
|--------------------|--|--|
| 1 | 47.43125 MHz | 77.51250 MHz |
| 2 | 47.41875 MHz | 77.55000 MHz |

Digital Cordless Telephone Apparatus (CT2)

4. Apparatus conforming, at the time it is manufactured, to MPT 1334 or the Interim European Telecommunications Standard I-ETS 300 131 referred to in Part IV and consisting of one or more base stations and one or more portable stations designed or adapted–

- (a) to be used to send and receive voice or data messages or visual images in digitised packets in time division duplex mode bi-directionally to be conveyed over a telecommunication system to which the base station is connected; and
- (b) so as to operate in a 100 kHz channel within the frequency band 864.1–868.1 MHz.

Digital European Cordless Telecommunications Apparatus (DECT, also known as Digital Enhanced Telecommunications Apparatus)

5. Apparatus conforming, at the time it is manufactured, to the ETSI Technical Basis for Regulation TBR 006 referred to in Part IV(a) and consisting of one or more base stations, repeater stations and portable stations designed or adapted–

- (a) to be used to send and receive voice or data messages or visual images either directly between a base station and a portable station or between a base station and a portable station by relay through a repeater station in digitised packets in time division duplex mode bi-directionally to be conveyed over a telecommunication system to which the base station is connected; and
- (b) so as to operate within the frequency band 1880–1900 MHz(b).

For the purposes of this paragraph, “repeater station” means a station which relays the voice or data message or visual image between the base station and one or more portable stations.

PART IV

STANDARDS

CT1

Department of Trade and Industry Performance Specification MPT 1322 published in August 1982 and revised and reprinted in August 1994.

Department of Trade and Industry Performance Specification MPT 1384 published in November 1997.

Extended range CT1

Department of Trade and Industry Performance Specification MPT 1371 published in May 1989 and revised and reprinted in August 1994.

CT2

Department of Trade and Industry Performance Specification MPT 1334 published in December 1987 and revised and reprinted in July 1994.

I-ETS 300 131 published by ETSI in April 1992 and revised and reprinted in November 1994.

DECT

ETSI Technical Basis for Regulation TBR 006 published in December 1993 and revised and reprinted in December 1995.

(a) Council Recommendation 91/288/EEC of 3rd June 1991 (OJ No. L144, 8.6.91, p. 47) referred to the co-ordinated introduction of DECT into the European Community.

(b) Council Directive 91/287/EEC of 3rd June 1991 (OJ No. L144, 8.6.91, p. 45) designated the frequency band for the co-ordinated introduction of DECT into the European Community.

LAND MOBILE-SATELLITE SERVICE STATIONS

PART I

INTERPRETATION

In this Schedule—

“Eutelsat” means the European Telecommunications Satellite Organization established by Article 11(a) of the Convention on the European Telecommunications Satellite Organization of 1982**(a)**;

“Globalstar” means Globalstar LP whose registered office is situated at 3200 Zanker Road, GS-06, San Jose, CA 95134, United States of America;

“ICO” means ICO Global Communications (Holdings) Limited whose registered office is situated at Clarendon House, 2 Church Street, Hamilton, Bermuda;

“Inmarsat” means the International Maritime Telecommunications Satellite Organization established by Article 2(1) of the Convention on the International Maritime Telecommunications Satellite Organization of 1976**(b)**;

“Iridium” means Iridium Communications Germany GmbH whose registered office is situated at Jagerhofstrasse 19–20, 40479 Dusseldorf, Germany;

“Italsat” means the satellite network operated by Telespazio s.p.a. whose registered office is situated at via Tiburting, 965–00156 Rome, Italy;

“Land Mobile-Satellite Service”, “Land Earth Station” and “Land Mobile Earth Station” have the meanings given to them in the Radio Regulations;

“mean power” and “peak power” have the meanings given to them in the Radio Regulations; and

“prescribed apparatus” means a Land Mobile Earth Station in a Land Mobile-Satellite Service described in Part III of this Schedule.

PART II

ADDITIONAL TERMS, PROVISIONS AND LIMITATIONS

1. The prescribed apparatus shall be subject to and comply with the Common Technical Regulations referred to in Part IV of this Schedule as appropriate, and in the absence of a Common Technical Regulation applying to such apparatus, the prescribed apparatus—

- (a) is approved for the time being by the Secretary of State under section 84 of the 1984 Act for the purposes of these Regulations; or
- (b) is approved to the ETSI standards referred to in Part IV of this Schedule as appropriate by a national administration following type testing at a test laboratory,

provided that paragraph (a) above shall not apply in relation to prescribed apparatus situated in the Bailiwick of Jersey.

2. Prescribed apparatus in the Iridium and Globalstar Land Mobile-Satellite Services referred to in Part III shall cease operation at or within a distance determined by the Secretary of State for each relevant radioastronomy site for the duration of any radioastronomy observation.

PART III

DESCRIPTIONS OF THE PRESCRIBED APPARATUS

Inmarsat

Land Mobile Earth Stations in the Inmarsat Land Mobile-Satellite Service which are designed or adapted to—

-
- (a) 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.
 - (b) 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.

- (a) send and receive messages by wireless telegraphy via that Service to or from any Land Earth Station in that Service; and
- (b) be capable of transmitting in the frequency bands 1626.5–1645.5 MHz and 1646.5–1660.5 MHz and receiving in the frequency bands 1525.0–1544.0 MHz or 1545.0–1559.0 MHz and operating at a power level not exceeding the maximum specified in the table set out in Part IV.

Eutelsat

Land Mobile Earth Stations in the Eutelsat Land Mobile-Satellite Service which are designed or adapted to–

- (a) send and receive messages by wireless telegraphy via that Service to or from any Land Earth Station in that Service; and
- (b) be capable of transmitting in the frequency band 14.00–14.25 GHz and receiving in the frequency bands 10.70–11.70 GHz or 12.50–12.75 GHz and operating at a power level not exceeding the maximum specified in the table set out in Part IV.

Italsat

Land Mobile Earth Stations in the Italsat Land Mobile-Satellite Service which are designed or adapted to–

- (a) send and receive messages by wireless telegraphy via that Service to or from any Land Earth Station in that Service; and
- (b) be capable of transmitting in the frequency bands 1626.5–1645.5 MHz and 1646.5–1660.5 MHz and receiving in the frequency bands 1525.0–1544.0 MHz or 1545.0–1559.0 MHz and operating at a power level not exceeding the maximum specified in the table set out in Part IV.

Iridium

Land Mobile Earth Stations in the Iridium Land Mobile-Satellite Service which are designed or adapted to–

- (a) send and receive messages by wireless telegraphy via that Service to or from any Land Earth Station in that Service;
- (b) be capable of transmitting and receiving in the frequency band 1621.35–1626.50 MHz and operating at a power level not exceeding –3 dBW/4 kHz mean power (eirp) density; and
- (c) operate in accordance with the requirements of ECTRA/ERC Decision (97) 05 and ERC Decision ERC/DEC (97) 03 decided by the CEPT in June 1997 respectively.

ICO

Land Mobile Earth Stations in the ICO Land Mobile-Satellite Service which are designed or adapted to–

- (a) send and receive messages by wireless telegraphy via that Service to or from any Land Earth Station in that Service;
- (b) be capable of transmitting and receiving in the frequency bands 1997.5–2010.0 MHz and 2187.5–2200.0 MHz and operating at a power level not exceeding 9.8 dBW/25 kHz peak power (eirp) density; and
- (c) operate in accordance with the requirements of ECTRA/ERC Decision (97) 05, ERC Decision ERC/DEC (97) 03 and ERC Decision ERC/DEC (97) 04 decided by the CEPT in June 1997.

Globalstar

Land Mobile Earth Stations in the Globalstar Land Mobile-Satellite Service which are designed or adapted to–

- (a) send and receive messages by wireless telegraphy via that Service to or from any Land Earth Station in that Service;

- (b) be capable of transmitting and receiving in the frequency bands 1610.0–1621.35 MHz and 2483.5–2500.0 MHz and operating at a power level not exceeding –3 dBW/4 kHz mean power (eirp) density; and
- (c) operate in accordance with the requirements of ECTRA/ERC Decision (97) 05 and ERC Decision ERC/DEC (97) 03.

PART IV

COMMON TECHNICAL REGULATIONS AND STANDARDS

Inmarsat

| <i>Type of Inmarsat station</i> | <i>Maximum power (eirp)</i> | <i>ETSI standard (unless otherwise stated)</i> | <i>Date of publication</i> |
|---------------------------------|-----------------------------|---|----------------------------|
| A | +37 dBW | Technical Requirements for Inmarsat Standard—A Ship Earth Stations, edition 3 | May 1988 |
| | | Ship Earth Station Technical Bulletin 26A | September 1991 |
| | | Ship Earth Station Technical Bulletin 27B | October 1993 |
| B | +34 dBW (+1/–2 dB) | TBR 44 | May 1998 |
| C | +16 dBW | TBR 26 edition 1 | May 1998 |
| D+ | +9 dBW | TBR 26 edition 1 | |
| M | +28 dBW (+3/–3 dB) | TBR 44 | |
| Mini M (phone) | +2.7 dBW | TBR 44 | |

Eutelsat

| <i>Type of Eutelsat station</i> | <i>Maximum power (eirp)</i> | <i>ETSI standard</i> | <i>Date of publication</i> |
|---------------------------------|-----------------------------|----------------------|----------------------------|
| Euteltracs (Omnitrac) | 19 dBW | TBR 27 | January 1998 |

Italsat

| <i>Type of Italsat station</i> | <i>Maximum power (eirp)</i> | <i>ETSI standard</i> | <i>Date of publication</i> |
|--------------------------------|-----------------------------|----------------------|----------------------------|
| EMS-PRODAT | 12 dBW | TBR 26 edition 1 | May 1998 |
| EMS-MSSAT | 11.5 dBW | TBR 44 | May 1998 |

Iridium

CTR 41—Commission Decision of 3rd September 1998 on a common technical regulation for Satellite Personal Communications Networks (S-PCN) Mobile Earth Stations (MESS), including hand held earth stations, for S-PCN operating in the 1.6/2.4 GHz frequency bands under the Mobile Satellite Service (MSS)(a).

(a) OJ No. L247, 5.9.98, p. 11.

ICO

CTR 42—Commission Decision of 3rd September 1998 on a common technical regulation for Satellite Personal Communications Networks (S-PCN) Mobile Earth Stations (MESs), including hand held earth stations, for S-PCN operating in the 2.0 GHz frequency bands under the Mobile Satellite Service (MSS)(a).

Globalstar

CTR 41.

SCHEDULE 6

Regulation 3(1)

SHORT RANGE DEVICES

PART I

INTERPRETATION

1. In this Schedule—

“direct sequence spread spectrum modulation” means a form of modulation where a combination of data to be transmitted and a known code sequence (or chip sequence) is used to directly modulate a carrier;

“EN 300 220–1” means the European Telecommunications Standard EN 300 220–1 published by ETSI in November 1997;

“EN 300 328” means the European Telecommunications Standard EN 300 328 published by ETSI in November 1994, revised and reprinted in November 1996 and amended in July 1997;

“EN 300 330” means the European Telecommunications Standard EN 300 330, version 1.2.2 (1999) published by ETSI in 1999;

“I-ETS 300 422” means the European Telecommunications Standard I-ETS 300 422 published by ETSI in December 1995;

“I-ETS 300 440” means the European Telecommunications Standard I-ETS 300 440 published by ETSI in December 1995 and Corrigendum issued in April 1996;

“EN 300 674” means the European Telecommunications Standard EN 300 674 published by ETSI in November 1998;

“EN 300 718” means the European Telecommunications Standard EN 300 718 published by ETSI in March 1997;

“EN 300 761” means the European Telecommunications Standard EN 300 761 published by ETSI in January 1998;

“EN 300 836–1” means the European Telecommunications Standard EN 300 836–1 published by ETSI in May 1998;

“EN 301 091” means the European Telecommunications Standard EN 301 091 published by ETSI in June 1998;

“EN 301 357” means the European Telecommunications Standard EN 301 357, version 1.2.1 (1999) published by ETSI in 1999;

“Fo” means centre frequency;

“frequency hopping spread spectrum modulation” means a technique in which the transmitted signal occupies a number of frequencies in time, each for some period of time;

“non-manufactured apparatus” means apparatus made up from components, but which is not for retail resale;

(a) OJ No. L247, 5.9.98, p. 13.

“prescribed apparatus” means any station or apparatus described in Part III of this Schedule.

“radiated level” means the maximum level permitted, referenced to the erp, eirp or field strength as specified in Part III of this Schedule; and

“Telemetry”, “Telecommand”, “Television” and “Telephony” have the meanings given to them in the Radio Regulations.

2. Where the channel spacing or channel bandwidth is defined in this Schedule the centre frequency of the first channel is at a distance of channel spacing /2 from the lower frequency band edge.

PART II

ADDITIONAL TERMS, PROVISIONS AND LIMITATIONS

Unless there is a Common Technical Regulation in force in respect of the prescribed apparatus, such apparatus must—

- (a) be approved for the time being by the Secretary of State under section 84 of the 1984 Act for the purposes of these Regulations; or
- (b) be approved to the ETSI standards referred to in Part III of this Schedule as appropriate by a national administration following type testing at a test laboratory, or otherwise complies with such standards in the case of non-manufactured apparatus used as metal detectors or model control apparatus referred to in Part III, paragraphs 13 and 20 below,

provided that paragraph (a) above shall not apply in relation to prescribed apparatus situated in the Bailiwick of Jersey.

PART III

DESCRIPTIONS OF THE RELEVANT APPARATUS

General Purpose Short Range Devices

1. Any wireless telegraphy apparatus, which is not described elsewhere in this Schedule and which is designed or adapted so as to be capable of use within the frequency band, and at a radiated level not exceeding the maximum for such frequency band, specified in the table below—

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| 49.82–49.98 MHz | 10 mW erp | 10 kHz | Yes | EN 300 220–1 |
| 49.82–49.98 MHz | 10 mW erp | — | Yes | |

Telemetry and Telecommand: General

2. Wireless telegraphy apparatus designed or adapted for—

- (a) Telemetry and Telecommand, so as to be capable of use on one or more of the frequencies or within one of the frequency bands, and at a radiated level not exceeding the maximum for such frequencies or frequency bands, for each category of apparatus, specified in the table below and subject to the following sub-paragraphs;
- (b) in category iii, channel numbers 1 and 3 to 11 are available with a channel centre frequency of 173.2 MHz + (channel bandwidth × channel number);
- (c) in category iv, channel numbers 1 to 5 are available with a channel centre frequency of 173.2 MHz + (channel bandwidth × channel number);
- (d) in category v, Telemetry and Telecommand may only be used in conjunction with telephony with a non-locking push to talk key or voice operated carrier;
- (e) in category vii, the band may also be used for airborne telemetry based on 25 kHz channel spacing;
- (f) in categories viii, ix and xii, consecutive channels may be combined for increased bandwidth up to the maximum sub-band frequency allocation. The total signal bandwidth must be contained within the allocated sub-band—

| <i>Category</i> | <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>Duty cycle</i> | <i>ETSI standard</i> |
|-----------------|--|-----------------------|--------------------------|----------------------------------|-------------------|----------------------|
| i | 26.995, 27.045, 27.095, 27.145, 27.195 MHz | 1 mW erp | 10 kHz | No | — | EN 300 220-1 |
| ii | 40.66–40.7 MHz | 10 mW erp | — | No | — | |
| iii | 173.2–173.35 MHz | 1 mW erp | 12.5 kHz | No | — | |
| iv | 173.2–173.35 MHz | 1 mW erp | 25 kHz | No | — | |
| v | 173.5875, 173.6 MHz | 10 mW erp | 12.5 kHz | Yes | — | |
| vi | 417.9–418.1 MHz | 250 µW erp | — | No | — | |
| vii | 433.05–434.79 MHz | 10 mW erp | — | No | ≤ 10% | |
| viii | 868–868.6 MHz | 25 mW erp | ≤ 25 kHz | No | ≤ 1% | |
| ix | 868.7–869.2 MHz | 25 mW erp | ≤ 25 kHz | No | ≤ 0.1% | |
| x | 869.3–869.4 MHz | 10 mW erp | ≤ 25 kHz | No | ≤ 10% | |
| xi | 869.4–869.65 MHz | 500 mW erp | ≤ 25 kHz | No | ≤ 10% | |
| xii | 869.7–870 MHz | 5 mW erp | ≤ 25 kHz | No | up to 100 % | |
| xiii | 2400–2483.5 MHz | 10 mW eirp | ≤ 20 MHz | Yes | — | I-ETS 300 440 |

Telemetry and Telecommand: Industrial/Commercial

3. Wireless telegraphy apparatus designed or adapted for—

- (a) Telemetry and Telecommand, so as to be capable of use on one or more of the frequencies or within one of the frequency bands, and at a radiated level not exceeding the maximum for such frequencies or frequency bands, for each category of apparatus, specified in the table below and subject to the following sub-paragraphs;
- (b) in category i, channel numbers 1 and 3 to 11 are available with a channel centre frequency of 173.2 MHz + (channel bandwidth × channel number);
- (c) in category ii, channel numbers 1 to 5 are available with a channel centre frequency of 173.2 MHz + (channel bandwidth × channel number);
- (d) in category iv, channel numbers 1 to 25, 28 to 31 and 33 to 35 are available with a channel centre frequency of 458.5 MHz + (channel bandwidth × channel number);
- (e) in category v, channel numbers 1 to 12, 14 to 15 and 17 are available with a channel centre frequency of 458.5 MHz + (channel bandwidth × channel number)–

| <i>Category</i> | <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|-----------------|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| i | 173.2–173.35 MHz | 10 mW erp | 12.5 kHz | No | EN 300 220-1 |
| ii | 173.2–173.35 MHz | 10 mW erp | 25 kHz | No | |
| iii | 173.2–173.35 MHz | 10 mW erp | — | No | |
| iv | 458.5–458.95 MHz | 500 mW erp | 12.5 kHz | No | |
| v | 458.5–458.95 MHz | 500 mW erp | 25 kHz | No | |
| vi | 2445–2455 MHz | 100 mW eirp | — | No | I-ETS 300 440 |

Telemetry: Databuoys

4. Wireless telegraphy apparatus designed or adapted for Telemetry in a maritime environment, so as to be capable of use on one or more of the frequencies or within one of the frequency bands, and at a radiated level not exceeding the maximum for such frequencies or frequency bands, for each category of apparatus, specified in the table below—

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|--|-----------------------|--------------------------|----------------------------------|----------------------|
| 35.3375, 35.3625, 35.3875, 35.4125, 35.4375, 35.4625 MHz | 250 mW erp | 25 kHz | No | EN 300 220-1 |

Medical and Biological Applications

5. Wireless telegraphy apparatus designed or adapted for—

- (a) Telemetry and Telecommand, so as to be capable of use on one or more of the frequencies or within one of the frequency bands, and at a radiated level not exceeding the maximum for such frequencies or frequency bands, for each category of apparatus, specified in the table below and subject to the following sub-paragraphs;
- (b) in category ii, channel numbers 1 to 24 are available with channel centre frequency of 173.7 MHz + (channel bandwidth × channel number);
- (c) in category iii, channel numbers 1 to 11 are available with channel centre frequency of 173.7 MHz + (channel bandwidth × channel number);
- (d) in category v, for use with ultra low power active medical implants only;
- (e) in category vi and vii, channel numbers 37 to 47 are available with channel centre frequency of 458.5 MHz + (channel bandwidth × channel number);
- (f) in category viii and ix, channel numbers 19 to 23 are available with channel centre frequency of 458.5 MHz + (channel bandwidth × channel number);
- (g) in categories ii, iii, vi and viii, these bands may also be used in an airborne application for the tracking of birds—

| <i>Category</i> | <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|-----------------|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| i | 300 kHz–30 MHz | 9 dB μ A/m @ 10 m | — | No | EN 300 330 |
| ii | 173.7–174 MHz | 10 mW erp | 12.5 kHz | No | EN 300 220-1 |
| iii | 173.7–174 MHz | 10 mW erp | 25 kHz | No | |
| iv | 173.7–174 MHz | 10 mW erp | — | No | |
| v | 402–405 MHz | 25 μ W erp | 300 kHz | No | |
| vi | 458.9625–459.1000 MHz | 10 mW erp | 12.5 kHz | No | |
| vii | 458.9625–459.1000 MHz | 500 mW erp | 12.5 kHz | No | |
| viii | 458.9625–459.1000 MHz | 10 mW erp | 25 kHz | No | |
| ix | 458.9625–459.1000 MHz | 500 mW erp | 25 kHz | No | |

Radio Local Area Networks

6. Wireless telegraphy apparatus designed or adapted–
- (a) for the provision of short range data links, so as to be capable of use only within the frequency bands, and at a radiated level not exceeding the maximum for such frequency bands, specified in the table below and subject to the following sub-paragraphs;
 - (b) in category i, prescribed apparatus using frequencies relating to direct sequence spread spectrum modulation are limited to a maximum spectrum power density of –20 dBW/1 MHz without exceeding the eirp value. For frequency hopping spread spectrum, the maximum spectrum power density is limited to –10 dBW/100 kHz without exceeding the eirp value;
 - (c) analogue speech is not permitted–

| <i>Category</i> | <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>Duty cycle</i> | <i>ETSI standard</i> |
|-----------------|--------------------------------------|-----------------------|--------------------------|----------------------------------|-------------------|----------------------|
| i | 2400–2483.5 MHz | 100 mW eirp | — | — | — | ETS 300 328 |
| ii | 5150–5250 MHz | 1 W eirp | — | — | — | ETS 300 836–1 |
| iii | 5250–5300 MHz | 1 W eirp | — | — | — | |

Short Range Indoor Data Links

7. Wireless telegraphy apparatus designed or adapted–
- (a) for the provision of short range data links, so as to be capable of use only within either of the frequency bands, and at a radiated level not exceeding the maximum for such frequency bands, specified in the table below and subject to the following sub-paragraph;
 - (b) analogue speech is not permitted–

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| 2445–2455 MHz | 100 mW eirp | — | Yes | I-ETS 300 440 |
| 10.675–10.699 GHz | 1 W eirp | — | Yes | |

Railway Applications

8. Wireless telegraphy apparatus designed or adapted for the purpose of railway vehicle identification or for the provision of short range data links between the track and railway vehicles, so as to be capable of use only within either of the frequency bands, and at a radiated level not exceeding the maximum for such frequency bands, specified in the table below–

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>Duty cycle</i> | <i>ETSI standard</i> |
|---|------------------------|--------------------------|----------------------------------|-------------------|----------------------|
| 27.095 MHz | 42 dB μ A/m @ 10 m | Fo \pm <5 kHz | No | — | EN 300 330 |
| | 5 dB μ A/m @ 10 m | Fo \pm (5 to 200) kHz | No | — | |
| | –1 dB μ A/m @ 10 m | Fo \pm <500 kHz | No | — | |
| 2447, 2448.5, 2450, 2451.5, or 2453 MHz | 500 mW eirp | \leq 1.5 MHz | No | — | EN 300 761 |

Devices for the Detection of Avalanche Victims

9. Wireless telegraphy apparatus designed or adapted for the transmission of signals to aid in the locating of victims in distress or at risk, so as to be capable of producing a continuous wave only on either of the frequencies, and at a radiated level not exceeding the maximum for such frequencies, specified in the table below—

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Music or speech permitted</i> | <i>Duty cycle</i> | <i>ETSI standard</i> |
|--------------------------------------|---------------------------|----------------------------------|-------------------|----------------------|
| 2275 kHz | 42 dB μ A/m @ 10 m | No | up to 100% | ETS 300 718 |
| 457 kHz | 42 dB μ A/m @ 10 m | No | up to 100% | |

Equipment for the Detection of Movement or Alert

10. Wireless telegraphy apparatus designed or adapted to—

- (a) 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, so as to be capable of use on one or more of the frequencies within one of the frequency bands, and at a radiated level not exceeding the maximum for such frequencies or frequency bands, specified in the table below and subject to the following sub-paragraphs;
- (b) in category i, this service is due to be withdrawn by 31st December 2003: equipment cannot be type approved for use in this band after 31st December 1998;
- (c) category ii applications are for tagging and identification only;
- (d) category iv applications are for indoor use only;
- (e) category vii applications are for use in mobile applications only, and fixed installations are not permitted—

| <i>Category</i> | <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|-----------------|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| i | 888.0–889.0 MHz | 500 mW erp | 25 kHz | No | — |
| ii | 2445–2455 MHz | 500 mW eirp | — | No | I-ETS 300 440 |
| iii | 10.577–10.597 GHz | 1 W eirp | — | No | |
| iv | 10.675–10.699 GHz | 1 W eirp | — | No | |
| v | 13.4–14.0 GHz | 500 mW eirp | — | No | |
| vi | 24.150–24.250 GHz | 2 W eirp | — | No | |
| vii | 24.250–24.350 GHz | 2 W eirp | — | No | |

Road Transport and Traffic Telematics

11. Wireless telegraphy apparatus designed or adapted to aid in the management, control or flow of transport and traffic—

- (a) for the provision of short range data links which respond to a signal initiated by, in the case of categories i and ii below, a network operator, or by, in the case of category ii or iii, a private system used and operated by the owner or persons authorised by the owner,

so as to be capable of use only within any of the frequency bands, and at a radiated level not exceeding the maximum for such frequency bands, specified in the table below—

| <i>Category</i> | <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>Duty cycle</i> | <i>ETSI standard</i> |
|-----------------|--------------------------------------|-----------------------|--------------------------|----------------------------------|-------------------|----------------------|
| i | 5795–5805 MHz | ≤ 2 W eirp | — | No | — | EN 300 674 |
| ii | 5805–5815 MHz | ≤ 2 W eirp | — | No | — | |
| iii | 5805–5815 MHz | ≤ 2 W eirp | — | No | — | I-ETS 300 440 |

(b) for the provision of short range on-board vehicle radar so as to be capable of use only within the frequency band and at a radiated level not exceeding the maximum for such frequency band specified in the table below—

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>Duty cycle</i> | <i>ETSI standard</i> |
|--------------------------------------|-----------------------|--------------------------|----------------------------------|-------------------|----------------------|
| 76–77 GHz | ≤ 55 dBm peak power | — | No | — | EN 301 091 |

Inductive Applications

12. That part of an induction system designed or adapted to produce—

- (a) a controlled magnetic field; and
- (b) a predetermined recognisable signal when operating within that magnetic field,

so as to be capable of use only within the frequency bands, and at a radiated level, not exceeding the maximum for such frequency bands specified in the table below—

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>Duty cycle</i> | <i>ETSI standard</i> |
|--------------------------------------|---|--------------------------|----------------------------------|-------------------|----------------------|
| 9–30 kHz | 72 dB μ A/m @ 10 m | — | No | — | EN 300 330 |
| 9–185 kHz | 48 dB μ A/m @ 10 m | — | Yes (music not permitted) | — | |
| 30–59.75 kHz | 72 dB μ A/m descending 3.5 dB/octave above 30 kHz | — | No | — | |
| 59.75–60.25 kHz | 42 dB μ A/m | — | No | — | |
| 60.25–70 kHz | 72 dB μ A/m descending 3.5 dB/octave above 30 kHz | — | No | — | |
| 70–119 kHz | 42 dB μ A/m @ 10 m | — | No | — | |
| 119–135 kHz | 72 dB μ A/m descending 3.5 dB/octave above 30 kHz | — | No | — | |
| 240–315 kHz | 24 dB μ A/m @ 10 m | — | No | — | |
| 2–30 MHz | –9.5 dB μ A/m @ 10 m | — | Yes (speech only) | — | |

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>Duty cycle</i> | <i>ETSI standard</i> |
|--------------------------------------|-----------------------------|--------------------------|----------------------------------|-------------------|----------------------|
| 2–30 MHz | 9 dB μ A/m @ 10 m | — | No | — | |
| 6.765–6.795 MHz | 42 dB μ A/m @ 10 m | — | No | — | |
| 7.4–8.8 MHz | 9 dB μ A/m @ 10 m | — | No | — | |
| 13.533–13.587 MHz | 21.5 dB μ A/m @ 10 m | — | No | — | |
| 13.553–13.567 MHz | 42 dB μ A/m @ 10 m | — | No | — | |
| 26.957–27.283 MHz | 42 dB μ A/m @ 10 m | — | No | — | |

Metal Detectors

13. That part of an induction system designed or adapted to produce—

- (a) a controlled magnetic field; and
- (b) a predetermined recognisable signal when operating within that magnetic field,

so as to be capable of use only within the frequency bands, and at a radiated level, not exceeding the maximum for such frequency bands, specified in the table below—

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|--------------------------------------|--------------------------|--------------------------|----------------------------------|----------------------|
| 9–148.5 kHz | 70 dB μ A/m @ 6 m | — | No | EN 300 330 |

Alarms

14. Wireless telegraphy apparatus designed or adapted—

- (a) to generate or indicate an alarm condition; or
- (b) to arm or disarm the alarm system,

so as to be capable of use on one or more of the frequencies within one of the frequency bands, and at a radiated level not exceeding the maximum for such frequencies or frequency bands, specified in the table below—

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>Duty cycle</i> | <i>ETSI standard</i> |
|--------------------------------------|-----------------------|--------------------------|----------------------------------|-------------------|----------------------|
| 868.6–868.7 MHz | 10 mW erp | ≤ 25 kHz | No | $\leq 0.1\%$ | EN 300 220–1 |
| 869.250–869.3 MHz | 10 mW erp | ≤ 25 kHz | No | $\leq 0.1\%$ | |
| 869.65–869.7 MHz | 25 mW erp | ≤ 25 kHz | No | $\leq 10\%$ | |

Social Alarms: For the elderly and infirm

15. Wireless telegraphy apparatus designed or adapted—

- (a) to generate or indicate an alarm condition; or
- (b) to arm or disarm the alarm system,

so as to be capable of use on one or more of the frequencies, and at a radiated level not exceeding the maximum for such frequencies, specified in the table below—

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>Duty cycle</i> | <i>ETSI standard</i> |
|--------------------------------------|-----------------------|--------------------------|----------------------------------|-------------------|----------------------|
| 27.450, 34.925, 34.950, 34.975 MHz | 500 μ W erp | 12.5 kHz | No | — | EN 300 220-1 |
| 869.2-869.25 MHz | 10 mW erp | \leq 25 kHz | No | \leq 0.1% | |

Alarms: Vehicle paging

16. Wireless telegraphy apparatus designed or adapted to generate or indicate an alarm condition so as to be capable of use on one or more of the frequencies, and at a radiated level not exceeding the maximum for such frequencies, specified in the table below, provided that category ii apparatus may also be used to arm or disarm the alarm system at a radiated level not exceeding 1 mW—

| <i>Category</i> | <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|-----------------|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| i | 47.4 MHz | 100 mW erp | 12.5 kHz | No | EN 300 220-1 |
| ii | 458.90 MHz | 100 mW erp | 12.5 kHz | No | |

Alarms: General alarms associated with marine applications and including fixed shore installations

17. Wireless telegraphy apparatus designed or adapted—

- (a) to generate or indicate an alarm condition; or
- (b) to arm or disarm the alarm system,

so as to be capable of use on the frequency, and at a radiated level not exceeding the maximum for such frequency, specified in the table below, including use on land for the storage or transportation of vessels—

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| 161.275 MHz | 10 mW erp | 12.5 kHz | No | EN 300 220-1 |

Alarms: Mobile and transportable and lone worker safety

18. Wireless telegraphy apparatus designed or adapted—

- (a) to generate or indicate an alarm condition; or
- (b) to arm or disarm the alarm system,

so as to be capable of use on one or more of the frequencies, and at a radiated level not exceeding the maximum for such frequencies, specified in the table below—

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| 173.1875 MHz | 10 mW erp | 12.5 kHz | No | EN 300 220-1 |
| 458.8375 MHz | 100 mW erp | 12.5 kHz | No | |

Alarms: Fixed

19. Wireless telegraphy apparatus designed or adapted–

- (a) to generate or indicate an alarm condition; or
- (b) to arm or disarm the alarm system,

so as to be capable of use on one or more of the frequencies, and at a radiated level not exceeding the maximum for such frequencies, specified in the table below–

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| 173.225 MHz | 10 mW erp | 12.5 kHz | No | EN 300 220–1 |
| 173.225 MHz | 10 mW erp | 25 kHz | No | |
| 458.825 MHz | 100 mW erp | 12.5 kHz | No | |

Model Control

20. Wireless telegraphy apparatus designed or adapted–

- (a) in categories i and v, for Telecommand to control the movement of models in general;
- (b) in category ii, for Telecommand to control the movement of airborne models only;
- (c) in category iii, for Telecommand to control the movement of models on the ground, on water or under the water;
- (d) in category iv, for Telemetry to provide data from the model, including airborne models,

so as to be capable of use on one or more of the frequencies or within one of the frequency bands, and at a radiated level not exceeding the maximum for such frequencies or frequency bands, for each category of apparatus, specified in the table below–

| <i>Category</i> | <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|-----------------|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| i | 26.96–27.28 MHz | 100 mW | 10 kHz | No | EN 300 220–1 |
| ii | 34.995–35.255 MHz | 100 mW | 10 kHz | No | |
| iii | 40.66–41.00 MHz | 100 mW | 10 kHz | No | |
| iv | 433.05–434.79 MHz | 10 mW | 25 kHz | No | |
| v | 458.5–459.5 MHz | 100 mW | 25 kHz | No | |

Radio Microphones

21. Wireless telegraphy apparatus designed or adapted for Telephony, for the purpose of aids to project personal voice or music, so as to be capable of use on one or more of the frequencies within the frequency bands, and at a radiated level not exceeding the maximum for such frequencies or frequency bands, for each category of apparatus, specified in the table below–

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|---|-----------------------|--------------------------|----------------------------------|----------------------|
| 174.6, 174.675, 174.77, 174.885, 175.02 MHz | 5 mW erp | 50 kHz | Yes | I-ETS 300 422 |
| 173.8, 174.1, 174.5, 174.8, 175.0 MHz | 2 mW erp | 180 kHz | Yes | |
| 863–865 MHz | 10 mW erp | ≤ 200 kHz | Yes | |

Radio Hearing Aids

22. Wireless telegraphy apparatus designed or adapted–

- (a) for Telephony, for the purpose of hearing aids for the handicapped, so as to be capable of use on one or more of the frequencies within the frequency bands, and at a radiated level not exceeding the maximum for such frequencies or frequency bands, for each category of apparatus, specified in the table below and subject to the following subparagraphs;
- (b) frequency bands in category ii may be used if frequency bands in category i are not suitable; and frequency bands in category iii may be used if category i and ii frequency bands are not suitable;
- (c) frequency bands in category iv may only be used as an alternative for radio hearing aids if frequency bands in categories i, ii and iii are unsuitable–

| <i>Category</i> | <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|-----------------|--|-----------------------|--------------------------|----------------------------------|----------------------|
| i | 173.35, 173.4, 173.465, 173.545, 173.64 MHz | 2 mW erp | 50 kHz | Yes | I-ETS 300 422 |
| ii | 173.695, 173.775, 173.825, 173.95, 173.99 MHz | 2 mW erp | 50 kHz | Yes | |
| iii | 174.07, 174.12, 174.185, 174.27, 174.36, 174.415 MHz | 2 mW erp | 50 kHz | Yes | |
| iv | 174.6, 174.675, 174.77, 174.885, 175.02 MHz | 2 mW erp | 50 kHz | Yes | |

Wireless Audio Applications

23. Wireless telegraphy apparatus designed or adapted–

- (a) for Telephony, for the purpose of providing a short range radio link between the audio output of a device, so as to be capable of use on one or more frequencies within the frequency band, and at a radiated level not exceeding the maximum for such frequencies or frequency bands, for each category of apparatus, specified in the table below and subject to the following subparagraphs;
- (b) categories i and ii are for cordless headphones or cordless loudspeakers;
- (c) category iii is for cordless headphones for use in vehicles;
- (d) category iv is for cordless headphones for use with personal stereo devices–

| <i>Category</i> | <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>Duty cycle</i> | <i>ETSI standard</i> |
|-----------------|--------------------------------------|-----------------------|--------------------------|----------------------------------|-------------------|----------------------|
| i | 36.61–36.79 MHz 37.01–37.19 MHz | 10 μ W erp | — | Yes | — | EN 300 220–1 |
| ii | 863–865 MHz | 10 mW erp | ≤ 300 kHz | Yes | — | EN 301 357 |
| iii | 863–865 MHz | 2 mW erp | ≤ 300 kHz | Yes | — | |
| iv | 863–865 MHz | 1 mW erp | ≤ 300 kHz | Yes | — | |

Video: Close Circuit Television

24. Wireless telegraphy apparatus designed or adapted–

- (a) for Television, so as to be capable of use only within either of the frequency bands, and at a radiated level not exceeding the maximum for such frequency bands, specified in the table below and subject to the following sub-paragraphs;
- (b) where required, associated Telephony may also be used within the specified frequency band;
- (c) music and speech are only permitted when associated with the video application;
- (d) category ii may also be used for airborne use–

| <i>Category</i> | <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|-----------------|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| i | 1394 MHz | 500 mW eirp | 10 MHz | Yes | I-ETS 300 440 |
| ii | 2400–2483.5 MHz | 10 mW eirp | 20 MHz | Yes | |

Video Distribution For Private Use

25. Wireless telegraphy apparatus designed or adapted–

- (a) for Television, so as to be capable of use only within the frequency band, and at a radiated level not exceeding the maximum for such frequency band, specified in the table below and subject to the following sub-paragraphs;
- (b) where required, associated Telephony may also be used within the specified frequency band;
- (c) music and speech are only permitted when associated with the video application–

| <i>Frequencies or frequency band</i> | <i>Radiated level</i> | <i>Channel bandwidth</i> | <i>Music or speech permitted</i> | <i>ETSI standard</i> |
|--------------------------------------|-----------------------|--------------------------|----------------------------------|----------------------|
| 1394 MHz | 10 mW eirp | 10 MHz | Yes | I-ETS 300 440 |

PMR 446

PART I

INTERPRETATION

In this Schedule—

“ETS 300 296” means the European Telecommunications Standard ETS 300 296 published by ETSI in December 1994 and revised and reprinted in March 1997; and

“prescribed apparatus” means the apparatus known as “PMR 446” described in Part III of this Schedule.

PART II

ADDITIONAL TERMS, PROVISIONS AND LIMITATIONS

Unless there is a Common Technical Regulation in force in respect of the prescribed apparatus, such apparatus must—

- (a) be approved for the time being by the Secretary of State under section 84 of the 1984 Act for the purposes of these Regulations; or
- (b) be approved to ETS 300 296 by a national administration following type testing at a test laboratory,

provided that paragraph (a) above shall not apply in relation to prescribed apparatus situated in the Bailiwick of Jersey.

PART III

DESCRIPTION OF THE PRESCRIBED APPARATUS

Handportable wireless telegraphy apparatus with an integral antenna designed or adapted in accordance with ETS 300 296—

- (a) to be used only for short range voice communication; and
- (b) to be capable of use only on one or more of the frequencies, and at a power not exceeding the maximum erp for such frequencies, specified in the table below—

| <i>Frequencies</i> | <i>Channel bandwidth</i> | <i>Maximum erp</i> |
|--------------------|--------------------------|--------------------|
| 446.00625 MHz | 12.5 kHz | 500 mW |
| 446.01875 MHz | 12.5 kHz | 500 mW |
| 446.03125 MHz | 12.5 kHz | 500 mW |
| 446.04375 MHz | 12.5 kHz | 500 mW |
| 446.05625 MHz | 12.5 kHz | 500 mW |
| 446.06875 MHz | 12.5 kHz | 500 mW |
| 446.08125 MHz | 12.5 kHz | 500 mW |
| 446.09375 MHz | 12.5 kHz | 500 mW |

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations exempt certain wireless telegraphy stations and apparatus from the requirement to be licensed under section 1(1) of the Wireless Telegraphy Act 1949 (c. 54). Accordingly, it will not be necessary to hold a licence to establish or use any such station or install or use any such apparatus (regulation 4).

In relation to stations designed or adapted for use by customers of certain telecommunication networks (Schedule 3), these Regulations revoke and replace the Wireless Telegraphy (Network User Stations) (Exemption) Regulations 1997 (S.I. 1997/2137). They also introduce a licence exemption for user stations (as defined in Part I of Schedule 3) which connect to Common Base Stations.

As regards certain cordless telephone apparatus (Schedule 4), these Regulations revoke and replace the Wireless Telegraphy (Cordless Telephone Apparatus) (Exemption) Regulations 1996 (S.I. 1996/316). They also introduce a licence exemption for an additional eight paired channels in the 30 and 31 MHz frequency bands for analogue cordless telephone apparatus (CTI) in respect of private and domestic use.

With respect to certain land mobile earth stations established in connection with the provision of a satellite service (Schedule 5), these Regulations revoke and replace the Wireless Telegraphy Apparatus (Land Mobile-Satellite Service) (Low Bit Rate Data) (Exemption) Regulations 1993 (S.I. 1993/21). They also extend the range of relevant stations having the benefit of the licence exemption so that they include Inmarsat A, B, D+ and M terminals, Italsat EMS-PRODAT and EMS-MSSAT terminals, Globalstar terminals, ICO Global Communications terminals and Iridium terminals. These stations are the subject of the Decisions of the European Conference of Postal and Telecommunications Administrations (CEPT) referred to in Part III of Schedule 5.

In relation to certain short range devices (Schedule 6), these Regulations revoke and replace the Wireless Telegraphy (Exemption) Regulations 1980 (S.I. 1980/1848), the Wireless Telegraphy (Exemption) (Amendment) (Model Control Apparatus) Regulations 1987 (S.I. 1987/776), the Wireless Telegraphy (Short Range Devices) (Exemption) Regulations 1993 (1993/1591), the Wireless Telegraphy (Short Range Devices) (Exemption) (Amendment) Regulations 1994 (S.I. 1994/2250) and the Wireless Telegraphy (Short Range Devices) (Exemption) (Amendment) Regulations 1997 (S.I. 1997/1996). The principal change introduced by these Regulations is to give effect in UK law to CEPT/ERC Recommendation 70-03 relating to short range devices published by the CEPT in October 1997 and revised in December 1997 and March, June, August, September and October 1998. Accordingly, these Regulations:

- (a) amend the field strength for inductive applications;
- (b) permit speech at a reduced field strength in the 2–30 MHz band;
- (c) introduce new bands for alarms;
- (d) introduce a new band for general purpose radio microphones; and
- (e) extend the band for wireless audio applications.

In addition, these Regulations:

- (i) introduce certain frequency bands for specific airborne use;
- (ii) permit the use of road transport and traffic telematics, in particular short range links between road side units to and from vehicles and in-vehicle radar;
- (iii) permit the use of ultra low power active medical implants; and
- (iv) introduce a new band for the use of analogue video applications.

These Regulations further introduce a new category of wireless telegraphy apparatus, known as “PMR 446” (Schedule 7), having the benefit of the exemption from the licensing requirement.

Regulation 6 requires that an exempted station or apparatus must be available for inspection, and that their use must cease, or their 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 1949.

In addition to the requirements set out in regulation 5, the exempted stations and apparatus will have to comply with the provisions of regulation 8 of the Telecommunications Terminal Equipment Regulations 1992 (S.I. 1992/2423, as amended and extended by S.I. 1994/3129), if applicable, before being supplied, connected or permitted to remain connected to a public telecommunication network or put into service. From 1st January 1996 the exempted stations and apparatus have to comply with the type approval requirements, if applicable, set out in Part VI of the Electromagnetic Compatibility Regulations 1992 (S.I. 1992/2372, as amended by S.I. 1994/3080) before being supplied or taken into service to the extent that they are not duplicated by the applicable provisions of the Telecommunications Terminal Regulations.

Copies of the European Telecommunications Standards and the draft European Telecommunications Standards referred to in the Schedules to these Regulations may be obtained from the British Standards Institution (BSI), 389 Chiswick High Road, London W4 4AL (Tel: 0181 996 7000) or from the European Telecommunications Standards Institute (ETSI) at F-06921 Sophia Antipolis, Cedex, France (Tel: 00 334 92 94 42 00).

Copies of the CEPT Decisions referred to in Schedule 5 and also CEPT/ERC Recommendation 70-03 mentioned above may be obtained from the European Radiocommunications Office (ERO), Midtermolen 1, DK-2100, Copenhagen, Denmark (Tel: 00 45 35 25 03 00).

Copies of the Department of Trade and Industry Performance Specifications referred to in the Schedules may be obtained from the Radiocommunications Agency Library at New King's Beam House, 22 Upper Ground, London SE1 9SA (Tel: 0171 211 0211). Also available to the public at the Library is a full regulatory impact assessment report of the effect that these Regulations would have on the costs of business.

Copies of NTR 13 and BAPT/SITS/92/50 referred to in Schedule 3 may be obtained from the British Approvals Board for Telecommunications (BAPT) at Claremont House, 34 Molesey Road, Hersham, Walton-on-Thames, Surrey KT12 4RQ (Tel: 01932 222289).

Copies of the Common Technical Regulations contained within the Official Journal and referred to in the Schedules may be obtained from the Stationery Office Books, P.O. Box 276, London SW8 5DT (Tel: 0171 873 9090) and from the European Information Centres (EICs) situated in the United Kingdom.

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