

**2007 No. 1282**

**ELECTRONIC COMMUNICATIONS**

**The Wireless Telegraphy (Radio Frequency Identification Equipment) (Exemption) (Amendment) Regulations 2007**

*Made* - - - - *20th April 2007*

*Coming into force* - - *14th May 2007*

The Office of Communications (“OFCOM”) make the following Regulations in exercise of the power conferred by section 8(3) of the Wireless Telegraphy Act 2006(a) (“the Act”).

Before making these Regulations OFCOM have given notice of their proposal to do so in accordance with section 122(4)(a) of the Act, published notice of their proposal in accordance with 122(4)(b) of the Act and have considered the representations made to them before the time specified in that notice in accordance with section 122(4)(c) of the Act.

**Citation and commencement**

1. These Regulations may be cited as the Wireless Telegraphy (Radio Frequency Identification Equipment) (Exemption) (Amendment) Regulations 2007 and shall come into force on 14th May 2007.

**Amendment of the Wireless Telegraphy (Radio Frequency Identification Equipment) (Exemption) Regulations 2005**

2.—(1) The Wireless Telegraphy (Radio Frequency Identification Equipment) (Exemption) Regulations 2005(b) are amended in accordance with the following provisions of this regulation.

(2) In regulation 2—

- (a) omit paragraph (a);
- (b) omit paragraph (b);
- (c) omit paragraph (e).

(3) In regulation 3 for “section 1(1) of the Wireless Telegraphy Act 1949” substitute “section 8(1) of the Wireless Telegraphy Act 2006(c)”.

(4) In regulation 4 omit paragraph (2) in its entirety.

20th April 2007

*Ed Richards*  
Chief Executive of the Office of Communications  
For and by the authority of the Office of Communications

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(a) 2006 c. 36  
(b) S.I. 2005/3471  
(c) 2006 c. 36

## EXPLANATORY NOTE

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

These Regulations amend the Wireless Telegraphy (Radio Frequency Identification Equipment) (Exemption) Regulations 2005 (S.I. 2005/3471) (the “principal Regulations”) to give effect to the Commission Decision 2006/804/EC(a) on harmonisation of the radio spectrum frequency for radio frequency identification (RFID) devices operating in the ultra high frequency (UHF) band. The principal Regulations exempt the establishment or installation of RFID equipment and the use of RFID equipment so established or installed from the requirement to be licensed under section 8(1) of the Wireless Telegraphy Act 2006 (c.36) (the “Act”).

Regulation 2 amends the principal Regulations by omitting regulation 4(2) and corresponding definitions to align with the Commission Decision 2006/804/EC and by updating a reference to the Act.

A full regulatory impact assessment and report of the effect the Regulations will have on the costs to business is available from OFCOM at Riverside House, 2a Southwark Bridge Road, London SE1 9HA (tel: 020 7981 3000) or on the OFCOM internet web site at [www.ofcom.org.uk](http://www.ofcom.org.uk). Copies of the report have also been placed in the libraries of both Houses of Parliament.

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(a) OJ No L 329, 25.11.06, p64

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