

**2007 No. 379**

**ELECTRONIC COMMUNICATIONS**

**The Wireless Telegraphy (Limitation of Number of Spectrum  
Access Licences) Order 2007**

*Made* - - - - *14th February 2007*

*Coming into force* - - *8th March 2007*

The Office of Communications (“OFCOM”) make the following Order in exercise of the powers conferred by section 29(1) to (3) of the Wireless Telegraphy Act 2006(a) (“the Act”).

Before making the Order 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 section 122(4)(b) of the Act and have considered the representations made to them before the time specified in the notice in accordance with section 122(4)(c) of the Act.

**Citation, commencement and extent**

**1.**—(1) This Order may be cited as the Wireless Telegraphy (Limitation of Number of Spectrum Access Licences) Order 2007 and shall come into force on 8th March 2007.

(2) This Order shall not extend to the Channel Islands or to the Isle of Man.

**Limitation of licences**

**2.**—(1) The following paragraphs of this Order apply to the grant of wireless telegraphy licences for the use of the frequency 1785 megahertz to 1805 megahertz in Northern Ireland.

(2) The persons to whom the wireless telegraphy licences will be granted shall be determined by OFCOM using the procedure set out in the Wireless Telegraphy (Licence Award) Regulations 2007(b).

(3) The criteria for determining the number of wireless telegraphy licences to be granted are that the number of wireless telegraphy licences to be granted should be the number which is most likely to secure the optimal use of the electromagnetic spectrum and promote competition in the provision of electronic communication services having regard to the matters set out in section 3(1) and (2) of the Act.

14th February 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. 2007/378

## EXPLANATORY NOTE

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

This Order is made under section 29 of the Wireless Telegraphy Act 2006 (“the Act”). Section 29 of the Act implements Article 7(1)(c) of the Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive) (OJ No L 108, 24.4.02, p21). Under section 29(1) of the Act OFCOM may, if they consider it appropriate for the purpose of securing the efficient use of the electromagnetic spectrum to impose limitations on the use of particular frequencies, make an order imposing these limitations.

Article 2(1) of this Order specifies the frequency band for the use of which OFCOM will grant only a limited number of wireless telegraphy licences in Northern Ireland. The licences will be within the licence class known as Spectrum Access.

Article 2(2) sets out how the persons to whom the wireless telegraphy licences are to be granted are to be determined.

Article 2(3) sets out the criteria for determining the number of wireless telegraphy licences to be granted.

A full regulatory impact assessment of the effect that this Order will have on the costs to business is available to the public from OFCOM at Riverside House, 2a Southwark Bridge Road, London SE1 9HA (Tel: 020 7981 3000) or on the Office of Communications 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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