

2009 No 15

ELECTRONIC COMMUNICATIONS

**The Wireless Telegraphy (Limitation of Number of Grants of
Crown Recognised Spectrum Access) Order 2009**

Made - - - - *9th January 2009*

Coming into force - - *23rd January 2009*

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

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 Grants of Crown Recognised Spectrum Access) Order 2009 and shall come into force on 23rd January 2009.
- (2) This Order shall not extend to the Channel Islands or to the Isle of Man.

Limitation of grants

- 2.—(1) The Office of Communications will make a limited number of grants of recognised spectrum access for use of the frequency bands listed in the Schedule.
- (2) The grants shall only be made to the Crown.
- (3) Grants shall only be made where a wireless telegraphy station or wireless telegraphy apparatus is operated within any of the frequency bands listed in the Schedule by or on behalf of the Crown.
- (4) The number of grants will be the number which is most likely to secure the optimal use of the electromagnetic spectrum and promote competition in electronic communication services having regard to the matters set out in section 3(1) and (2) of the Wireless Telegraphy Act 2006.

Ed Richards

Chief Executive of the Office of Communications
for and by the authority of the Office of Communications

9th January 2009

SCHEDULE

Article 2

Frequency bands

406.1–410 Megahertz

410–412 Megahertz

414–420 Megahertz

420–422 Megahertz

424–425 Megahertz

429–430 Megahertz

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies frequencies for which the Office of Communications (“OFCOM”) will grant recognised spectrum access.

Article 2(1) provides that a limited number of grants of recognised spectrum access will be available in the frequency bands listed in the Schedule. The grants shall only be made to the Crown (Article 2(2)). Article 2(3) and (4) set out the criteria OFCOM shall apply in determining the limit on the number of grants.

A full regulatory impact assessment of the effect that these Regulations will have on the costs to business is available to the public from the OFCOM Library at Riverside House, 2a Southwark Bridge Road, London SE1 9HA (Tel: 020 7981 3000) or on the OFCOM website at www.ofcom.org.uk. Copies of the report have also been placed in the libraries of both Houses of Parliament.

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STATUTORY INSTRUMENTS

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£4.00