

---

## EXPLANATORY NOTE

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

These Regulations exempt the installation and use of wireless telegraphy apparatus within the frequency band 5875 MHz to 5905 MHz complying with certain terms, provisions and limitations, from the requirement to be licensed under section 8(1) of the Wireless Telegraphy Act 2006 (c.36).

The terms, provisions and limitations include requirements that the apparatus be used as part of a safety-related intelligent transport system (Regulation 4(a)), that it be within or attached to a vehicle, (Regulation 4(b)), that it only emit transmissions in accordance with the maximum power levels set out in the Regulations (Regulation 4(c)); and that it comply with the European Telecommunications Standards Institute (“ETSI”) standard EN 302 571 (regulation 4(d)).

The ETSI standard is available to the public from ETSI on their website at <http://www.etsi.org> or from the ETSI Secretariat at 650 Route des Lucioles, 06921 Sophia-Antipolis Cedex, France (Tel: +33 4 92 94 42 00).

In making these Regulations, OFCOM is carrying out functions, as required by The 5875-5905 MHz Frequency Band (Management) Regulations 2009 (SI 2009/11), so as to give effect to EU obligations contained in the Commission Decision of 5 August 2008 on the harmonised use of radio spectrum in the 5875 – 5905 MHz frequency band for safety-related applications of Intelligent Transport Systems (ITS) (OJ No L 220 15.8.2008, p. 24).

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