
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations exempt the establishment, installation and use of wireless telegraphy stations and wireless telegraphy apparatus from the requirement to be licensed under section 8(1) of the Wireless Telegraphy Act 2006 (c.36).

Regulation 3(1) revokes the Wireless Telegraphy (Short Range Devices) (Exemption) Regulations 2009 (SI 2009/1812) and Regulation 3(2)(a) amends the Wireless Telegraphy (Exemption) Regulations 2003 (SI 2003/74), to remove provisions that are replaced by Regulations 5, 6 and 7 as set out below.

Regulation 3(2)(b) amends Schedule 3 of S.I. 2003/74, adding new frequencies to the list of frequencies within which UMTS user terminals are permitted to operate.

Regulation 4 exempts railway level crossing radar (a safety device), subject to terms and limitations including three exclusion zones.

Regulation 5 of these Regulations re-enacts, with modifications of substance, Schedules 6 and 9 of S.I. 2003/74 and S.I. 2009/1812. It extends the exemptions provided to give effect to EU obligations which are contained in Commission Decision 2010/368/EU amending Decision 2006/771/EC on harmonisation of the radio spectrum for use by short-range devices. In addition, it extends exemptions for underwater devices, inductive devices, vehicle radar, wireless cameras, technologies at 2.4 GHz and 5.8 GHz, Wireless Access Systems at 5 GHz, and technologies at 869.3 to 869.4 MHz.

Regulations 6 and 7 of these Regulations re-enact, with modifications, Schedules 8 and 11 of S.I. 2003/74. They make the following changes of substance. Regulation 6 of these Regulations replaces Schedule 8 of S.I. 2003/74, extending the exempt frequency band of operation from 58.9 GHz to 63.9 GHz, subject to six exclusion zones. Regulation 7 of these Regulations replaces Schedule 11 of S.I. 2003/74, increasing the permitted power in the frequency band 29.4625 to 30 GHz from 50 dBW to 55 dBW.

Interface requirements are published by OFCOM in accordance with Article 4.1 of Directive 1999/5/EC of the European Parliament and of the Council on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity. Copies of interface requirements referred to in these Regulations may be obtained from OFCOM at Riverside House, 2a Southwark Bridge Road, London SE1 9HA and are available on the OFCOM website at <http://www.ofcom.org.uk>.

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.