
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations give effect to EU obligations of the United Kingdom contained in the Commission Implementing [Decision 2017/191/EU](#) of 1 February 2017 amending [Decision 2010/166/EU](#) in order to introduce new technologies and frequency bands for mobile communication services on board vessels (MCV services) in the European Union (OJEU No L 29, 3.2.2017, p 63). These Regulations revoke the Wireless Telegraphy (Mobile Communication Services on Board Ships) (Exemption) Regulations 2011 ([S.I. 2011/316](#)).

These Regulations exempt the use of wireless telegraphy apparatus which complies 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 apparatus must be on board a ship which is registered in the British Islands and the exemption applies when the ship is within the limits of the British Islands and the territorial waters adjacent thereto, or, for the time being, beyond the British Islands and the territorial waters adjacent thereto (Regulation 4).

The terms, provisions and limitations for the exemption to apply are set out in regulation 5. These include the requirement that the apparatus must only operate in the 900 MHz band or the 1800 MHz band where it forms part of a GSM system; in the 1800 MHz band or the 2600 MHz band where it forms part of a LTE system; and in the 1900/2100 MHz band where it forms part of an UMTS system (regulation 5(1)). The apparatus must only be used for mobile communication services on boards ships and when the ship is within certain specified distance (which depends on whether the apparatus forms part of a GSM, LTE or UMTS system) from the baseline (regulation 5(2)). The apparatus must also operate with a maximum radiated output power (depending on the type of system of which the apparatus forms part) falling within the limits specified by regulation 5(3). The apparatus must connect directly to a ship base transceiver station (regulation 5(4)) that complies with further technical requirements set out in regulation 5(5) to (7), depending on the type of system of which the apparatus forms part. Finally, the apparatus must not cause or contribute to any undue interference to any wireless telegraphy (regulation 5(8)).

Except for the ETSI standards TS 144 018 and TS 148 008, the ETSI standards referred to in the Regulations are published in the Official Journal of the European Union (OJEU) and available to the public from the official website of the European Union at <http://eur-lex.europa.eu/oj/direct-access.html> or from the EU Bookshop (as managed by the Publications Office of the European Union) by emailing: bookshop@publications.europa.eu. The ETSI standards TS 144 018 and TS 148 008 are 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).

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. Copies of this assessment have also been placed in the library of the House of Commons.