

**1978 No. 1268**

**TELEGRAPHS**

**The Wireless Telegraphy (Control of Interference from  
Fluorescent Lighting Apparatus) Regulations 1978**

*Made* - - - 23rd August 1978  
*Laid before Parliament* 4th September 1978  
*Coming into Operation* 1st January 1979

The Secretary of State, in exercise of the powers conferred by section 10 of the Wireless Telegraphy Act 1949(a) as enacted, and also as extended by the Wireless Telegraphy (Channel Islands) Order 1952(b) and the Wireless Telegraphy (Isle of Man) Order 1952(c) and now vested in him(d) and after consultation with the advisory committee appointed under section 9 of the said Act, hereby makes the following Regulations:—

1. These Regulations may be cited as the Wireless Telegraphy (Control of Interference from Fluorescent Lighting Apparatus) Regulations 1978 and shall come into operation on 1st January 1979.

2. In these Regulations—

“BS 5394: Part I: 1976” means the British Standard Specification for radio interference limits and measurements for lighting equipment, BS 5394: Part I: 1976, published on 30 September 1976;

“the Directive” means Council Directive No. 76/890/EEC(e);

“fluorescent lighting apparatus” means any fluorescent lighting apparatus of which a luminaire forms a part;

“luminaire” means apparatus which forms, or is designed to form, part of any fluorescent lighting apparatus, which is fitted with a starter and which conveys electricity to a tubular fluorescent lamp and includes any apparatus which supports, fixes or protects the lamp.

3. The Interpretation Act 1889(f) applies for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

4.—(1) The requirements of Regulation 6 below shall be complied with in the case of any luminaire, other than a luminaire which bears, or has affixed to it a label which bears, the words “unsuppressed luminaire for use in non-residential areas”, which is sold otherwise than for export, or offered or advertised for sale

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(a) 1949 c. 54.

(c) S.I. 1952/1899.

(e) O.J. No. L.336, 4.11.76, p. 22.

(b) S.I. 1952/1900.

(d) 1969 c. 48; S.I. 1969/1369, 1371; 1974/691.

(f) 1889 c. 63.

otherwise than for export, or let on hire or offered or advertised for letting on hire, by any person who in the course of business manufactures, assembles or imports luminaires.

(2) In the case of any luminaire which, by virtue of paragraph (1) above, is required to comply with the requirements of Regulation 6 below there shall be a statement (however expressed) either on the luminaire or in an accompanying document to the effect that the luminaire complies with those requirements:

Provided that such a statement shall not be required in the case of any luminaire in relation to which use is made of a mark or certificate issued by a body notified by a member State to the Commission and to the Secretary of State in accordance with Article 3.2 of the Directive.

5. The requirements of Regulation 6 below shall be complied with in the case of any fluorescent lighting apparatus used within 15 metres of residential accommodation of any kind unless—

- (a) the fluorescent lighting apparatus is used on premises which are isolated from the electrical supply to the said residential accommodation by means of a transformer or like apparatus; or
- (b) the luminaire complied with the said requirements at the date of its manufacture, assembly or importation and is maintained in reasonable working order and the fluorescent lighting apparatus is not likely to cause undue interference with any wireless telegraphy used for the purposes of any safety of life service or for any purpose on which the safety of any person or any vessel, aircraft or vehicle may depend; or
- (c) the fluorescent lighting apparatus was sold or let on hire before the date of the coming into force of these Regulations by a person who in the course of business manufactures, assembles or imports such apparatus and the fluorescent lighting apparatus is not likely to cause undue interference with any wireless telegraphy.

6.—(1) The insertion loss of the luminaire within the meaning of Clause 3.5 of BS 5394: Part I: 1976 as measured by the method prescribed in Clause 4 thereof shall not be less than the minimum values relevant to that luminaire prescribed in Clause 5 thereof (being values which are related to the frequencies at which the fluorescent lighting apparatus generates electro-magnetic energy).

(2) In relation to the testing of a luminaire and the minimum values of insertion loss thereof the relevant procedures, requirements and specifications set out in BS 5394: Part I: 1976 shall be complied with.

*Merlyn Rees,*

One of Her Majesty's Principal  
Secretaries of State.

Home Office.

23rd August 1978.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations (except Regulation 5) implement Council Directive No. 76/890/EEC relating to the suppression of radio interference with regard to fluorescent lighting apparatus and apply to any luminaire which is fitted with a starter and which forms, or is designed to form, part of such apparatus.

Regulation 4(1) provides that the requirements of Regulation 6 shall be complied with in the case of any luminaire which is placed on the market other than a luminaire which bears, or has affixed to it a label which bears, a statement that it is unsuppressed and designed for use in non-residential areas. Regulation 4(2) provides that in the case of a luminaire which is required by virtue of Regulation 4(1) to comply with the requirements of Regulation 6 there shall be a statement, either on the luminaire or in an accompanying document, to the effect that the luminaire complies with those requirements. However the proviso to Regulation 4(2) provides that such a statement shall not be required if use is made of a mark or certificate issued by a body which is notified in accordance with Article 3.2 of the Directive.

Regulation 5 provides that the requirements of Regulation 6 shall be complied with in the case of any fluorescent lighting apparatus used within 15 metres of residential accommodation of any kind unless it is isolated from the electrical supply to the residential accommodation by a transformer or like apparatus or unless the luminaire complies with the requirements of Regulation 6 at the date of its manufacture, assembly or importation and is maintained in reasonable working order and the fluorescent lighting apparatus is not likely to cause interference with wireless telegraphy used for safety of life services or connected purposes, or unless the fluorescent lighting apparatus was placed on the market before these Regulations came into force by any person who in the course of business manufactures, assembles or imports such apparatus and the apparatus is not likely to cause interference with wireless telegraphy.

Regulation 6 provides that the requirements to be complied with are the relevant requirements prescribed by British Standard Specification BS 5394: Part I: 1976.

A person who fails to comply with the requirements of these Regulations may be served with a notice under section 11 or 12 of the Wireless Telegraphy Act 1949 and any person who contravenes the provisions of such a notice is guilty of an offence under that Act.

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