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STATUTORY INSTRUMENTS

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**2011 No. 2950**

**ELECTRONIC COMMUNICATIONS**

**The Wireless Telegraphy (Exemption)  
(Amendment) Regulations 2011**

*Made - - - - 8th December 2011*

*Coming into force - - 31st December 2011*

The Office of Communications (“OFCOM”), make the following Regulations in exercise of the power conferred by section 8(3) of the Wireless Telegraphy Act 2006 (“the Act”)(1).

Before making these Regulations 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 that notice in accordance with section 122(4)(c) of the Act.

**Citation and commencement**

1. These Regulations may be cited as the Wireless Telegraphy (Exemption) (Amendment) Regulations 2011 and shall come into force on 31st December 2011.

**Amendment of the Wireless Telegraphy (Exemption) Regulations 2003**

2. The Wireless Telegraphy (Exemption) Regulations 2003(2) are amended as follows—

(a) In paragraph 3 of Part III of Schedule 3,—

(i) after sub-paragraph (c), add—

“(d) Long term evolution radiotelephones (LTE)

— 880-915 MHz

— 925-960 MHz

— 1710-1785 MHz

— 1805-1880 MHz

(e) Worldwide interoperability for microwave access radiotelephones (WiMax)

— 880-915 MHz

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(1) 2006 c.36

(2) S.I. 2003/74 amended by S.I. 2003/2155, S.I. 2005/3481, S.I. 2006/2994, S.I. 2008/236, S.I. 2008/2426 and S.I. 2010/2512

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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- 925-960 MHz
  - 1710-1785 MHz
  - 1805-1880 MHz
  - (f) The service provided by Airwave Solutions Limited for the London 2012 Olympic and Paralympic Games
    - 385-399.9MHz
  - (g) Wireless access systems licensed for use in the following frequency band
    - 3400-3800 MHz”.
- (b) In Schedule 3, Part IV, at the end of the list add—
- “IR 2015 – UK Interface Requirement 2015.1 to 2015.3 Spectrum Access in the 3400 to 4009 MHz band, published by the Office of Communications in December 2011;
  - IR 2087 – UK Interface Requirement 2087 LTE and WiMax equipment in 900 and 1800 MHz Bands, published by the Office of Communications in December 2011;
  - IR 2085 – UK Interface Requirement 2085 London 2012 Games Tetra Network (Apollo), published by the Office of Communications in December 2011”.

*Hyacinth S. Nwana*  
Group Director, Spectrum Policy Group of the  
Office of Communications  
Office of Communications

8th December 2011

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## EXPLANATORY NOTE

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

These Regulations amend the Wireless Telegraphy (Exemption) Regulations 2003 (S.I. 2003/74, as amended) (“the Principal Regulations”) to widen the classes of wireless telegraphy apparatus whose establishment, installation and use are exempted from the requirement to be licensed under section 8(1) of the Wireless Telegraphy Act 2006 (c.36).

Schedule 3 of the Principal Regulations is amended to extend licence exemptions to Long term evolution (LTE) radiotelephones, Worldwide interoperability for microwave access (WiMax) radiotelephones, radiotelephones used as part of the London 2012 Olympics and Paralympics Games network, and wireless access terminals.

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>.

In making these Regulations, in relation to the exemption for LTE and WiMax radiotelephones, OFCOM is carrying out its functions so as to give effect to EU obligations contained in the Commission Implementing Decision 2011/251/EU of 18 April 2011 amending Decision 2009/766/EC on the harmonisation of the 900 MHz and 1800 MHz frequency bands for terrestrial systems capable of providing pan-European electronic communications services in the Community (OJ No L 106, 27.4.201, p9).

A full regulatory impact assessment of the effect that these Regulations will have on 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