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STATUTORY INSTRUMENTS

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**2016 No. 1075**

**ELECTRONIC COMMUNICATIONS**

**The Wireless Telegraphy (Exemption)  
(Amendment) (No.2) Regulations 2016**

*Made* - - - - *8th November 2016*

*Coming into force* - - *29th November 2016*

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

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. The Regulations may be cited as the Wireless Telegraphy (Exemption) (Amendment) (No.2) Regulations 2016 and shall come into force on 29th November 2016.

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

2.—(1) The Wireless Telegraphy (Exemption) Regulations 2003(2) are amended in accordance with the following paragraphs of this regulation.

(2) In Schedule 3, Part III, paragraph 3—

(a) in sub-paragraph (d) (Long term evolution radiotelephones (LTE)) and after the entry “2500—2690 MHz” in the list of frequency bands, insert the following entry—

“—2350–2390 MHz  
—3400–3800 MHz”; and

(b) in sub-paragraph (e) (Worldwide interoperability for microwave access radiotelephones (WiMax) after the entry “2500—2690 MHz” in the list of frequency bands, insert the following entry—

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(1) 2006 c.36. Section 8(3) was extended to the Bailiwick of Guernsey by article 2 of the Wireless Telegraphy (Guernsey) Order 2006 (S.I. 2006/3325); and to the Bailiwick of Jersey by article 2 of the Wireless Telegraphy (Jersey) Order 2006 (S.I. 2006/3324); and to the Isle of Man by article 2 of the Wireless Telegraphy (Isle of Man) Order 2007 (S.I. 2007/278).  
(2) S.I. 2003/74 amended by S.I. 2003/2155, 2006/2994, 2010/2512, 2011/2950, 2013/1254, 486/2016; there are other amending instruments but none is relevant.

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**Status:** This is the original version (as it was originally made).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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“—2350–2390 MHz  
—3400–3800 MHz”.

(3) In Schedule 3, Part IV (Interface requirement), after the entry “IR 2072—UK Interface Requirement 2072 Terrestrial systems capable of providing electronic communications services in the band 2500 to 2690 MHz”, published by the Office of Communications in March 2013” insert the following entries—

“—IR 2098—UK Interface Requirement 2098 Terrestrial systems capable of providing electronic communications services in the 2.3 GHz band, published by the Office of Communications in February 2016.

—IR 2097—UK Interface Requirement 2098 Terrestrial systems capable of providing electronic communications services in the 3.4 to 3.8 GHz band, published by the Office of Communications in February 2016.”

*Philip Marnick*  
Group Director, Spectrum Group  
For and by the authority of the Office of  
Communications

8th November 2016

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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) (“the Principal Regulations”) to widen the classes of wireless telegraphy apparatus whose establishment, installation and use are exempted from the requirement to be licenced under section 8(1) of the Wireless Telegraph Act 2006 (c.36) (“the Act”).

Regulation 2 amends Part III of Schedule 3 to the Principal Regulations to extend the licence exemption for Long term evolution (LTE) radiotelephones and Worldwide interoperability for microwave access (WiMax) radiotelephones to cover additional frequency bands.

Regulation 2 also amends Part IV of Schedule 3 to the Principal Regulations to refer to the technical requirements that must be complied with in order for the exemptions to apply.

Interface Requirements are published by the Office of Communications (“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 (OJ No L 91, 7.4.1999, p10). 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 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 Southward Bridge Road, SE1 9HA (Tel: 020 7981 3000). Copies of this assessment have also been placed in the library of the House of Commons.