STATUTORY INSTRUMENTS

2016 No. 418

ELECTRONIC COMMUNICATIONS

The Wireless Telegraphy (Licensing Procedures) (Amendment) Regulations 2016

Made - - - -	*21st March 2016*
Coming into force - -	*12th April 2016*

The Office of Communications ("OFCOM"), in exercise of the powers conferred by section 10 and paragraph 1 of Schedule 1 to the Wireless Telegraphy Act 2006(**a**) (the "Act"), make 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. These Regulations may be cited as the Wireless Telegraphy (Licensing Procedures) (Amendment) Regulations 2016 and shall come into force on 12th April 2016.

Amendment of the Wireless Telegraphy (Licensing Procedures) Regulations 2010

2. The Wireless Telegraphy (Licensing Procedures) Regulations 2010(**b**) (the "principal Regulations") shall be amended in accordance with the following provisions of these Regulations.

Amendment of regulation 5

3. In regulation 5(3) of the principal Regulations—

(a) omit sub-paragraph (j);

(b) for sub-paragraph (k) substitute the following sub-paragraph—

"(j) in the case of an application in respect of a mobile station, an indication of whether or not the station is to be established on board—

(i) an aircraft; or

(ii) a ship; and"; and

(c) renumber sub-paragraph (l) as (k).

(**a**) 2006 c. 36. Schedule 1 of the Act was extended to the Bailiwick of Jersey by article 2 of the Wireless Telegraphy (Jersey) Order 2006 (S.I. 2006/3324); and to the Bailiwick of Guernsey by article 2 of the Wireless Telegraphy (Guernsey) Order 2006 (S.I. 2006/3325); and to the Isle of Man by article 2 of the Wireless Telegraphy (Isle of Man) Order 2007 (S.I. 2007/278).

(**b**) S.I. 2010/1823.

Amendment of regulation 6

4.—(1) In regulation 6(1) of the principal Regulations, for "Licences are granted" substitute "Licences may be granted".

(2) For regulation 6(2) of the principal Regulations, substitute—

"(2) Licences may also be granted subject to the other terms, provisions and limitations in the case of any particular licence which are contained in the publication Wireless Telegraphy Act Licensing (Terms, Provisions and Limitations) 2016 published by OFCOM(**a**).".

Amendment of Part 1 of the Schedule

5. For paragraph 1 of Part 1 of the Schedule to the principal Regulations, substitute—

"**1.** For the licence classes Aeronautical Ground Station (Air Traffic/Ground Movement Control), Aeronautical Ground Station (Air/Ground Communications Services), Aeronautical Ground Station (Airfield Flight Information Service), Aeronautical Ground Station (General Aviation), Aeronautical Ground Station (Fire), Aeronautical Ground Station (High Frequency), Aeronautical Ground Station (Offshore Platform), Aeronautical Navigation Aid Stations, Aeronautical Radar, Aeronautical Ground Station (Operations Control), Aeronautical Station (Aerodrome Surface and Operational Control), Aeronautical Station (Aeronautical Broadcast), Aeronautical Station (Aircraft Communications Addressing and Reporting System), Aeronautical Station (Air/Ground, Aerodrome Flight Information Service and Tower), Aeronautical Station (Approach), Aeronautical Station (Area Control), Aeronautical Station (High Frequency), Aeronautical Station (Fire and Emergency), Aeronautical Station (Offshore), Aeronautical Station (Recreational Aviation) and Aeronautical Station (Very High Frequency Data Link), the following information shall be provided—

(a) whether authorisation of a temporary or permanent station is sought; and

(b) the type of air traffic service that the applicant intends to provide.".

Amendment of Part 2 of the Schedule

6. For paragraph 4 of Part 2 of the Schedule to the principal Regulations, substitute—

"**4.** For the licence class Ship Portable Radio, applicants shall specify—

(a) if authorisation of emergency position indicating radio beacon equipment or personal locator beacon equipment is sought and, if so, the type of beacon equipment for which authorisation is sought, its code which identifies its country of authorisation, its manufacturer, its serial number, and whether or not it operates using a global positioning system; and

(b) whether digital selective calling is to be used by the station.".

Amendment of Part 3 of the Schedule

7. In paragraph 5 of Part 3 of the Schedule to the principal Regulations, for the words before sub-paragraph (a), substitute—

"**5.** For the licence classes Programme Making and Special Events (Fixed Site), Programme Making and Special Events (Link), Programme Making and Special Events (Low Power), UK Wireless Microphone (Annual), UK Wireless Microphone (Biennial) and Audio Distribution System, the following information shall be provided—".

(**a**) Wireless Telegraphy Act Licensing (Terms, Provisions and Limitations), 2016.

Amendment of Part 5 of the Schedule

8. In paragraph 8 of Part 5 of the Schedule to the principal Regulations—

(a) for the comma between the words "Non-Operational Temporary Use" and "Non-Operational Development", substitute "and"; and

(b) omit the words "and Ground Probing Radar".

Philip Marnick
Group Director, Spectrum Group
21st March 2016 For and by the authority of the Office of Communications

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Wireless Telegraphy (Licensing Procedures) Regulations 2010 (S.I. 2010/1823) (the "principal Regulations").

Regulation 3 amends regulation 5(3) of the principal Regulations, which sets out the information to be provided by an applicant for the grant of a licence in respect of a station.

Regulation 4 amends regulation 6 of the principal Regulations, which gives particulars of the terms, provisions and limitations to which a licence is made subject.

Regulations 5 to 8 amend the provisions in the Schedule to the principal Regulations concerning the information required for certain classes of licence.

Copies of the publication referred to at paragraph (2) of regulation 6 of the principal Regulations, as amended by regulation 4(2) of these Regulations, are available to the public from the Library of the Office of Communications ("OFCOM") at Riverside House, 2A Southwark Bridge Road, London, SE1 9HA (Tel: 020 7981 3000) and on OFCOM's website at 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 the Library of OFCOM at Riverside House, 2A Southwark Bridge Road, London, SE1 9HA (Tel: 020 7981 3000) and on OFCOM's website at www.ofcom.org.uk. Copies of this assessment have also been placed in the library of the House of Commons.

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