STATUTORY INSTRUMENTS

2006 No. 341

ELECTRONIC COMMUNICATIONS

The Wireless Telegraphy (Limitation of Number of Concurrent Spectrum Access Licences) Order 2006

Made - - - -	*14th February 2006*
Coming into force - -	*10th March 2006*

The Office of Communications ("OFCOM") make the following Order in exercise of the powers conferred by section 164(1) to (3) of the Communications Act 2003(**a**) ("the Act").

Before making the Order OFCOM have given notice of their proposal to do so in accordance with section 403(4)(a) of the Act, published notice of their proposal in accordance with section 403(4)(b) of the Act and have considered the representations made to them before the time specified in the notice in accordance with section 403(4)(c) of the Act.

Citation, commencement and extent

1.—(1) This Order may be cited as the Wireless Telegraphy (Limitation of Number of Concurrent Spectrum Access Licences) Order 2006 and shall come into force on 10th March 2006.

(2) This Order shall not extend to the Channel Islands or to the Isle of Man.

Limitation of licences

2.—(1) OFCOM will grant a fixed number of wireless telegraphy licences for the use of the frequency band 1781.7 megahertz to 1785.0 megahertz and the frequency band 1876.7 megahertz to 1880.0 megahertz.

(2) In determining the number of licences for the use of these frequency bands to be granted and the persons to whom the licences will be granted OFCOM shall apply the procedure set out in the Wireless Telegraphy (Licence Award) Regulations 2006(**b**).

Stephen Carter
Chief Executive of the Office of Communications
14th February 2006 For and by authority of the Office of Communications

(**a**) 2003 c. 21
(**b**) S.I. 2006/338

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 164 of the Communications Act 2003 ("the Act"). Section 164 of the Act implements Article 7(1)(c) of the Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive) (OJ No L 108, 24.4.02, p21). Under section 164(1) OFCOM may, if they consider it appropriate for the purpose of securing the efficient use of the electromagnetic spectrum to impose limitations on the use of particular frequencies, make an order imposing these limitations.

This Order specifies frequency bands for the use of which OFCOM will grant only a limited number of wireless telegraphy licences (the licences will be within the licence class known as Concurrent Spectrum Access).

In determining the limit on the number of licences at these frequencies and the persons to whom licences will be granted, OFCOM shall apply the procedure set out in the Wireless Telegraphy (Licence Award) Regulations 2006 (S.I. 2006/338).

A full regulatory impact assessment of the effect that this Order will have on the costs to business is available to the public from the OFCOM Library at Riverside House, 2a Southwark Bridge Road, London SE1 9HA (Tel: 020 7981 3000) or on the Office of Communications Internet web site at www.ofcom.org.uk. Copies of the report have also been placed in the libraries of both Houses of Parliament.

£3.00

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E0166 2/2006 160166T 19585