

2013 No. 646

ELECTRONIC COMMUNICATIONS

**The Wireless Telegraphy (Mobile Spectrum Trading)
(Amendment) Regulations 2013**

Made - - - - *18th March 2013*

Coming into force - - *5th April 2013*

The Office of Communications (“OFCOM”), in exercise of the powers conferred by section 30(1) and (3) and section 122(7) of the Wireless Telegraphy Act 2006^(a) (the “Act”), make the following Regulations.

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

Citation and commencement

1. These Regulations may be cited as the Wireless Telegraphy (Mobile Spectrum Trading) (Amendment) Regulations 2013 and shall come into force on 5th April 2013.

Amendment of the Wireless Telegraphy (Mobile Spectrum Trading) Regulations 2011

2.—(1) The Wireless Telegraphy (Mobile Spectrum Trading) Regulations 2011^(b) are amended in accordance with the following provisions of this regulation.

(2) In regulation 4(3), after the words “Paragraph (1) shall apply to wireless telegraphy licences” delete the words to the end and insert “which are within one of the licence classes listed in Column 1 of the Schedule and which authorise the operation of a wireless telegraphy station or wireless telegraphy apparatus on frequencies in any of the frequency bands listed in Column 2 of the Schedule.”.

(3) In regulation 5(a)—

- (a) in sub-paragraph (i), after the words “under a wireless telegraphy licence” delete the words to the end and insert “which is within one of the licence classes listed in Column 1 of the Schedule and which authorises the operation of a wireless telegraphy station or wireless telegraphy apparatus on frequencies in any of the frequency bands listed in Column 2 of the Schedule;”; and
- (b) in sub-paragraph (ii), after the words “under a wireless telegraphy licence” delete the words to the end and insert “which is within one of the licence classes listed in Column 1 of the Schedule and which authorises the operation of a wireless telegraphy station or

(a) 2006 c.36.
(b) S.I. 2011/1507.

wireless telegraphy apparatus on frequencies in any of the frequency bands listed in Column 2 of the Schedule; or”.

(4) For the Schedule substitute—

“SCHEDULE

Regulations 4 and 5

Licence classes and frequency bands

<i>Column 1</i>	<i>Column 2</i>
<i>Licence classes</i>	<i>Frequency bands</i>
Public Wireless Network	791-821 MHz
Spectrum Access	832-862 MHz
	880-915 MHz
	925-960 MHz
	1710-1781.7 MHz
	1805-1876.7 MHz
	1899.9-1980 MHz
	2110-2170 MHz
	2500-2690 MHz”

Ed Richards

Chief Executive of the Office of Communications
For and by the authority of the Office of Communications

18th March 2013

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Wireless Telegraphy (Mobile Spectrum Trading) Regulations 2011 (S.I. 2011/1507) (“the Principal Regulations”).

The Principal Regulations authorise the transfers of rights and obligations arising under wireless telegraphy licences in the Public Wireless Network licence class which authorise the operation of a wireless telegraphy station or wireless telegraphy apparatus on any of the frequency bands specified in the schedule to the Principal Regulations, and set out the process for effecting such transfers.

Regulation 2 amends the Principal Regulations so as to extend the application of the Principal Regulations to licences in the Spectrum Access licence class for frequencies in specified frequency bands.

A full impact assessment of the effect that this instrument will have on the costs to business and the voluntary sector is available to the public from OFCOM at Riverside House, 2a Southwark Bridge Road, London SE1 9HA (Tel: 020 7981 3000) and on the OFCOM internet website at www.ofcom.org.uk. Copies of the report have also been placed in the libraries of both Houses of Parliament.

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STATUTORY INSTRUMENTS

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