

2006 No. 1809

ELECTRONIC COMMUNICATIONS

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

Made - - - - *7th July 2006*

Coming into force - - *7th August 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 Spectrum Access Licences) Order 2006 and shall come into force on 7th August 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 one, two, three or four wireless telegraphy licences for the use of the frequency band 412.0 megahertz to 414.0 megahertz and the frequency band 422.0 megahertz to 424.0 megahertz.

(2) The criteria for determining the number of licences to be granted for the use of these frequency bands and the persons to whom the licences will be granted shall be determined by OFCOM using the procedure set out in the Wireless Telegraphy (Licence Award) (No. 2) Regulations 2006(b).

7th July 2006

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

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 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) (No. 2) Regulations 2006 (S.I. 2006/1806).

A full regulatory impact assessment of the effect that this Order will have on the costs to business is available to the public from OFCOM 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.

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