



Commission for  
**Communications Regulation**

**Application Form & Guidance Notes**

## Licences for Radiocommunications Tests

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**An Coimisiún um Rialáil Cumarsáide**

**Commission for Communications Regulation**

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## **Licences for Radio Communications Tests:** **Guidance Note**

### **Introduction**

1. The Commission for Communications Regulation ('the Commission') wishes to encourage innovation and development by facilitating persons experimenting with, or carrying out tests involving, new radio equipment, new radio spectrum applications and/or new radio services. Accordingly, in certain circumstances, the Commission is prepared to issue temporary and limited authorisation to testers to operate within specified areas of the radio spectrum for the purposes of carrying out such tests.

2. This note explains the radio test licensing process as it is administered by the Commission for Communications Regulation (ComReg) and sets out the manner in which application should be made for a test licence.

### **Test Licences**

3. The main body of national legislation governing radio frequency allocation and charges is the Wireless Telegraphy Acts (1926–1988) and various statutory instruments made under those Acts. In 1996, many of the functions and powers under this legislation were transferred to the Commission.

4. The Commission has in place various policies concerning the authorisation of the possession and use of radio equipment for commercial purposes. However, the Commission is aware that the "full authorisation" regimes are not always appropriate to cases requiring only the temporary use of the radio spectrum for limited purposes. Such needs might arise in connection with research & development projects or the carrying out of trials on new equipment, for example.

5. For these reasons, the Commission is prepared to issue "test licences" in certain such cases and subject to certain conditions. These test licences authorise the temporary and limited use of radio spectrum for the purpose of carrying out the tests. (Please note that it may also be necessary to hold other forms of authorisation before a particular test can be carried out. Specific queries should be referred to the Commission.)

### **General Basis for the Issue of Radio Test Licences**

6. The following is the general basis on which the Commission is prepared to issue radio test licences and to allocate portions of radio spectrum to test licence applicants:

- (a) test – the test licence relates solely to the carrying out of tests or trials on radio equipment, spectrum or services. The tests must relate to new equipment, new spectrum applications or new services and not to existing, or previously tested, ones. Specifically, the test licence may not be used for the testing or development of markets;

- (b) non-commercial – a test licence is issued on the understanding that the test is carried out on a non-commercial basis and, in particular, that there is no payment or like consideration by a third party to the test licensee in connection with the use of radio equipment, spectrum or services under the licence. The test licensee will be required to bring this document to the attention of any third party so that such third party is aware of the nature of the test licence (e.g. temporary, for testing purposes only, non-commercial, etc.). In any event, it is envisaged that the majority of test licence applications will concern in-house testing only;
- (c) temporary – a test licence is valid only for a specified duration (which, in the normal course, shall not exceed 6 months). The Commission does not envisage that the renewal of test licences should be necessary but is prepared to consider well supported cases for one extension, on an individual basis. Permission for the use of the portion of radio spectrum allocated under the test licence lapses not later than the licence’s expiry. The granting of a test licence does not convey an entitlement, either implicit or explicit, to –
  - (i) any renewal or replacement of the test licence,
  - (ii) a full licence (i.e. permission for the use of radio spectrum in the normal course - other than just for the confined testing purposes permitted under the test licence), or
  - (iii) any continued use of the portion of radio spectrum allocated under the test licence, or to any other portion.
- (d) non-protected – a test licence carries no guarantee of protection against interference by other users in the use of the radio spectrum;
- (e) non-interference – a test licence is issued on the basis that the use which it allows does not cause interference to other users of the radio spectrum;
- (f) shared – a test licence does not convey an exclusive right, even within the specified duration of its validity, to the use of the area of spectrum which is allocated under that licence;
- (g) further requirements - nothing in a test licence shall be interpreted as fulfilling, substituting or negating any requirement to obtain agreement, of whatever type, of any other party;
- (h) telecommunications network connections - any equipment to which a test licence refers shall not be connected directly or indirectly to the public telecommunications network unless specific prior authorisation has been received from the Commission;

- (i) third parties - no third party may be involved in the test(s) without notification to the Commission of the name, address and nature of participation of each such party, and the issue by the Commission of prior specific sanction for the involvement of each such third party. This applies equally to the inclusion of additional or alternate third parties subsequent to the issue of a test licence; and
- (j) a test licence may be revoked by the Commission should the test licensee cease to meet the provisions set out above or any of the terms or conditions attached to the test licence or cease to use the licensed equipment, spectrum and/or services for the purposes set out in the test licence. The Commission also reserves the right to amend, suspend or withdraw a test licence, as the Commission sees fit.

### **Consideration of Applications**

7. The following are some of the factors which the Commission will take into account in considering whether or not to issue a test licence on foot of an application for same:

- (a) the principles of good management of the radio spectrum as a scarce natural resource and as a public facility;
- (b) existing, and possible future, frequency allocations at national and international level. (A copy of the national frequency allocation plan, entitled *Table of Frequency Allocations: Ireland (98/03)*, is available from the Commission on request.); and
- (c) the purpose of the test for which the test licence is sought and its potential outcome and associated benefits, in terms of radio development and/or the national economy.

8. Following consideration of an application the Commission shall decide whether or not to issue a test licence.

### **Specific Provisions**

9. The Commission is also concerned to ensure consistency between the approaches to the issue of a test licence and the issue of a full authorisation within a particular area. This may prompt the inclusion in a test licence of further specific provisions.

### **Making of Applications**

10. Applications for test licences should be made in writing to the Commission. A copy of the prescribed form is at the Appendix.

11. The application form requires the submission of details concerning the applicant, the proposed test, the equipment which it is proposed to use in the test and third parties to the test, if any. Where there are third parties to the test, the applicant is required to bring this document to the attention of each such third party and to make a declaration on the application form that this has been done.

12. The completed form, and any supporting material which the applicant wishes to supply, will form the basis of an application. The Commission reserves the right to seek further relevant information from the applicant. It is likely that, in many cases, consideration of an application will involve further correspondence and/or meetings between the Commission and the applicant. The Commission also reserves the right to contact any third parties which the applicant has notified as proposed participants in the test, in relation to the test.

### **Fees**

13. The rate of fee will depend on the scale applying under the appropriate regulations. For example, annual fees under the radio link licence regulations range from €571.38 (£450) to €1,904.61 (£1,500) per annum (pro-rata for shorter periods) depending on bandwidth and whether single- or multi-point links are involved.

### **Further Information**

14. All queries concerning radio communication test licences should be addressed in the first instance to:

Ms. Margaret O’Sullivan  
The Commission for Communications Regulation  
Abbey Court  
Irish Life Centre  
Lower Abbey Street  
Dublin 1.

Telephone: (+ 353.1) 8049612  
E-mail: margaret.osullivan@comreg.ie

The Commission for Communications Regulation,  
19 March, 1999.

*This is not a legal document. It is an information note for the guidance of applicants to the Commission for the issue of radio communication test licences. The material contained in this document does not constitute legal, commercial or technical advice. The Commission is not bound by it. The contents of this document are without prejudice to the legal position of the Commission or its rights and duties under the relevant legislation.*



## **Licences for Radio Communications Tests: Application Form**

Notes:

1. This form is to be completed in block capitals and returned to:

The Commission for Communications Regulation  
Abbey Court  
Irish Life Centre  
Lower Abbey Street  
Dublin 1.

All correspondence should be marked for the attention of Ms. Margaret O'Sullivan.

2. This form is designed to facilitate the applicant for a radio test licence by setting out the standard information which is required for a test licence application. In certain cases, the Commission for Communications Regulation may seek further information or clarification from the applicant.

3. If there is insufficient space on this form, the applicant may append additional material in support of the application for a test licence.

4. Queries in relation to this form can be addressed to Ms. Margaret O'Sullivan at the above address, telephone (+ 353.1) 8049612, e-mail [margaret.osullivan@comreg.ie](mailto:margaret.osullivan@comreg.ie)

**A. Applicant Details**

A.1 Name	
A.2 Address	
A.3 Contact name, telephone number and reference number (if any).	

**B. Test Details**

B.1 Brief description of the test for which a test licence is sought, including the purpose and/or aims of the test.	
B.2 Location(s) at which the test will be carried out.	
B.3 Times and period during which the test will be carried out and for which application is being made.	
B.4 Frequency, bandwidth and power at which it is proposed to carry out the test. (Specify whether for transmission, reception or both.)	

**C. Equipment Details**

Description of the equipment to be used in the test (including, where appropriate, details of the manufacturer's make and model).	
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**D. Other Parties to the Test (if any)**

D.1 Name and address of each such party.	
D.2 Nature of the participant in the test of each such other party.	

**E. Other Relevant Information**

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I, \_\_\_\_\_,  
of \_\_\_\_\_,

hereby apply to the Commission for Communications Regulation for a test licence for the temporary use of radio spectrum for the purposes and with the equipment described by me in this form.

I have read and understood the document entitled, *Licences for radio communications tests: guidance note and application form (99/15)*. I have also brought that document to the attention of each of the third parties mentioned in this application form.

I understand that any test licence issued on foot of this application will be subject to such terms and conditions as may be set by the Commission. In particular, I am aware that any such test licence will be of a temporary nature only and will not convey an entitlement to its renewal, the issue of a full authorisation or the continued use of radio spectrum.

I confirm that the information provided in this application is true and that it gives an accurate and complete account of the circumstances for which this application is made.

SIGNED \_\_\_\_\_

DATE \_\_\_\_\_



**Completed Applications should be sent to Margaret O’Sullivan at:**

**The Commission for Communications Regulation  
Licensing Unit  
Abbey Court  
Irish Life Building  
Lower Abbey Street  
Dublin 1**

**METHODS OF PAYMENT**

**Cheque**

Cheques should be crossed and made payable to The Commission for Communications Regulation

**Postal Order**

Postal Orders should be crossed and made payable to The Commission for Communications Regulation

**Direct Debit/  
Standing Order**

For details of these payments please contact our Accounts Division

**Bank Transfer**

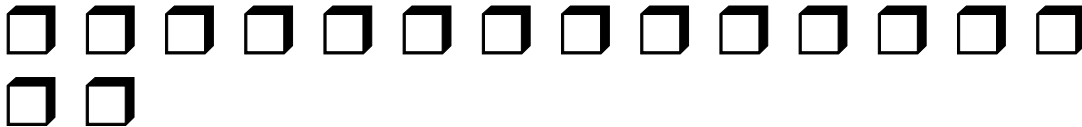
Transfers should be made to: Bank of Ireland, 28 Lower O’Connell Street, Dublin 1. Account Number: 17806887. Sort Code: 90-00-33. Please forward details of date and payment and amount of payment to our Accounts Division.

**Credit Card**

**Visa**

**Access/Mastercard**

**Laser**



Cardholder’s Name: \_\_\_\_\_

Cardholder’s Address: \_\_\_\_\_

Expiry Date: \_\_\_\_ / \_\_\_\_

Signature: \_\_\_\_\_