



An Coimisiún um  
**Rialáil Cumarsáide**  
Commission for  
**Communications Regulation**

# Third Party Business Radio Guidelines Document

Guidelines Document

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**An Coimisiún um Rialáil Cumarsáide**  
**Commission for Communications Regulation**

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# 1 Introduction

1. The Third Party Business Radio (“TPBR”) licensing scheme provides the business radio community with a versatile service offering that can be tailored to meet the short term or longer term needs of individual users as these evolve over time. Unlike traditional business radio licences, the TPBR licence allows licensees to provide business radio services to third parties throughout the country without the need for individual licensing of business radio operations for each specific geographic site or by each third party user. Another benefit of this scheme is that it permits TPBR licences to be transferred to or traded with other entities, subject to prior agreement from ComReg.
2. TPBR licensing scheme was first initiated on the 9<sup>th</sup> of November 2005 and closed on 31<sup>st</sup> January 2007. In 2010, prior to the expiry of the first TPBR licences, ComReg re-opened the scheme in order to grant new licences, to run for a further five year period. This was again reopened in November 2015 with current licences due to start expiring in November 2020.
3. This document provides guidance to applicants on the TPBR licensing scheme, outlines the spectrum available for those licences, the application process and provides guidance on the licence conditions. This document should be read in conjunction with ComReg document (05/82aR5) which contains the necessary application forms to apply for a TPBR licence(s).
4. This document is without prejudice to the legal position or the rights and duties of ComReg to regulate the market generally.

## 2 The Statutory Regulations

5. A Wireless Telegraphy (WT) Licence is required under Section 3 of the Wireless Telegraphy Act 1926 to keep and operate apparatus for wireless telegraphy. The specific regulations governing the issue of TPBR licences are contained in the *Wireless Telegraphy (Third Party Business Radio Licence) Regulations 2005 (S.I. No. 646/2005)*.
6. The applicant should be aware that any TPBR licence granted by ComReg is for the keeping and operating of the apparatus for wireless telegraphy which is specified in the licence. Any licence issued by ComReg does not absolve the licensee from complying with any other statutory obligations (e.g. planning permission).
7. TPBR licensees must also comply with ComReg's General Authorisation scheme governed by the *European Communities (Electronic Communications Networks and Services) (Framework) Regulations 2011 (S.I. No.333/2011)*

### 3 The TPBR Licensing Scheme

8. The TPBR licensing scheme is a versatile licensing scheme which provides for national licences that can be used for a wide variety of business radio services and includes a facility for permitting the transfer of licences between entities, with the permission of ComReg.
9. Where services are made available to third parties, it is not necessary for these third parties to have a separate WT licence. However it is the responsibility of the TPBR licensee to ensure that all equipment (mobile, hand portables and base stations) used by third parties complies with the technical conditions of the TPBR licence and is compliant with the *Radio Equipment Directive 2014/53/EU* as transposed into Irish law under the *European Union (Radio Equipment) Regulations S.I. 248 of 2017*.
10. ComReg will grant TPBR licences until all available channels have been assigned or until 30<sup>th</sup> November 2022 – whichever comes first, after which the scheme will close.
11. Any TPBR licence currently live from the previous TPBR scheme which closed in 2017 will remain valid for their 5 year term (In accordance with the TPBR Regulations 2005), and will have expired by the end of 2022.
12. Tables 1 and 2 of Annex 1 show the channels that were licensed in the VHF High and UHF frequency bands and the applicable licence expiry dates.
13. Interested parties may apply for TPBR licences for all channels that are currently assigned, *one month prior to the licence expiry date*, however, the new licence will not commence until the current licence has expired.
14. Each TPBR licence will comprise a single paired frequency channel as given in tables 1 and 2 of Annex 1.

## 4 Frequency Spectrum for TPBR Licensing

15. Frequency spectrum from the following bands is available for TPBR licensing:

- VHF High (156-174 MHz)
- UHF (450-470MHz)

16. 10 VHF High Band and 54 UHF High Band channels of bandwidth 12.5 kHz are available. Each channel comprises of paired frequencies, which could be used in either single frequency or dual frequency mode. Base operations are only allowed on the designated base frequency (See Annex 1 for full listing of available channels).

17. The frequency spectrum for TPBR licences will be licensed on a national basis although there may be restrictions close to border areas. ComReg will endeavour to minimise the potential for interference between users and services, however no liability shall accrue to ComReg arising from interference. All licensees are required to cooperate with ComReg in resolving occurrences of interference. More detailed guidance on the TPBR licence conditions is given in section 5.

18. Changes in the frequency spectrum available to TPBR services may arise for a number of reasons, including:

- Changes in spectrum allocations in accordance with the requirements of international treaties or regionally negotiated agreements;
- Changes necessitated by EU legislation;
- Changes in order to meet national requirements;

19. In the interests of the efficient use of the radio spectrum it is the policy of ComReg to review the use of the spectrum on an ongoing basis in order to reflect the changes outlined above and changes in the marketplace. ComReg would endeavour to provide as much notice as possible in the event that any such changes were required.

## 5 The Application Process

### 5.1 Eligible Applicants

20. The TPBR scheme is open to all interested parties.
21. Interested parties may apply for TPBR licences for all channels that are currently assigned, *one month prior to the licence expiry date*, however the new licence will not commence until the current licence has expired. (See Annex 1 of ComReg Document 05/82R5 for full details of licence expiry dates).
22. Terms for submission of Application
23. All applications for TPBR licences must be made on the appropriate application form (ComReg 05/82aR5) and in accordance with these guidelines.
24. The licence fee for each 2 x 12.5 kHz channel is €1,000 per annum and is payable in advance for the full five-year term of the licence - i.e. the full fee of €5,000 for five years must accompany each licence application. Application fees are non-refundable<sup>1</sup>.
25. Completed applications should be submitted to the following email address:

Email: [licensing@comreg.ie](mailto:licensing@comreg.ie)

### 5.2 Assignment Process

26. Using ComReg document 05/82aR5, applicants may apply for multiple channels in a single application.
27. The assignment of TPBR channels to applicants is based on a first come first served basis and is as follows:
  - Where there is one TPBR application for a channel or a number of channels on a particular day, ComReg will assign the requested TPBR channels to this applicant as per their application request, provided there are sufficient TPBR channels available.

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<sup>1</sup> Unsuccessful applicants will be refunded all monies in full



- In order to minimise the potential for disruption to the services of the customers of existing TPBR licensees, where it is appropriate and necessary to draw lots, successful incumbent TPBR licensees will be re-assigned their existing channel.
- To facilitate any transition period that a current TPBR licensee may require, between the expiry of an existing 5-year licence and the coming into effect of a new 5-year licence, ComReg will accept applications from all interested parties for TPBR licences, for all channels that are currently licensed, one month prior to the particular licence expiry date.
- For currently unassigned channels and any new additional TPBR channels, ComReg will accept applications from interested parties one month prior to the particular licence start date, on completion of Application form 05/82aR5.

### 5.3 Application conditions

28. By participating in this process, the applicant undertakes to accept the terms of this application document and will abide by the rules of the process. All expenses incurred by applicants or potential applicants shall be borne by themselves exclusively.
29. ComReg reserves the right to alter any of the deadlines or conditions during the licensing process. Although every care has been taken in preparing this document and conducting this process, no representation, warranty or undertaking, expressed or implied, in respect of any error or misstatement is or will be made or given, and no responsibility or liability will be accepted by ComReg or by any of its officers, employees, servants, agents or advisers as to the accuracy or completeness of this document or any other written or oral information made available to any interested party or its advisers concerning this document and any liability howsoever arising (including in respect of this licensing process) is expressly disclaimed. No information contained in this document shall form the basis for any warranty or representation by or term of any contract with ComReg.

## 6 Licence Information

30. A licence granted under the TPBR Regulations allows the licensee to keep and operate radio apparatus in accordance with these regulations.
31. Please refer to the *Wireless Telegraphy (Third Party Business Radio Licence) Regulations 2005 (S.I. No. 646/2005)* for conditions attaching to the TPBR licence.
32. ComReg reserves the right not to grant licences.

### 6.1 Licence Fees and Duration

33. Licence fees, applicable to all TPBR licences under this scheme are €5000 per 12.5 kHz paired channel, for a 5-year licence.
34. The fee is payable in full on application.
35. Each paired 12.5 kHz channel will be individually licensed.
36. Licensees will be permitted to transfer individual licences to other entities or to acquire further licences from existing licensees on normal commercial terms, subject to prior approval from ComReg.
37. A Licence shall (unless it has been revoked) be in force for a maximum period of five years from the date on which it comes into operation and shall then expire.

### 6.2 Amendment Requests from Licensees

38. It is recognised that licensees, from time to time, may wish to request a modification to an existing licence. Requests to transfer a licence (s) must be made in writing using Section 5 of the TPBR application form (ComReg 05/82aR5).

### 6.3 Requests for additional channels from existing Licensees

39. Existing licensees may make a request for additional TPBR channels by completing section 1 to 4 of the Application Form and submitting it to ComReg.

### 6.4 Amendments to Licences

40. In exceptional circumstances and where appropriate, ComReg may need to make modifications to existing licences. In such cases, ComReg will follow the procedures set out in the Authorisation Regulations.

## 6.5 Technical Conditions

41. The following maximum effective Radiated Power (ERP) limits will apply to TPBR systems:

Base Station equipment: 25 watts (14dBW)

Mobile Station equipment: 25 watts (14dBW)

Handportable equipment: 5 watts (7dBW)

## 6.6 Provision of electronic communications Services

42. TPBR licensees are permitted to provide electronic communications networks or services subject to compliance with the General Authorisation conditions specified in ComReg document 03/81R6<sup>2</sup> and submission of a notification to ComReg for the purposes of compiling a register of such operators.

43. TPBR customers who are providing electronic communications networks or services must also comply with the General Authorisation conditions.

44. Every year, licensees are required to provide information on the locations of all base stations and contact details for queries in relation to these base stations, by resubmitting section 2B of the application form (see ComReg 05/82aR5).

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<sup>2</sup> <https://www.comreg.ie/publication/general-authorisation-for-the-provision-of-electronic-communications-networks-and-services>

## Annex: 1 TPBR Available Channels

Ch ID	BTX (MHz)	BRX (MHz)	Licence expiry date
<b>TBV-01</b>	165.5875	170.3875	05/01/2021
<b>TBV-02</b>	165.3625	170.1625	05/01/2021
<b>TBV-03</b>	166.1	170.9	05/01/2021
<b>TBV-04</b>	166.3625	171.1625	07/03/2021
<b>TBV-05</b>	166.3875	171.1875	19/12/2020
<b>TBV-06</b>	166.4125	171.2125	16/10/2021
<b>TBV-07</b>	166.4625	171.2625	
<b>TBV-08</b>	166.475	171.275	
<b>TBV-09</b>	166.5375	171.3375	
<b>TBV-10</b>	166.55	171.35	

**Table 1: Channels available in the VHF High Frequency Band**

Ch ID	BTX (MHz)	BRX (MHz)	Licence expiry date
TBU-01	453.8375	460.3375	29/11/2020
TBU-02	453.85	460.35	25/11/2020
TBU-03	453.8625	460.3625	25/11/2020
TBU-04	453.875	460.375	25/11/2020
TBU-05	453.8875	460.3875	09/05/2022
TBU-06	453.9	460.4	09/05/2022
TBU-07	453.9125	460.4125	30/11/2020
TBU-08	453.925	460.425	20/12/2022
TBU-09	461.2875	467.7875	
TBU-10	453.9875	460.4875	16/12/2020
TBU-11	454.2	468.2	05/01/2021
TBU-12	454.2125	468.2125	05/01/2021
TBU-13	454.325	468.325	05/01/2021
TBU-14	454.3375	468.3375	05/01/2021
TBU-15	454.3875	468.3875	05/01/2021
TBU-16	454.4	468.4	05/01/2021
TBU-17	454.45	468.45	05/01/2021
TBU-18	454.675	468.675	05/01/2021
TBU-19	454.6875	468.6875	09/01/2021
TBU-20	454.9375	468.9375	09/01/2021
TBU-21	461.3	467.8	
TBU-22	454.9625	468.9625	05/01/2021
TBU-23	454.9875	468.9875	07/03/2021
TBU-24	457.775	463.275	25/04/2021
TBU-25	457.8	463.3	25/04/2021
TBU-26	457.8125	463.3125	19/07/2021
TBU-27	457.8875	463.3875	19/07/2021
TBU-28	461.3125	467.8125	
TBU-29	461.325	467.825	
TBU-30	457.925	463.425	29/11/2020
TBU-31	457.9375	463.4375	19/12/2020
TBU-32	461.3375	467.8375	
TBU-33	458.025	463.525	19/12/2020
TBU-34	458.0375	463.5375	19/12/2020
TBU-35	458.05	463.55	20/12/2020
TBU-36	458.075	463.575	20/12/2020

Ch ID	BTX (MHz)	BRX (MHz)	Licence expiry date
<b>TBU-37</b>	458.0875	463.5875	04/01/2021
<b>TBU-38</b>	458.1875	463.6875	21/12/2020
<b>TBU-39</b>	458.2	463.7	26/11/2020
<b>TBU-40</b>	458.2125	463.7125	26/11/2020
<b>TBU-41</b>	461.35	467.85	
<b>TBU-42</b>	458.4125	463.9125	05/01/2021
<b>TBU-43</b>	458.425	463.925	27/06/2021
<b>TBU-44</b>	461.3625	467.8625	
<b>TBU-45</b>	461.375	467.875	
<b>TBU-46</b>	461.3875	467.8875	
<b>TBU-47</b>	461.4	467.9	
<b>TBU-48</b>	461.4125	467.9125	
<b>TBU-49</b>	461.425	467.925	
<b>TBU-50</b>	461.4375	467.9375	
<b>TBU-51</b>	461.45	467.95	
<b>TBU-52</b>	461.4625	467.9625	
<b>TBU-53</b>	461.475	467.975	
<b>TBU-54</b>	461.4875	467.9875	

**Table 2: Channels available in the UHF Frequency Band**