

# **STATUTORY INSTRUMENTS**

**S.I. No. 273 of 2000**

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## **O R D E R**

**entitled**

**Wireless Telegraphy Act, 1926 (Section 3)  
(Exemption of Certain Fixed Satellite Receiving Earth Stations)  
Order, 2000**

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**(Pn. 8984)**

I, Etain Doyle, Director of Telecommunications Regulation, in exercise of the powers conferred on me by subsection (6) (inserted by section 11 of the Wireless Telegraphy Act, 1972 (No. 5 of 1972)) of section 3 of the Wireless Telegraphy Act, 1926 (No. 45 of 1926), and section 4 of the Telecommunications (Miscellaneous Provisions) Act, 1996 (No. 34 of 1996), hereby order as follows:

1. This Order may be cited as the Wireless Telegraphy Act, 1926 (Section 3) (Exemption of Certain Fixed Satellite Receiving Earth Stations) Order, 2000.
2. The Interpretation Act, 1937 (No. 38 of 1937), applies to this Order.
3. In this Order –
  - "ETSI" means the European Telecommunications Standards Institute;
  - "fixed satellite receiving earth station" means a satellite receiving earth station which operates to the geo-stationary orbit in the fixed satellite service and in frequencies above 3 GHz;
  - "notified body" means a body notified to the European Commission by a Member State in accordance with the provisions of Directive 98/13/EC and/or Directive 1999/5/EC;
  - "satellite receiving earth station" means apparatus for wireless telegraphy, or parts of apparatus for wireless telegraphy comprising other categories of satellite earth stations for which separate licences may be required, located on the Earth's surface, intended for the reception of radio signals from one or more space stations;
  - "satellite earth station" means apparatus for wireless telegraphy, located on the Earth's surface, intended for the transmission of radio signals to, and/or the reception of radio signals from, one or more space stations;

- "space station" means apparatus for wireless telegraphy that is located on an object which is beyond, is intended to go beyond, or has been beyond, the major portion of the Earth's atmosphere;
  - "TBR 28" means Technical Basis for Regulation 28 of December 1997 produced by the Satellite and Systems (SES) Technical Committee of ETSI;
  - "TBR 30" means Technical Basis for Regulation 30 of December 1997 produced by the Satellite and Systems (SES) Technical Committee of ETSI;
  - "TBR 43" means Technical Basis for Regulation 43 of May 1998 produced by the Satellite and Systems (SES) Technical Committee of ETSI.
4. The following classes of apparatus for wireless telegraphy are hereby declared to be a class of apparatus for wireless telegraphy to which section 3 of the Wireless Telegraphy Act, 1926 (No. 45 of 1926) is not to apply, namely fixed satellite receiving earth stations which:
- (a) have been determined by a notified body, within the meaning of European Parliament and Council Directive 98/13/EC or European Parliament and Council Directive 1999/5/EC, as applicable, to comply with the requirements set out in TBR 30, or,
  - (b) have an antenna size less than the maximum antenna size provided for in TBR 28 for the frequency ranges 10.7 to 11.7 GHz and 12.5 to 12.75 GHz, or in TBR 43 for the frequency range 3.4 to 4.2 GHz.

GIVEN under my hand, this 5<sup>th</sup> day of September, 2000

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Etain Doyle  
Director of Telecommunications Regulation

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation.)*

This Order provides for the exemption of certain transportable fixed satellite receiving earth stations from the requirement to be licensed under the Wireless Telegraphy Act, 1926. This Order also provides for the exemption of fixed satellite receiving earth stations with antenna sizes less than 3.8m in the bands 10.7 to 11.7 GHz and 12.5 to 12.75 GHz, and less than 7.3m in the band 3.4 to 4.2 GHz, from the requirement to be licensed under the Wireless Telegraphy Act, 1926.