

S.I. No. 107 of 1999.

WIRELESS TELEGRAPHY ACT, 1926 (SECTION 3) (EXEMPTION OF DCS 1800 MOBILE TERMINALS) ORDER, 1999.

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 DCS 1800 mobile terminals) Order, 1999.

2. The Interpretation Act, 1937 (No. 38 of 1937), applies to this Order.

3. In this Order—

"mobile telephone" means apparatus for wireless telegraphy capable of originating and receiving a call, being apparatus that — if it is digital apparatus, stands approved under the European Communities (Telecommunications Terminal Equipment) Regulations, 1997 (S.I. No. 73 of 1997).

"DCS mobile telephony network" means a public, digital, land-based, cellular, mobile telephony network operating in the 1800 MHz frequency band;

"Call" means a telephone call or other communication of any kind made or sent wholly or partly on a DCS mobile telephony network;

"CEPT" means the European Postal and Telecommunications Conference;

"ERC" means European Radiocommunications Committee of CEPT;

"ERO" means European Radiocommunications Office of CEPT;

"ETSI" means the European Telecommunications Standards Institute;

"TBR 31" means Technical Basis for Regulation 31 of March 1998 produced by the Satellite and Systems (SES) Technical Committee of ETSI.

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4. The following class of apparatus for wireless telegraphy is 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, DCS 1800 mobile terminals which:

(a) for DCS 1800 mobile terminals operate within the 1710-1785 MHz and 1805-1880 MHz band.

(b) that DCS 1800 mobile terminals comply with

TBR 31 (I-ETS 300-607-1/GSM11.10-1),

TBR 32 (I-ETS 300-607-1/GSM11.10-1),

GIVEN under my hand, this 21st day of April, 1999.

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 DCS 1800 mobile terminals from the requirement to be licensed under the Wireless Telegraphy Act, 1926.