

STATUTORY INSTRUMENTS

S.I. No. 173 of 2000

ORDER

**Wireless Telegraphy Act, 1926 (Section 3)
(Exemption of Mobile Satellite Earth Stations for Satellite Personal
Communication Systems
operating in bands below 1GHz (S-PCS<1 GHz)) Order, 2000**

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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 Mobile Satellite Earth Stations for Satellite Personal Communication Systems operating in bands below 1 GHz (S-PCS < 1 GHz)) Order, 2000.

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

3. In this Order -

"CEPT" means the European Conference of Postal and Telecommunications Administrations;

"ERC" means the European Radiocommunications Committee of CEPT;

"ECTRA" means the European Committee for Telecommunications Regulatory Affairs of CEPT;

"ETSI" means the European Telecommunications Standards Institute;

"ITU" means the International Telecommunication Union;

"Mobile Earth Station (MES)" means mobile apparatus for wireless telegraphy, to be used while in motion or during halts at unspecified points, which complies with ETSI Performance Specification ETS-300-721, and which operates in frequency bands allocated to the Mobile-Satellite Service;

"Mobile-Satellite Service" means a radiocommunications service between mobile earth stations and one or more space stations;

"ETS-300-721" means European Telecommunication Standard (ETS) providing specifications for the standardisation of the characteristics of Mobile Earth Stations (MESs) providing Low Bit Rate Data Communications (LBRDC) using LEO satellites operating below 1 GHz;

"ERC/DEC/(99)06" means ERC Decision of 10 March 1999 on the harmonised introduction of satellite personal communications systems operating in the bands below 1 GHz (S-PCS < 1GHz);

"S-PCS < 1 GHz" means non-geostationary mobile-satellite personal communication systems operating in radio frequency bands below 1 GHz for non-voice applications and

for the provision of low bit rate data communication services with regional or global coverage.

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, the class of apparatus for wireless telegraphy described in the schedule to this order.

Schedule

Apparatus for wireless telegraphy to which Section 3 of the Wireless Telegraphy Act, 1926 does not apply

Mobile Earth Stations for S-PCS < 1 GHz which:-

- (a) operate as part of the ITU named LEOTELCOM-1 low earth orbit satellite system, and
- (b) operate within the frequency bands and under the technical and operational constraints set out in Annex 2 of ERC/DEC/(99)06.

GIVEN under my hand, this 16 day of June, 2000

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 mobile terminals, operating in frequency bands below 1 GHz as part of the ITU named LEOTELCOM-1 satellite personal communication system, from the requirement to be licensed under the Wireless Telegraphy Act, 1926.