

STATUTORY INSTRUMENT

S. I. No. 190 of 2001

**WIRELESS TELEGRAPHY (UHF TELEVISION PROGRAMME
RETRANSMISSION) (AMENDMENT) REGULATIONS, 2001**

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WIRELESS TELEGRAPHY (UHF TELEVISION PROGRAMME RETRANSMISSION)
(AMENDMENT) REGULATIONS, 2001

I, Etain Doyle, Director of Telecommunications Regulation, in exercise of the powers conferred on me by section 6 (1) of the Wireless Telegraphy Act, 1926 (No. 45 of 1926), and section 4 of the Telecommunications (Miscellaneous Provisions) Act, 1996 (No. 34 of 1996), as adapted by the Transport, Energy and Communications (Alteration of Name of Department and Title of Minister) Order, 1997 (S.I. 299 of 1997), and, pursuant to subsection (8) of the said section 4, with the consent of the Minister for Public Enterprise, hereby make the following Regulations:

Citation

1. (1) These Regulations may be cited as the Wireless Telegraphy (UHF Television Programme Retransmission) (Amendment) Regulations, 2001.

Interpretation

2. (1) In these Regulations -

“the Principal Regulations” means the Wireless Telegraphy (UHF Television Programme Retransmission) Regulations, 1999 (S.I. No. 348 of 1999).

(2) The Interpretation Acts, 1937 to 1997, apply to these Regulations.

Amendment of the Principal Regulations

3. The Principal Regulations are hereby amended by –

(a) the deletion of Regulation 7 and the substitution of the following Regulation for Regulation 7:

“7. Subject to the provisions of these Regulations, every licence shall, unless previously surrendered by the licensee, or unless or until it is revoked or renewed by the Director, and subject to any suspension thereof, continue in force for a period of not more than 12 months from the date of commencement specified in Part II of the licence until the date of expiry specified in Part V of the licence.”

- (b) the deletion of paragraphs 2 and 3 of Regulation 8 and the substitution of the following paragraphs for paragraphs 2 and 3:

“(2) Subject to the provisions of these Regulations, where the Director is satisfied that DTT is not available within the area served by the licensee by the date of expiry of the licence, the Director may from time to time renew the licence for further periods provided that each renewal shall be for a period not exceeding 12 months.

(3) A licence which is renewed under this Regulation shall, subject to the provisions of this Regulation and Regulation 18(3), continue in force for such period as may be specified by the Director, provided that any licence that continues in force on 31st December, 2003, shall expire on that date and shall not be renewed.”

- (c) the deletion of paragraph 3 of the UHF Programme Retransmission Licence set out in the First Schedule to the Principal Regulations and the substitution of the following paragraph for paragraph 3:

“3. This licence shall come into operation on the date specified in Part II and shall, unless previously surrendered by the licensee or unless or until it is revoked or renewed by the Director, and subject to any suspension thereof, continue in force for a period of not more than 12 months from the date of commencement specified in Part II until the date of expiry specified in Part V.”

(d) the insertion of the following Part in the UHF Programme Retransmission Licence set out in the First Schedule to the Principal Regulations:

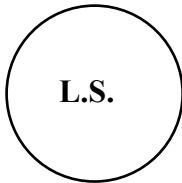
“Part V
Licence expiry date”

GIVEN under my hand this 2nd day of May, 2001

Etain Doyle
Director of Telecommunications Regulation

The Minister for Public Enterprise hereby consents to the foregoing Regulations.

GIVEN under the Official Seal of the Minister for Public Enterprise
this 26th day of April, 2001



Mary O'Rourke, T.D.

EXPLANATORY NOTE

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

These Regulations provide for the amendment of the Wireless Telegraphy (UHF Television Programme Retransmission) Regulations, 1999 (S.I. No. 348 of 1999) to permit the Director, in certain circumstances, to extend deflector licences beyond 31st December 2001.