



STATUTORY INSTRUMENTS.

S.I. No. 319 of 2009



TELEVISION LICENCE (EXEMPTION OF CLASSES OF TELEVISION
SET) ORDER 2009

(Prn. A9/1107)

TELEVISION LICENCE (EXEMPTION OF CLASSES OF TELEVISION SET) ORDER 2009

I, EAMON RYAN, Minister for Communications, Energy and Natural Resources, in exercise of the powers conferred on me by section 142(3) of the Broadcasting Act 2009 (No. 18 of 2009) hereby order as follows:

1. This Order may be cited as the Television Licence (Exemption of Classes of Television Set) Order 2009.

2. In this Order—

“non-portable” in relation to a television set, does not include any television set capable of simultaneously or near-simultaneously exhibiting television broadcasting services transmitted, relayed or distributed by means of any of the following networks, namely—

- (a) analogue terrestrial television networks,
- (b) cable television networks,
- (c) digital terrestrial television networks,
- (d) internet protocol television networks,
- (e) multipoint microwave distribution system television networks (analogue or digital), and
- (f) satellite television networks;

“portable” in relation to a television set, means that the television set is designed to be easily carried manually by a person and the set and, if it is used in conjunction with another apparatus, that apparatus, is capable of displaying an image of not more than 160 square centimetres.

3. The following classes of television set are declared to be classes of television set to which section 142 of the Broadcasting Act 2009 (No. 18 of 2009) does not apply, namely—

- (a) a non-portable television set capable of exhibiting television broadcasting services distributed by means of the publicly available Internet, and
- (b) a portable television set.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 11th August, 2009.



Given under my Official Seal,
31 July 2009.

EAMON RYAN,
Minister for Communications, Energy and Natural Resources.

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 from the television licensing requirements of section 142 of the Broadcasting Act 2009 of (a) portable devices with a display size of not more than 160 cm² capable of exhibiting television services e.g. mobile phones or personal digital assistants, and (b) other devices, e.g. personal computers or laptops, capable of accessing the Internet and television-like services streamed via websites.

This order does not exempt from the television licensing requirements devices (e.g. personal computers or laptops) with a display size of more than 160 cm², capable of displaying television channels (e.g. RTE Two, TV3, TG4, BBC One, 3e) distributed by conventional broadcast networks (e.g. cable, satellite, IPTV, analogue terrestrial, digital terrestrial or MMDS) using a television tuner card or related device (whether or not such devices are also capable of accessing the Internet or television-like services streamed via websites).

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