



STATUTORY INSTRUMENTS.

S.I. No. 282 of 2021



WIRELESS TELEGRAPHY ACT 1926 (SECTION 3) (EXEMPTION OF
CUSTOMER PREMISES EQUIPMENT AND USER EQUIPMENT) ORDER
2021

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WIRELESS TELEGRAPHY ACT 1926 (SECTION 3) (EXEMPTION OF
CUSTOMER PREMISES EQUIPMENT AND USER EQUIPMENT) ORDER
2021

The Commission for Communications Regulation, in exercise of the powers conferred on it by section 3(6)(a) of the Wireless Telegraphy Act 1926 (No. 45 of 1926), (inserted by section 11(c) of the Wireless Telegraphy Act 1972 (No. 5 of 1972)), transferred to the Commission for Communications Regulation by section 4(2) of the Communications Regulation (Amendment) Act 2007 (No. 22 of 2007), hereby makes the following Order:

Citation

1. (1) This Order may be cited as the Wireless Telegraphy Act 1926 (section 3) (Exemption of Customer Premises Equipment and User Equipment) Order 2021.

Interpretation

2. (1) The Interpretation Act 2005 (No. 23 of 2005), applies to this Order.

3. (1) In this Order:

“Act of 1926” means the Wireless Telegraphy Act 1926 (No. 45 of 1926);

“Apparatus for Wireless Telegraphy” has the same definition herein as in the Act of 1926;

“Hertz” means Unit of Frequency;

“MHz” means megahertz (1,000,000 Hertz);

“GHz” means gigahertz (1,000,000,000 Hertz);

“700 MHz band” means 703-788 MHz;

“800 MHz band” means 791-821 MHz paired with 832-862 MHz;

“900 MHz band” means 880-915 MHz paired with 925-960 MHz;

“1400 MHz band” means 1452-1492 MHz;

“1800 MHz band” means 1710-1785 MHz paired with 1805-1880 MHz;

“2100 MHz band” means 1920-1980 MHz paired with 2110-2170 MHz;

“2.3 GHz band” means 2300-2400 MHz;

“2.6 GHz band” means 2500-2690 MHz;

“3.6 GHz band” means 3410-3435 MHz and 3475-3800 MHz;

“Mobile Base Station” means Apparatus for Wireless Telegraphy connected to a backhaul network, which provides a Radiocommunication Service to Mobile Devices;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 11th June, 2021.*

“Customer Premises Equipment” means any terminal and associated equipment located at a subscriber's premises and connected with a carrier's telecommunication channel(s) at the Network Termination Points (NTPs);

“User Equipment” means a device allowing a user access to mobile network services;

“Radio Equipment Directive” means Directive 2014/53/EU of the European Parliament and of the Council, of 16 April 2014, on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity;

“Radio Equipment Regulations” means the European Union (Radio Equipment) Regulations 2017 (S.I. No. 248 of 2017); and

“ETSI” means the European Telecommunications Standards Institute.

Limitation

4. (1) This Order only applies within the jurisdiction of the State and only applies to Consumer Premises Equipment and User Equipment which are in conformance with the Radio Equipment Directive and the Radio Equipment Regulations.

Conditions

5. Consumer Premises Equipment and User Equipment to which this Order applies shall comply with the following conditions:

(1) The Consumer Premises Equipment and User Equipment shall comply with the relevant ETSI standards for connecting to Mobile Base Stations;

(2) The frequencies which the Consumer Premises Equipment and User Equipment are capable of using shall be limited to those frequencies that are used in the State for mobile phone services, namely:

- (i) 700 MHz band;
- (ii) 800 MHz band;
- (iii) 900 MHz band;
- (iv) 1400 MHz band;
- (v) 1800 MHz band;
- (vi) 2100 MHz band;
- (vii) 2.3 GHz band;
- (viii) 2.6 GHz band; and
- (ix) 3.6 GHz band;

Revocations

6. The following statutory instruments are hereby revoked:

(1) Statutory Instrument Number 409 of 1997, the Wireless Telegraphy Act 1926 (Section 3) (Exemption of Mobile Telephones) Order 1997;

(2) Statutory Instrument Number 107 of 1999, the Wireless Telegraphy Act 1926 (Section 3) (Exemption of DCS 1800 Mobile Terminals) Order 1999;

(3) Statutory Instrument Number 158 of 2003, the Wireless Telegraphy Act 1926 (Section 3) (Exemption of Mobile Telephones) Order 2003;



GIVEN under the Official Seal of the Commission for
Communications Regulation

9 June 2021.

GARRETT BLANEY

Chairperson, For and on Behalf of the Commission
for Communications Regulation.

EXPLANATORY NOTE

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

This Order provides for the exemption of certain wireless telegraphy apparatus, namely Consumer Premises Equipment and User Equipment, which meet certain conditions stated in the face of the order, from the requirement to be licensed under the Wireless Telegraphy Act 1926.

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