



STATUTORY INSTRUMENTS.

S.I. No. 296 of 2023

WIRELESS TELEGRAPHY ACT 1972 (PROHIBITION OF SALE,
LETTING ON HIRE, MANUFACTURE, AND IMPORTATION OF
WIRELESS TELEGRAPHY INTERFERENCE APPARATUS)
(AMENDMENT) ORDER 2023

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WIRELESS TELEGRAPHY INTERFERENCE APPARATUS)
(AMENDMENT) ORDER 2023

The Commission for Communications Regulation, in exercise of the powers conferred on it by section 7 of the Wireless Telegraphy Act 1972, (No. 5 of 1972), transferred to the Commission for Communications Regulation by section 9 of the Communications Regulation Act 2002, (No. 20 of 2002), and with the consent of the Minister for Enterprise, Trade and Employment, hereby makes the following Order:

Citation

1. (1) This Order may be cited as the Wireless Telegraphy Act 1972 (Prohibition of Sale, Letting on Hire, Manufacture, and Importation of Wireless Telegraphy Interference Apparatus) (Amendment) Order 2023.

Interpretation and Definitions

2. (1) In this Order, except where the context otherwise requires:

‘daa’ means daa, public limited company;

‘Dublin Airport’ has the same meaning as it has in the State Airports Act 2004 (No. 32 of 2004);

‘Principal Order’ means the Wireless Telegraphy Act 1972 (Prohibition of Sale, Letting on Hire, Manufacture, and Importation of Wireless Telegraphy Interference Apparatus) Order 2011 (S.I. No. 66/2011); and

‘radio frequency jammer’ means a device constructed, adapted or intended to be used to prevent the reception of radio transmissions by a receiver relevant to its function;

‘UAS’ means unmanned aircraft system; and

‘unmanned aircraft system’ means an unmanned aircraft and the equipment to control it remotely, including any electronic device.

Order

3. (1) The Principal Order is amended by the insertion after Order 3(2) of the following:

“(3) This Order does not apply in the case of the daa importing a radio frequency jammer, for the purpose of interfering with a UAS at Dublin Airport, which has been licensed by the Commission for Communications Regulation pursuant to section 5 of the Act of 1926”.



GIVEN under the Official Seal of the Commission for
Communications Regulation,
7 June, 2023.

GARRETT BLANEY,
Commissioner, For and on behalf of the Commission for
Communications Regulation.

The Minister for Enterprise, Trade and Employment, in accordance with section 7(1) of the Wireless Telegraphy Act 1972, consents to the making of the foregoing Order.



GIVEN under the Official Seal of the Minister for
Enterprise, Trade and Employment,
7 June, 2023.

SIMON COVENEY,
Minister for Enterprise, Trade and Employment.

EXPLANATORY NOTE

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

This Order provides for a further limited exemption to the Principal Order.

The power to make an Order under section 7 of the Act of 1972 originally lay with the Minister for Posts and Telegraphs (today the Minister for Environment, Climate and Communications) subject to the prior consent of the Minister for Industry and Commerce (today the Minister for Enterprise, Trade and Employment). In 1996, the function transferred from the then Minister for Transport, Energy and Communications to the Office of the Director of Telecommunications Regulation, under section 4 of the Telecommunications (Miscellaneous Provisions) Act, 1996. In 2002, the function transferred from the Office of the Director of Telecommunications Regulation to the Commission for Communications Regulation, under section 9 of the Communications Regulation Act, 2002. Section 9 of the Communications Regulation Act, 2002 was repealed by Section 4 of the Communications Regulation (Amendment) Act, 2007 though the amendment made there under remains in effect.

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