2010 No. [XXX]

ELECTRONIC COMMUNICATIONS

The Wireless Telegraphy (Mobile Communication Services on Board Vessels) (Exemption) Regulations 2010

Made - - - -	***
Coming into force - -	***

The Office of Communications ("OFCOM"), in exercise of the powers conferred by section 8(3) of the Wireless Telegraphy Act 2006 ("the Act")(**a**), makes the following Regulations.

Before making these Regulations OFCOM have given notice of their proposal to do so in accordance with section 122(4)(a) of the Act, published notice of their proposal in accordance with section 122(4)(b) of the Act and have considered the representations made to them before the time specified in that notice in accordance with section 122(4)(c) of the Act.

Citation, commencement and extent

1. These Regulations may be cited as the Wireless Telegraphy (Mobile Communication Services on Board Vessels) (Exemption) Regulations 2010 and shall come into force on [XXX].

Interpretation

2. In these Regulations—

"apparatus" means wireless telegraphy apparatus;

"dBm" means decibels of power referenced to one milliWatt;

"baseline" is to be understood in the meaning of the United Nations Convention on the Law of the Sea;

"e.i.r.p." means equivalent isotropic radiated power;

"ETSI" means the European Telecommunications Standards Institute;

"kHz" means kilohertz;

"MHz" means megahertz;

"GSM system" means an electronic communications network, that complies with the GSM standards, as published by European Telecommunications Standards Institute;

"mobile communication services on board vessels" means electronic communications services provided by an undertaking to enable persons on board a vessel to communicate via public communication networks using a GSM system without establishing direct connections with land-based mobile networks;

(**a**) 2006 c.36

"the 900 MHz band" means the 880-915 MHz band for uplink (terminal transmit, base station receive) and 925- 960 MHz band for downlink (base station transmit, terminal receive);

"the 1 800 MHz band" means the 1 710-1 785 MHz band for uplink (terminal transmit, base station receive) and 1 805-1 880 MHz band for downlink (base station transmit, terminal receive); and

"vessel base transceiver station" means a mobile pico-cell located on a vessel and supporting GSM services in the 900 MHz and/or 1 800 MHz bands.

Exemption

3. The use of any apparatus on board a vessel which is—

(a) a ship registered in the United Kingdom, the Isle of Man, or any of the Channel Islands; and

(b) within the limits of the British Islands and the territorial waters adjacent thereto, or, for the time being, beyond the British Islands and the territorial waters adjacent thereto;

is hereby exempt from the provisions of section 8(1) of the Act where the terms, provisions and limitations in regulation 4 are met.

Terms, provisions and limitations

4. The apparatus shall comply with the GSM standard EN 301 511 published by ETSI(**a**) (or equivalent specification).

(1) The apparatus shall only operate in the 900 MHz band and the 1800 MHz band.

(2) The apparatus shall only be used—

(a) for mobile communication services on board vessels;

(b) where the vessel is two nautical miles(**b**) or more from the baseline;

(c) where, to mitigate interference (providing at least equivalent performance based on GSM standards), the receiver sensitivity and the disconnection threshold (ACCMIN(**c**) and min RXLEV(**d**) level) of the apparatus is equal to or higher than—

(i) –70 dBm/200 kHz between two and three nautical miles from the baseline; and

(ii) –75 dBm/200 kHz between three and twelve nautical miles from the baseline.

(d) where the maximum radiated output power of the apparatus is of—

(i) 5 dBm in the 900 MHz band;

(ii) 0 dBm in the 1 800 MHz band.

(3) The apparatus shall not cause or contribute to undue interference to any wireless telegraphy.

(4) The apparatus shall be offered no protection against harmful interference from other authorised radiocommunication services.

Ed Richards
Chief Executive of the Office of Communications
XXX 2010 For and by authority of the Office of Communications

(**a**) EN 301 511 (version 9.0.2) was published []
(**b**) One nautical mile = 1852 metres
(**c**) ACCMIN (RX_LEV_ACCESS_MIN); as described in GSM standard ETSI TS 144 018
(**d**) RXLEV (RXLEV-FULL-SERVING-CELL); as described in GSM standard ETSI TS 148 008