



Notice of Ofcom's proposal to make the Wireless Telegraphy (Licensing Procedures) Regulations 2010

Consultation

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Closing Date for Responses:

17 May 2010

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Section 1

Executive Summary

- 1.1 This Notice of Ofcom's (the Office of Communications) Proposal to make the Wireless Telegraphy (Licensing Procedures) Regulations 2010 (the "Notice") outlines the our proposal to make the Wireless Telegraphy (Licensing Procedures) Regulations 2010 (the "Proposed Regulations"). Under sub-paragraph 1(1) of Schedule 1 to the Wireless Telegraphy Act 2006 (the "WT Act"), an application for a grant of a WT Act licence is determined in accordance with procedures prescribed in regulations made by us.
- 1.2 The Proposed Regulations specify the time limits within which a decision on the application for the grant of a WT Act licence must be made, notified to the applicant and published by us. They set out the requirements that must be met by prospective licensees applying for the grant of a WT Act licence. They also provide information on the terms, provisions and limitations that licensees may be subject to.
- 1.3 Current licensing procedures are outlined in the Wireless Telegraphy (Licensing Procedures) Regulations 2006 (the "Procedures Regulations")¹. We are proposing to revoke the Procedures Regulations and replace them with the Proposed Regulations. Therefore, this document gives notice of our proposal to do so.
- 1.4 The Procedures Regulations reference the Wireless Telegraphy Act Licences (Terms, Provisions and Limitations) 2006 (the "Procedures Booklet")². The Procedures Booklet includes a sample licence for each class showing the terms, provisions and limitations that apply. We are also proposing to replace the Procedures Booklet with the Wireless Telegraphy Act Licences (Terms, Provisions and Limitations) 2010 (the "Proposed Booklet") to incorporate the changes in the Proposed Regulations. A copy of the Proposed Booklet can be found on our website³.
- 1.5 In accordance with the requirements of subsection 122(4) of the WT Act, this document enables stakeholders to comment on the Proposed Regulations. We do not consider it appropriate to first conduct a policy consultation on the Proposed Regulations, as the changes that we are planning to introduce are administrative and reflect existing practices.
- 1.6 The document is structured as follows:
 - Section 2 provides notice of the Proposed Regulations;
 - Section 3 outlines the general effects of the Proposed Regulations;
 - Annexes 1 – 3 explain our consultation principles and how to respond to this Notice;
 - Annex 4 presents an Impact Assessment on the Proposed Regulations; and

¹ <http://www.opsi.gov.uk/si/si2006/20062785.htm>

² <http://www.ofcom.org.uk/radiocomms/ifi/wtf/>

³ http://www.ofcom.org.uk/consult/condocs/wt_regs2010/

- Annex 5 contains a copy of the Proposed Regulations.
- 1.7 An impact assessment for the Proposed Regulations is available at Annex 4 to this document. The Proposed Regulations are included in this document at Annex 5. Further copies may be obtained from www.ofcom.org.uk or from Ofcom at Riverside House, 2a Southwark Bridge Road, London SE1 9HA.
- 1.8 Comments on the Proposed Regulations are invited by **5pm on 17 May 2010**. Subject to consideration of responses, we intend to bring the final regulations into force by July 2010.

Section 2

Notice

- 2.1 We are responsible for authorising civil use of the radio spectrum. We achieve this by granting wireless telegraphy licences under the WT Act and by making regulations exempting users of particular equipment from the requirement to hold such a licence. Under subsection 8(1) of the WT Act, it is an offence to establish, install or use a wireless telegraphy station or wireless telegraphy apparatus without holding a WT Act licence granted by us unless the establishment, installation or use of such equipment is exempt.
- 2.2 In accordance with the requirements of subsections 122(4) and (5) of the WT Act, this document gives notice of our intention to make the Proposed Regulations. We are required to publish a notice of our proposal to make any orders or regulations, setting out their general effect and giving those likely to be affected by their implementation an opportunity to make representations.
- 2.3 Under sub-paragraph 1(1) of Schedule 1 to the WT Act (which is given effect by section 10 of the WT Act), an application for the grant of a WT Act licence is determined in accordance with procedures prescribed in regulations made by Ofcom. The regulations must specify the time limits for us to deal with the grant of a licence and specific requirements that must be met by the applicant. The Proposed Regulations set out:
- a time limit of no more than six weeks from receipt of an application, for a decision to be made, notified to the applicant and published ;
 - details that we require from and about applicants when applying for a WT Act licence;
 - information on the type of service, transmitter location and transmission characteristics we require from applicants when applying for a WT Act licence;
 - an overview of the general information contained in a licence regarding the terms, provisions and limitations of licences; and
 - additional information required for specific licence classes.
- 2.4 We are replacing the Procedures Regulations in order to take into account a number of changes that have been implemented since they came into force in 2006. These include:
- implementation of the WT Act, replacing the previous 1949 and 1998 Wireless Telegraphy Acts;
 - changes to the site clearance process;
 - changes in the Procedures Booklet to reflect changes made to licence classes; and
 - updates to references to the Radio Regulations, published by the International Telecommunications Union, as reflected in the 2008 edition.

Procedures Booklet

- 2.5 The Procedures Regulations refer to the Procedures Booklet⁴ that specifies the conditions under which each class of licence is granted and includes a sample licence for each class. We are to replace the Procedures Booklet with the Proposed Booklet to reflect a number of changes that have occurred since 2006. The changes in the Proposed Booklet are administrative and reflect current policies that were introduced through consultation, and include:
- replacing references to the Wireless Telegraphy Acts 1949 and 1998 with the WT Act;
 - removal of the Citizens' Band radio licence class as it is now licence exempt;
 - removal of the Community Audio Distribution System licence class as it is now licence exempt;
 - removal of the old Business Radio licence classes and replacing them with the new licence classes that superseded them;
 - changes to site clearance process; and
 - inclusion of the updated Ship radio licensing process now carried out by Ofcom.
- 2.6 A copy of the Proposed Booklet can be found on our website⁵. Further copies may be obtained from Ofcom at Riverside House, 2a Southwark Bridge Road, London SE1 9HA.

Next steps

- 2.7 Following the publication of this Notice, stakeholders are welcome to provide their feedback. The deadline to submit responses to us is **5pm 17 May 2010**. Subject to consideration of responses, we plan to issue a statement and make the final regulations by July 2010.

⁴ <http://www.ofcom.org.uk/radiocomms/ifi/wtf/>

⁵ http://www.ofcom.org.uk/consult/condocs/wt_regs2010/

Section 3

General effect of the draft Wireless Telegraphy (Licensing Procedures) Regulations 2010

The legislative framework

- 3.1 Under subsection 8(1) of the WT Act, it is an offence to install or use wireless telegraphy equipment without holding a licence granted by Ofcom, unless the installation or use of such equipment is exempt. Under sub-paragraph 1(1) of Schedule 1 of the WT Act (as given effect by section 10 of the WT Act), an application for a grant of a WT Act licence is determined in accordance with procedures prescribed in regulations made by Ofcom.
- 3.2 A draft copy of the Proposed Regulations is included in Annex 5 of this document. The Proposed Regulations also make reference to the Proposed Booklet, a copy can be found on www.ofcom.org.uk or from Ofcom at Riverside House, 2a Southwark Bridge Road, London SE1 9HA⁶

Extent of application

- 3.3 The Proposed Regulations will apply in the United Kingdom, the Channel Islands and the Isle of Man (the "Islands"), subject to formal agreement of the Islands' Authorities.

The Proposed Regulations

- 3.4 Regulation 1 sets the date for when the Proposed Regulations would come into force.
- 3.5 Regulation 2 revokes the previous Procedures Regulations.
- 3.6 Regulation 3 provides interpretation of the terms used in the Proposed Regulations.
- 3.7 Regulation 4 sets out the six week time limit for decision on an application, notification to the applicant and publication that Ofcom must comply with when dealing with radio frequencies allocated for particular wireless telegraphy purpose. In any other case the time limit is as soon as possible after the receipt of the application.
- 3.8 Regulation 5 outlines the information that we require from prospective licensees when applying for a WT Act licence. This includes the name and address of the applicant along with information relating to the proposed transmission station. Where additional information is required for a particular licence class, this is referenced in the Schedule to the Proposed Regulations.
- 3.8.1 Part 1 of the Schedule relates to Aeronautical licences including Aeronautical Ground Station (Air traffic/Ground Movement Control), Aeronautical Ground Station (Air/Ground Communications Services), Aeronautical Ground Station (Airfield Flight Information Service),

⁶ http://www.ofcom.org.uk/consult/condocs/wt_regs2010/

Aeronautical Ground Station (General Aviation), Aeronautical Ground Station (Fire), Aeronautical Ground Station (High Frequency), Aeronautical Ground Station (Offshore Platform), Aeronautical Navigation Aid Stations, Aeronautical Radar and Aeronautical Ground Station (Operations Controls) licences.

- 3.8.2 Part 2 of the Schedule relates to Maritime Ship radio licences.
 - 3.8.3 Part 3 of the Schedule relates to Programme Making and Special Events Fixed Site, Link, Low Power, UK Wireless Microphone (Annual) and UK Wireless Microphone (Biennial) licences.
 - 3.8.4 Part 4 of the Schedule relates to Satellite (Earth Station Networks), Satellite (Permanent Earth Station), Satellite (Earth Station – Non-Fixed Satellite Service) and Satellite (Earth Station – Non-Geostationary) licences.
 - 3.8.5 Part 5 of the Schedule relates to Science and Technology Non-Operational Temporary Use and Non-Operational Development licences.
- 3.9 Regulation 6 outlines the general terms, provisions and limitations that apply to a WT Act licence. These include the terms relating to limits on use of the equipment and the terms under which we can revoke a licence.

Q1. Do you have any comments on the Proposed Regulations that we have drafted?

Annex 1

Responding to this notice

How to respond

- A1.1 Ofcom invites written views and comments on the issues raised in this document, to be made **by 5pm on 17 May 2010**.
- A1.2 Ofcom strongly prefers to receive responses using the online web form at http://www.ofcom.org.uk/consult/condocs/wt_regs2010/ as this helps us to process the responses quickly and efficiently. We would also be grateful if you could assist us by completing a response cover sheet (see Annex 3), to indicate whether or not there are confidentiality issues. This response cover sheet is incorporated into the online web form questionnaire.
- A1.3 For larger responses - particularly those with supporting charts, tables or other data - please email paul.chapman@ofcom.org.uk attaching your response in Microsoft Word format, together with a consultation response cover sheet.
- A1.4 Responses may alternatively be posted or faxed to the address below, marked with the title of the notice.
- Paul Chapman
Spectrum Policy Group
Ofcom
Riverside House
2A Southwark Bridge Road
London SE1 9HA
- Fax: 020 7981 3921
- A1.5 Note that we do not need a hard copy in addition to an electronic version. Ofcom will acknowledge receipt of responses if they are submitted using the online web form but not otherwise.
- A1.6 Please include in your response direct answers to the questions asked in this document. Please also explain your views and how Ofcom's proposals would impact you.

Further information

- A1.7 If you wish to discuss the issues and questions raised in this notice, or need advice on the appropriate form of response, please contact Paul Chapman on 020 7981 3069.

Confidentiality

- A1.8 We believe it is important for everyone interested in an issue to see the views expressed by respondents. We will therefore usually publish all responses on our website, www.ofcom.org.uk, ideally on receipt. If you think your response should be kept confidential, please specify what part should be kept confidential or whether all of your response should be kept confidential, and why. Please also place confidential parts in a separate annex.

- A1.9 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and will try to respect this. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A1.10 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's approach on intellectual property rights is explained further on its website at <http://www.ofcom.org.uk/about/account/disclaimer/>

Next steps

- A1.11 Following the end of the consultation period, Ofcom intends to publish a statement in May 2010.
- A1.12 Please note that you can register to receive free mail updates alerting you to the publications of relevant Ofcom documents. For more details please see: http://www.ofcom.org.uk/static/subscribe/select_list.htm

Ofcom's consultation processes

- A1.13 Ofcom seeks to ensure that responding to a notice is easy as possible. For more information please see our consultation principles in Annex 2.
- A1.14 If you have any comments or suggestions on how Ofcom conducts its consultations, please call our consultation helpdesk on 020 7981 3003 or e-mail us at consult@ofcom.org.uk. We would particularly welcome thoughts on how Ofcom could more effectively seek the views of those groups or individuals, such as small businesses or particular types of residential consumers, who are less likely to give their opinions through a formal consultation.
- A1.15 If you would like to discuss these issues or Ofcom's consultation processes more generally you can alternatively contact Vicki Nash, Director Scotland, who is Ofcom's consultation champion:

Vicki Nash
Ofcom
Sutherland House
149 St. Vincent Street
Glasgow G2 5NW

Tel: 0141 229 7401
Fax: 0141 229 7433

Email vicki.nash@ofcom.org.uk

Annex 2

Ofcom's consultation principles

- A2.1 Ofcom has published the following seven principles that it will follow for each public written consultation, however not all apply in relation to this notice.

Before the consultation

- A2.2 Where possible, we will hold informal talks with people and organisations before announcing a big consultation to find out whether we are thinking in the right direction. If we do not have enough time to do this, we will hold an open meeting to explain our proposals shortly after announcing the consultation.

During the consultation

- A2.3 We will be clear about who we are consulting, why, on what questions and for how long.
- A2.4 We will make the consultation document as short and simple as possible with a summary of no more than two pages. We will try to make it as easy as possible to give us a written response. If the consultation is complicated, we may provide a shortened Plain English Guide for smaller organisations or individuals who would otherwise not be able to spare the time to share their views.
- A2.5 We will consult for up to 10 weeks depending on the potential impact of our proposals.
- A2.6 A person within Ofcom will be in charge of making sure we follow our own guidelines and reach out to the largest number of people and organisations interested in the outcome of our decisions. Ofcom's 'Consultation Champion' will also be the main person to contact with views on the way we run our consultations.
- A2.7 If we are not able to follow one of these principles, we will explain why.

After the consultation

- A2.8 We think it is important for everyone interested in an issue to see the views of others during a consultation. We would usually publish all the responses we have received on our website. In our statement, we will give reasons for our decisions and will give an account of how the views of those concerned helped shape those decisions.

Annex 3

Consultation response cover sheet

- A3.1 In the interests of transparency and good regulatory practice, we will publish all consultation responses in full on our website, www.ofcom.org.uk.
- A3.2 We have produced a cover sheet for responses (see below) and would be very grateful if you could send one with your response (this is incorporated into the online web form if you respond in this way). This will speed up our processing of responses, and help to maintain confidentiality where appropriate.
- A3.3 The quality of consultation can be enhanced by publishing responses before the consultation period closes. In particular, this can help those individuals and organisations with limited resources or familiarity with the issues to respond in a more informed way. Therefore, Ofcom would encourage respondents to complete their coversheet in a way that allows Ofcom to publish their responses upon receipt, rather than waiting until the consultation period has ended.
- A3.4 We strongly prefer to receive responses via the online web form which incorporates the coversheet. If you are responding via email, post or fax you can download an electronic copy of this coversheet in Word or RTF format from the 'Consultations' section of our website at www.ofcom.org.uk/consult/.
- A3.5 Please put any parts of your response you consider should be kept confidential in a separate annex to your response and include your reasons why this part of your response should not be published. This can include information such as your personal background and experience. If you want your name, address, other contact details, or job title to remain confidential, please provide them in your cover sheet only, so that we don't have to edit your response.

Cover sheet for response to an Ofcom consultation

BASIC DETAILS

Consultation title:

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing

☐

Name/contact details/job title

☐

Whole response

☐

Organisation

☐

Part of the response

☐

If there is no separate annex, which parts?

If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

☐

Name

Signed (if hard copy)

Annex 4

Impact Assessment

Introduction

- A4.1 The analysis presented in this annex represents an impact assessment, as defined in section 7 of the Communications Act 2003 (the “Act”).
- A4.2 You should send any comments on this impact assessment to us by the closing date for this consultation. We will consider all comments before deciding whether to implement our proposals.
- A4.3 Impact assessments provide a valuable way of assessing different options for regulation and showing why the preferred option was chosen. They form part of best practice policy-making. This is reflected in section 7 of the Act, which means that generally we have to carry out impact assessments where our proposals would be likely to have a significant effect on businesses or the general public, or when there is a major change in our activities. However, as a matter of policy we are committed to carrying out and publishing impact assessments in relation to the great majority of our policy decisions. For further information about our approach to impact assessments, see the guidelines, Better policy-making: Ofcom’s approach to impact assessment, which are on our website:
http://www.ofcom.org.uk/consult/policy_making/guidelines.pdf

Background

- 3.10 Sub-paragraph 1(1) of Schedule 1 of the WT Act says that an application for a grant of a WT Act licence is determined in accordance with procedures prescribed in regulations made by Ofcom. These procedures must include, among other things, details of the terms, provisions and limitations of a licence. This impact assessment relates to a draft of the Proposed Regulations.
- 3.11 The Proposed Regulations would revoke and replace the existing legislation. Current procedures are outlined in the Procedures Regulations.

The citizen and/or consumer interest

- A4.4 We take account of the impact of Ofcom’s decisions upon both citizen and consumer interests in the markets it regulates. The Proposed Regulations reflect changes to the frequencies, uses and criteria that have been made to various classes of licence since the Procedures Regulations were first made in 2006. In particular, they incorporate the following changes:
- changes to licence sector names (to assist with stakeholder understanding of this regulation, to maintain consistency with other related regulations, and to reflect changes in the use of radio and convergence of technology);
 - changes to licence class structure (to more closely reflect current patterns of radio usage and our organisational requirements);
 - changes to licence class names (to assist with stakeholder understanding of this regulation, to maintain consistency with other related regulations, and to reflect changes in the use of radio and convergence of technology);

- addition of new licence classes (as the market for radio equipment changes and advances in technology are made, it is sometimes necessary to introduce new licence classes);
- introducing new or changed use of spectrum (as part of our spectrum management responsibilities, to allow the introduction of new technologies and to assist with harmonisation of radio services within the European Union, it is sometimes necessary to review the use to which spectrum is put. This means that outdated and redundant technology can be replaced with new market leading technologies, thus improving the value and efficiency of the spectrum);
- removing licence classes that have been discontinued or are no longer available (as radio technology advances or the needs of the market change, certain licence classes become obsolete and can be withdrawn. In addition, our policy of deregulation and liberalisation of licensing at times results in the discontinuation of certain licence classes); and
- making it easier for stakeholders to find the appropriate licence information. Without this change citizens and consumers would need to reference two orders to find the necessary information they were after. This should reduce the regulatory burden placed on stakeholders.

Ofcom's policy objective

- A4.5 The Proposed Regulations have been drafted in accordance with our statutory obligations and proportionately, so as to take account of the impact that they may have on citizens and consumers.

Equality Impact Assessment

- A4.6 Following an initial assessment of our policy proposals we consider that it is reasonable to assume that any impacts on consumers and citizens arising from the Proposed Regulations would not differ significantly between groups or classes of UK consumers and citizens, all of whom would have access to these services, potentially at end-user prices reflective of all general input costs, including opportunity costs of spectrum used.
- A4.7 In addition, we note that there is no available evidence to suggest the decision to replace the Procedures Regulations with updated Proposed Regulations would have any greater direct impact on certain groups, including groups based on gender, race or disability, or for consumers in Northern Ireland relative to consumers in the UK more generally. We do not consider that there is evidence to suggest that costs imposed on operators, would differ significantly across these aforementioned groups of consumers and citizens relative to consumers in general. This is because we would not expect the impact of supplying these groups of consumers and citizens to differ significantly from the impact of supplying consumers in general. Nor would cost reflective end-user prices therefore be expected to impact significantly differently on these groups as a result of charging for WT Act licences.
- A4.8 We have not carried out a full Equality Impact Assessment in relation to race equality, equality schemes in Northern Ireland and disability equality schemes at this stage. This is because, following our initial assessment, we do not believe that the proposals being considered here are intended (or would, in practice) have a

significant differential impact on different gender or racial groups, on consumers in Northern Ireland or on disabled consumers compared to consumers in general.

Options considered

A4.9 The options open to us in relation to the Proposed Regulations are as follows:

- to make the Proposed Regulations; or
- to do nothing, leaving in place the Procedures Regulations.

Analysis of the different options

Make new regulations

A4.10 The most efficient route to compliance with our statutory obligations is to make the Proposed Regulations.

Do nothing

A4.11 By doing nothing, we would be in breach of our statutory obligations under the WT Act and the UK could be open to infraction proceedings initiated by the European Commission.

The preferred option

A4.12 Therefore, the preferred option is to make the Proposed Regulations. The benefits of this option are that we remain compliant with our statutory obligations.

Annex 5

Proposed Regulations

STATUTORY INSTRUMENTS

2010 No. XXXX

ELECTRONIC COMMUNICATIONS

The Wireless Telegraphy (Licensing Procedures) Regulations 2010

Made - - - - - ***

Coming into force - - - - - ***

The Office of Communications (“OFCOM”), in exercise of the powers conferred by section 1(1) of Schedule 1 of the Wireless Telegraphy Act 2006⁽⁷⁾ (“the Act”), make the following Regulations.

Before making the Regulations OFCOM have given a 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 considered any representations made to them before the time specified in the notice in accordance with section 122(4)(c) of the Act.

Citation and commencement

1. These Regulations may be cited as the Wireless Telegraphy (Licensing Procedures) Regulations 2010 and shall come into force on **[DATE]**.

Revocation

2. The Wireless Telegraphy (Licensing Procedures) Regulations 2006⁽⁸⁾ are hereby revoked.

Interpretation

3. In these Regulations—

“apparatus” means wireless telegraphy apparatus;

“earth station” means a station situated either on the earth’s surface or within the earth’s atmosphere which is intended for communication with a station beyond the earth’s atmosphere;

“equipment” means a station or apparatus;

“fixed station” means a station which only transmits from a fixed location;

“licence” means a wireless telegraphy licence granted under section 8 of the Act⁽⁹⁾;

⁽⁷⁾ 2006 c. 36. Schedule 1 of the Act was extended to the Bailiwick of Jersey by article 2 of the Wireless Telegraphy (Jersey) Order 2006 (S.I. 2006/3324); and to the Bailiwick of Guernsey by article 2 of the Wireless Telegraphy (Guernsey) Order 2006 (S.I. 2006/3325); and to the Isle of Man by article 2 of the Wireless Telegraphy (Isle of Man) Order 2007 (S.I. 2007/278)

⁽⁸⁾ S.I. 2006/2785

“mobile station” means a station which transmits while in motion; and

“station” means a wireless telegraphy station.

Time limits for dealing with the grant of licences

4. A decision on an application for the grant of a licence shall be made, notified to the applicant and published—

- (a) in the case of any licence relating to radio frequencies allocated for particular wireless telegraphy purposes for use in the United Kingdom Plan for Frequency Authorisation⁽¹⁰⁾, not more than six weeks after the day of the receipt of the application; and
- (b) in any other case, as soon as possible after the day of the receipt of the application.

Requirements that must be met for the grant of a licence

5.—(1) Licences shall be granted by OFCOM, either—

- (a) in relation to particular equipment; or
- (b) in relation to any equipment falling within the description specified in the licence and expressed by reference to such factors (including factors confined to the manner in which it is established, installed or used), as are described in the licence.

(2) An applicant for the grant of a licence (whether in respect of a station or apparatus) must complete the licence application form which is appropriate for the class of licence being applied for and must provide—

- (a) the name and address of the applicant;
- (b) where the duration for which the licence is required is less than twelve months, the duration; and
- (c) where information is specified as being required in the Schedule to these Regulations for the class of licence concerned, that information.

(3) An applicant for the grant of a licence in respect of a station must also provide—

- (a) the frequencies on which the applicant wishes to operate the station;
- (b) the location of any proposed fixed station;
- (c) the position of any remote control point for a fixed station;
- (d) the purpose or type of service for which the proposed station is intended;
- (e) the type of station proposed for use;
- (f) the intended geographical range of operation;
- (g) the type, position, direction, signal strength, output power and signal beam width of each antenna forming part of the proposed station;
- (h) the modulation characteristics and data bit rate of—
 - (i) transmissions by the proposed station; and
 - (ii) any transmissions which are for the purpose of station recognition;
- (i) the call sign desired by the applicant;
- (j) information required for station site clearance in accordance with the publication UK Radio Site Clearance Procedure published by OFCOM⁽¹¹⁾;
- (k) in the case of an application in respect of a mobile station, an indication of whether or not the station is to be established on board—
 - (i) an aircraft;

⁽⁹⁾ 2006 c. 36

⁽¹⁰⁾ The United Kingdom Plan for Frequency Authorisation is published by Ofcom in accordance with section 2(1) of the Wireless Telegraphy Act 2006 (c.36).

⁽¹¹⁾ <http://www.ofcom.org.uk/radiocomms/isu/arrangements/>

- (ii) a ship; or
- (iii) a train; and
- (l) if the application is in relation to more than one fixed station, the length and direction of proposed transmission signal paths between stations.

Particulars of the terms, provisions and limitations of licences

6.—(1) Licences are granted subject to—

- (a) a limitation as to the type of equipment which is authorised;
- (b) a limitation as to the circumstances of use;
- (c) a term providing for the licence to commence on the date of its grant and continue in force until revoked by OFCOM or surrendered by the licensee;
- (d) terms as to the circumstances in which OFCOM may revoke or vary the licence;
- (e) terms providing for the manner and payment of fees;
- (f) a term as to access and inspection by OFCOM of equipment;
- (g) terms as to the modification or restriction in use of equipment and the circumstances in which OFCOM may require any such equipment to be temporarily closed down; and
- (h) terms, provisions and limitations as to strength and type of signal.

(2) Licences are also granted subject to the other terms, provisions and limitations in the case of any particular licence which are contained in the publication Wireless Telegraphy Act Licences (Terms, Provisions and Limitations) published by OFCOM⁽¹²⁾

	<i>Name</i>	
	Title	
Date	For and on the authority of the Office of Communications	

⁽¹²⁾ Wireless Telegraphy Act Licences (Terms, Provisions and Limitations), **[date]**

SCHEDULE Regulation 5(2)(c)
**ADDITIONAL INFORMATION REQUIRED FOR THE GRANT OF A
LICENCE**

PART 1
AERONAUTICAL

1. For the licence classes Aeronautical Ground Station (Air traffic/Ground Movement Control), Aeronautical Ground Station (Air/Ground Communications Services), Aeronautical Ground Station (Airfield Flight Information Service), Aeronautical Ground Station (General Aviation), Aeronautical Ground Station (Fire), Aeronautical Ground Station (High Frequency), Aeronautical Ground Station (Offshore Platform), Aeronautical Navigation Aid Stations, Aeronautical Radar, and Aeronautical Ground Station (Operations Controls), the following information shall be provided—

- (a) whether authorisation of a temporary or permanent station is sought;
- (b) the number of aircraft with which the station is intended to communicate in any day; and
- (c) the level of radio traffic for which authorisation is sought.

2. For the licence classes Aircraft and Aircraft (Transportable) the following information shall be provided—

- (a) the make, model, and serial number of station or apparatus for which authorisation is sought;
- (b) the registration number and make and model of the aircraft on which the station will be established or apparatus installed; and
- (c) the take-off weight of that aircraft and the intended use of that aircraft.

PART 2
MARITIME

3. For the licence class Ship Radio the following information shall be provided—

- (a) the current name and any previous name and registration number of the vessel on which a station will be established or apparatus installed;
- (b) the type of vessel, its gross tonnage or approximate weight and the maximum number of persons the vessel is capable of carrying;
- (c) the intended use of the vessel;
- (d) the current and any previous call sign of the vessel;
- (e) whether digital selective calling is to be used by the station; and
- (f) for emergency position indicating radio beacon equipment and personal locator beacon equipment, the type of beacon equipment for which authorisation is sought, its code which identifies its country of authorisation, its manufacturer, its serial number, and whether or not it operates using a global positioning system.

4. For the licence class Ship Portable Radio applicants shall specify if authorisation of emergency position indicating radio beacon equipment or personal locator beacon equipment is sought and if so the type of beacon equipment for which authorisation is sought, its code which identifies its country of authorisation, its manufacturer, its serial number, and whether or not it operates using a global positioning system.

PART 3

PROGRAMME MAKING AND SPECIAL EVENTS

5. For the licence classes Programme Making and Special Events Fixed Site, Programme Making and Special Events Link, Programme Making and Special Events Low Power, UK Wireless Microphone (Annual) and UK Wireless Microphone (Biennial) the following information shall be provided—

- (a) the location or proposed area of apparatus use; and
- (b) the proposed dates and times of apparatus use.

PART 4

SATELLITE SERVICES

6. For the licence class Satellite (Earth Station Network) the following information shall be provided—

- (a) the date when satellite network operations will start;
- (b) the name of the satellite network which the earth station will use;
- (c) the orbital longitude of all satellites in the network;
- (d) the satellite beam service area;
- (e) the maximum bandwidth which is accessible by the earth station;
- (f) identification of any other earth stations which are associated with the station; and
- (g) a postal address for the control centre for the satellite network and the name of the person controlling the network at that address.

7. For the licence classes Satellite (Permanent Earth Station), Satellite (Earth Station – Non-Fixed Satellite Service), and Satellite (Earth Station – Non-Geostationary) the following information shall be provided—

- (a) the name and location of the proposed earth stations;
- (b) the range of frequencies;
- (c) the direction and power required for each earth station;
- (d) the name and location of any associated satellite transponders together with their operating angles or their range of operating angles;
- (e) whether any satellite transmission signals are to be received by earth stations; and
- (f) in relation to the signals to be received at the earth station, the International Telecommunication Union classification of emission and necessary bandwidths set out in Appendix 1 of the Appendices to the Radio Regulations of the International Telecommunication Union⁽¹³⁾.

PART 5

SCIENCE AND TECHNOLOGY

8. For the licence classes Non-Operational Temporary Use, Non-Operational Development, and Ground Probing Radar the applicant shall provide a description of the configuration of any apparatus for which authorisation is sought, the purpose for which it will transmit and the intended geographical range of operation.

⁽¹³⁾ Edition of 2008. The Radio Regulations are published by the International Telecommunications Union and made under Article 13 of the Constitution of the International Telecommunication Union. The Constitution and Convention of the International Telecommunication Union were adopted in Geneva in 1992 and ratified by the United Kingdom in 1994 (Cm 3145). They were modified by the Plenipotentiary Conference in Kyoto in 1994 as ratified by the United Kingdom in 1997 (Cm 3779).