



Notification Number: 2015/330/UK

## Draft Wireless Telegraphy (White Space Devices) (Exemption) Regulations (the "draft regulations").

Date received : 25/06/2015

End of Standstill : 28/09/2015

Issue of comments by : Germany

### Message

Message 001

Communication from the Commission - TRIS/(2015) 01918

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2015/0330/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201501918.EN)

#### 1. Structured Information Line

MSG 001 IND 2015 0330 UK EN 25-06-2015 UK NOTIF

#### 2. Member State

UK

#### 3. Department Responsible

Department for Business, Innovation and Skills  
Innovation & Enterprise Group  
1 Victoria Street, London, SW1H 0ET.

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#### 3. Originating Department

Office of Communications (Ofcom),



Riverside House,  
2a Southwark Bridge Road,  
London,  
SE1 9HA

#### **4. Notification Number**

2015/0330/UK - V10T

#### **5. Title**

Draft Wireless Telegraphy (White Space Devices) (Exemption) Regulations (the "draft regulations").

#### **6. Products Concerned**

The draft regulations will apply to White Space Devices operating in 470 MHz to 790 MHz band administered by Ofcom which will be authorised to operate on a licence exempt basis.

White Space Devices are defined as wireless telegraphy stations or wireless telegraphy apparatus which is able to operate on frequencies within the band 470 MHz to 790 MHz which have been determined by a designated white space database as being available for use.

These devices will operate under a framework being implemented in the U.K. which will permit dynamic spectrum access to spectrum in the 470 MHz to 790 MHz frequency band which is not otherwise being used, provided that such use is unlikely to cause harmful interference to existing spectrum users in that band or in adjacent bands.

White Space Devices will either be "master devices" - devices that are able to communicate with and obtain operational parameters from a designated white space database, or "slave devices" - devices that is only able to transmit when under the direction of a master device.

#### **7. Notification Under Another Act**

- The proposed regulations are to be made by Ofcom (the United Kingdom communications regulator) under the power set out in section 8(3) of the U.K. Wireless Telegraphy Act 2006 to exempt the use of wireless telegraphy stations or apparatus (i.e. radio equipment) from the need to hold a licence under the Wireless Telegraphy Act 2006 provided that certain terms, limitations and conditions on use, as set out in the draft regulations, are complied with.

As well as the draft regulations, a draft interface document relating to the same regime- UK Interface Requirement 2096 Licence exempt White Space Device operating in 470 MHz to 790 MHz band - has been notified under a separate notification, which sets out the interface requirements for the use of White Space Device transmitters in accordance with Article 4(1) of Directive 1999/5/EC.

#### **8. Main Content**

The draft regulations will exempt the use of White Space Devices in the 470 - 790 MHz frequency band in the U.K. from the need to hold a licence under the Wireless Telegraphy Act 2006 provided that certain terms, limitations and conditions on use, as set out in the draft regulations, are complied with. Those terms, conditions and limitations describe certain technical and operational conditions that White Space Devices must comply with in order to benefit from the licence exemption. These include:

- Requirements that the device must not allow a user of the device to input, configure, reconfigure or alter any



technical or operational settings or features of the device in a way which would affect its device parameters or its operation in accordance with operational parameters provided by a designated white space database;

- Requirements to operate only at frequencies and at power levels provided to White Space Devices by a designated white space database (which will calculate the available frequencies and maximum power levels in accordance with calculations set down by Ofcom in order to minimise the risk of harmful interference being caused to other radio equipment);
- Requirements to exchange certain information with a designated white space database (in the case of a master device) or with a master device (in the case of a slave device); and
- Requirements to cease transmissions in certain circumstances.

The requirements set out in the draft regulations are consistent with the harmonised standard ETSI EN 301 598 but do not require compliance with that standard.

### 9. Brief Statement of Grounds

Ofcom is the United Kingdom's regulatory authority for electronic communications networks and services and is responsible for ensuring the optimal use of the electro-magnetic spectrum within the U.K.

The draft regulations will exempt the use of White Space Devices in the 470 - 790 MHz frequency band in the U.K. from the need to hold a licence under the Wireless Telegraphy Act 2006 provided that certain terms, limitations and conditions on use, as set out in the draft regulations are complied with. Those terms, conditions and limitations are intended to secure the effective and efficient use of the radio spectrum and in particular to avoid harmful interference being caused to existing users of the 470 - 790 MHz frequency band and in adjacent frequency bands.

### 10. Reference Documents - Basic Texts

References of the Basic Texts: Explanatory document to the draft Wireless Telegraphy (White Space Devices) (Exemption) Regulations 2015.

### 11. Invocation of the Emergency Procedure

No

### 12. Grounds for the Emergency

-

### 13. Confidentiality

No

### 14. Fiscal measures

No

### 15. Impact assessment

-

### 16. TBT and SPS aspects



TBT aspect

No - The draft is in conformity with an international standard

No - The draft has no significant impact on international trade

SPS aspect

No - The draft has no significant impact on international trade

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European Commission

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