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STATUTORY INSTRUMENTS

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**2013 No. 1437**

**ELECTRONIC COMMUNICATIONS**

**The Wireless Telegraphy (Automotive Short  
Range Radar) (Exemption) Regulations 2013**

*Made* - - - - *10th June 2013*  
*Coming into force* - - *30th June 2013*

The Office of Communications (“OFCOM”) make the following Regulations in exercise of the powers conferred by section 8(3) of the Wireless Telegraphy Act 2006<sup>(1)</sup> (“the Act”).

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 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 (Automotive Short Range Radar) (Exemption) Regulations 2013 and shall come into force on 30th June 2013.

**Interpretation**

2. In these Regulations—

- (a) “equipment” means equipment providing vehicle radar functions for collision mitigation and traffic safety applications;
- (b) “dBm” means decibel milliWatt;
- (c) “dBm/MHz” means decibel milliWatt per megahertz;
- (d) “duty cycle” means the ratio of time during any one hour period when equipment is actively transmitting;
- (e) “eirp” means effective isotropically radiated power;
- (f) “exclusion zone”, in relation to each of the radio astronomy stations specified in Column 1 of the Schedule, means the zone within the circle whose centre is the location (expressed by longitude and latitude coordinates) of the radio astronomy station, as specified in Column 2 of the Schedule, and whose radius is the distance specified in Column 3 of the Schedule;

- (g) “the Act” means the Wireless Telegraphy Act 2006; and
- (h) “vehicle” has the meaning given by Article 3 of Directive [2007/46/EC](#) of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles<sup>(2)</sup>.

### Revocation

- 3.—(1) The regulations listed in paragraph (2) are hereby revoked.
- (2) The regulations are—
- (a) The Wireless Telegraphy (Automotive Short Range Radar) (Exemption) (No.2) Regulations 2005<sup>(3)</sup>;
  - (b) The Wireless Telegraphy (Automotive Short Range Radar) (Exemption) (No.2) (Amendment) Regulations 2008<sup>(4)</sup>; and
  - (c) The Wireless Telegraphy (Automotive Short Range Radar) (Exemption) (No.2) (Amendment) Regulations 2010<sup>(5)</sup>.

### First exemption

4.—(1) The establishment or installation of equipment in a vehicle and the use of equipment so established or installed is exempt from the provisions of section 8(1) of the Act where the terms, provisions and limitations in this regulation are met.

(2) The establishment or installation must be in a vehicle which was registered, placed on the market or put into service in the Community during the period starting on 1st July 2005 and ending on 30th June 2013, or must be in a vehicle in which equipment was so established or installed in order to replace that equipment.

- (3) Equipment must—
- (a) only operate when the vehicle in which it is established or installed is active;
  - (b) only operate in the frequency band between 21.65 gigahertz and 26.65 gigahertz; and
  - (c) not cause undue interference to other users of the frequency band between 21.65 gigahertz and 26.65 gigahertz.
- (4) Transmissions from any ultra wide band part of the equipment must—
- (a) at frequencies between 22.00 gigahertz and 26.65 gigahertz have a mean power density no greater than -41.3 dBm/MHz eirp and a peak power density no greater than 0 dBm in any 50 megahertz; and
  - (b) at frequencies between 21.65 gigahertz and 22.00 gigahertz have a mean power density no greater than -61.3 dBm/MHz eirp and a peak power density no greater than 0 dBm in any 50 megahertz.
- (5) Any narrow band component of the equipment must—
- (a) only operate in the frequency band 24.05 gigahertz to 24.25 gigahertz;
  - (b) transmit with a peak power no greater than 20 dBm eirp; and
  - (c) where transmitting with a peak power greater than -10 dBm eirp have a duty cycle which does not exceed 10%.

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(2) OJ No. L 263, 09.10.2007, p. 1.  
(3) [S.I. 2005/1585](#)  
(4) [S.I. 2008/237](#)  
(5) [S.I. 2010/1484](#)

(6) Any part of equipment which operates in the frequency band between 23.60 gigahertz and 24.00 gigahertz shall attenuate power emissions that appear 30 degrees or greater above the horizontal plane by at least 30 decibels.

(7) The exemption from the provisions of section 8(1) of the Act does not apply to use of equipment operating in the frequency band between 22.21 gigahertz and 24.00 gigahertz when the vehicle in which that equipment is established or installed is within an exclusion zone.

(8) Equipment operating in the frequency band between 22.21 gigahertz and 24.00 gigahertz must where the equipment has been established or installed in a vehicle put into service in the Community before 27th February 2008—

- (a) automatically deactivate so that all emissions cease while the vehicle in which it is established or installed is within an exclusion zone; or
- (b) be capable of manual deactivation so that all emissions cease while the vehicle in which it is established or installed is within an exclusion zone.

(9) Equipment operating in the frequency band between 22.21 gigahertz and 24.00 gigahertz must where the equipment has been established or installed in a vehicle put into service in the Community on or after 27th February 2008 automatically deactivate so that all emissions cease while the vehicle in which it is established or installed is within an exclusion zone.

## **Second exemption**

5.—(1) The establishment or installation of equipment in a vehicle and the use of equipment so established or installed is also exempt from the provisions of section 8(1) of the Act where the terms, provisions and limitations in this regulation are met.

(2) The establishment or installation must be in a vehicle which was registered, placed on the market or put into service in the Community after 30 June 2013, or must be in a vehicle in which equipment was so established or installed in order to replace that equipment.

(3) Equipment must—

- (a) only operate when the vehicle in which it is established or installed is active;
- (b) only operate in the frequency band between 24.25 gigahertz and 26.65 gigahertz; and
- (c) not cause undue interference to other users of the frequency band between 24.25 gigahertz and 26.65 gigahertz.

(4) Transmissions from any ultra wide band part of the equipment at frequencies between 24.25 gigahertz and 26.65 gigahertz must have a mean power density no greater than -41.3 dBm/MHz eirp and a peak power density no greater than 0 dBm in any 50 megahertz.

*Stephen Unger*  
Group Director of Strategy, International,  
Technology and Economists Group  
For and by the authority of the Office of  
Communications

10th June 2013

## SCHEDULE

Regulation 2

## EXCLUSION ZONES

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Radio Astronomy Station</i>	<i>Location</i>	<i>Distance</i>
Jodrell Bank	02° 18'22.8" W 53° 14'06.7" N	9 kilometres
Cambridge	00° 02'12.4" E 52° 10'00.0" N	9 kilometres
Darnhall	02° 32'08.5" W 53° 09'22.7" N	5 kilometres
Pickmere	02° 26'43.5" W 53° 17'19.1" N	5 kilometres
Knockin	02° 59'49.6" W 52° 47'25.1" N	5 kilometres

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations revoke and replace the Wireless Telegraphy (Automotive Short Range Radar) (Exemption) (No.2) Regulations 2005, the Wireless Telegraphy (Automotive Short Range Radar) (Exemption) (No.2) (Amendment) Regulations 2008 and the Wireless Telegraphy (Automotive Short Range Radar) (Exemption) (No.2) (Amendment) Regulations 2010.

These Regulations contain two exemptions from the requirement to be licensed under section 8(1) of the Wireless Telegraphy Act 2006 (c. 36). Both exemptions are for the establishment or installation of automotive short range radar equipment in a vehicle and the use of automotive short range radar equipment so established or installed.

The first exemption applies where the establishment or installation is in a vehicle which was registered, placed on the market or put into service in the Community during the period starting on 1st July 2005 and ending on 30th June 2013, or is in a vehicle in which equipment was so established or installed in order to replace that equipment. The second exemption applies where the establishment or installation is in a vehicle which was registered, placed on the market or put into service in the Community after 30th June 2013, or is in a vehicle in which equipment was so established or installed in order to replace that equipment. Different technical conditions apply to each of the two exemptions.

These Regulations implement the Commission Decision 2005/50/EC on the harmonisation of 24 GHz radio spectrum band for the time-limited use by automotive short-range radar equipment in the Community (OJNo. L 21, 25.1.05, p. 15) as amended by Commission Implementing Decision 2011/485/EU amending Decision 2005/50/EC on the harmonisation of the 24 GHz range radio spectrum band for the time-limited use by automotive short-range radar equipment in the Community (OJ No. L 198, 30.7.2011, p. 71).

A full regulatory impact assessment of the effect that these Regulations will have on costs to business is available to the public from OFCOM's website at <http://www.ofcom.org.uk> or from the OFCOM library at Riverside House, 2a

Southwark Bridge Road, London SE1 9HA (Tel: 020 7981 3000). Copies of this assessment have also been placed in the libraries of both Houses of Parliament.