

202~~65~~ No. XXX

ELECTRONIC COMMUNICATIONS

The Wireless Telegraphy (Direct to Device Satellite Communications) (Exemption) Regulations 202~~65~~

Made - - - -

XXXX

Coming into force

XXXX

The Office of Communications (“OFCOM”), in exercise of the powers conferred by sections 8(3) and 122(7) 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 the notice in accordance with section 122(4)(c) of the Act.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Wireless Telegraphy (Direct to Device Satellite Communications) (Exemption) Regulations 202~~65~~ and shall come into force on **XXXX** 202~~56~~.

(2) These Regulations shall not extend to the Channel Islands nor to the Isle of Man.

Interpretation

2. In these Regulations—

“associated facilities” and “electronic communications network” have the meaning given to them by section 32 of the Communications Act 2003(b);

“dB” means decibel;

“dBm” means decibels of power referenced to one milliWatt;

“dBm/MHz” means decibels of power referenced to one milliWatt per megahertz;

“mobile satellite system” means an electronic communications network and associated facilities which is capable of providing radio-communications services between mobile earth stations and one or more space stations.

“TRP” means the total radiated power. This is the integral of the power transmitted in different directions over the entire radiation sphere, measured during the on part of the transmission.

(a) 2006 c.36.
(b) 2003 c.21.

Exemption

3.—(1) Except in the situation described in paragraph (3), the establishment, installation and use of wireless telegraphy apparatus for **direct to device** ~~D2D~~ services is hereby exempt from the provisions of section 8(1) of the Act where the terms, provisions and limitations in regulation 4 are met.

(2) ~~In these Regulations~~ **Direct to device** “~~D2D~~ services” ~~are means~~ wireless electronic communications services provided by an undertaking operating a mobile satellite system to enable terrestrial users of electronic communications to send and receive radio signals directly to and from a space station.

(3) The situation referred to in paragraph (1) is where the wireless telegraphy apparatus is (or forms part of) a commercial multi-user gateway device.

(4) A commercial multi-user gateway device is a device utilising more than one SIM card and onto which telephone voice calls or SMS messages for more than one end user are (or could be) diverted for onward wireless transmission utilising one (or more than one) of the SIM cards associated with the device.

Terms, provisions and limitations

4.—(1) The terms, provisions and limitations are those in paragraphs (2) to ~~(7)~~ (6).

(2) The wireless telegraphy apparatus must not cause or contribute to any undue interference to any wireless telegraphy(a).

(3) The use of the wireless telegraphy apparatus shall not be airborne.

(4) The wireless telegraphy apparatus must only operate in the ~~following~~ frequency ranges **set out in Column (2) of Table 1**—

Table 1

Permitted frequency ranges

<i>Column 1 Band (Megahertz)</i>	<i>Column 2 Transmit frequencies(Megahertz)</i>
700	[Ranges to be completed following the approval of any application for a licence variation by a mobile network operator to provide D2D services on any its frequencies licensed under section 8(1) of the Act that fall within the ranges included in this table.]
800	
900	
1400	
1800	
2100	
2600	

(5) The wireless telegraphy apparatus must when transmitting and receiving radio signals to and from a space station only operate using one (or more than one) of the ~~following~~ standards **listed in paragraph (6), which are** published by the European Telecommunications Standards Institute(b).

(6) The standards are—

- (a) the GSM standard with reference EN 301 511(6);
- (b) the UMTS standards with references— (i) EN 301 908–1(7); and (ii) EN 301 908–2(8);
- (c) the LTE standards with references— (i) EN 301 908–1; and (ii) EN 301 908–13(9); and

(a) **[Drafting note: ‘wireless telegraphy’ is a defined term under the Act and therefore does not need to be defined in these Regulations. See section 11 of the Interpretation Act 1978 (1978 c.30).]**

(b) The standards published by the European Telecommunications Standards Institute are available at <https://www.etsi.org/>.

- (d) the **5G new radio (“NR”)** standards with references– (i) EN 301 908–1; and (ii) EN 301 908–25.

(7) The power transmitted ~~in any direction by the equipment~~ **by the wireless telegraphy apparatus** ~~in the frequency ranges set out in regulation 4(3) shall not exceed~~ **in relation to the frequency bands listed in column (1) of Table 2, when transmitting utilising the technology type set out in Column (2), shall not exceed the maximum mean power set out in Column (3)**

Table 2

Maximum permitted power transmission levels

<u>Column 1</u> Band (<u>Megahertz</u> <u>MHz</u>)	<u>Column 2</u> Technology <u>type</u>	<u>Column 3</u> Maximum mean <u>power</u>
700	LTE, NR <u>or 5G New Radio</u>	25 dBm TRP
800	LTE, NR <u>or 5G New Radio</u>	25 dBm TRP
900	GSM	33 dBm TRP
900	LTE, NR <u>or 5G New Radio</u>	25 dBm TRP
1800	GSM	30 dBm TRP
1800	LTE, NR <u>or 5G New Radio</u>	25 dBm TRP
2100	LTE, NR <u>or 5G New Radio</u>	24 dBm TRP
2600	LTE, NR <u>or 5G New Radio</u>	25 dBm TRP

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Name
Group Director, Spectrum Group
For and on behalf of the Office of Communications

EXPLANATORY NOTE

(This note is not part of the Regulations)

[To be completed following consultation on the Proposed Regulations.]