



STATUTORY INSTRUMENTS.

S.I. No. 380 of 2024

WIRELESS TELEGRAPHY (LIBERALISED USE AND PREPARATORY
LICENCES IN THE 800 MHZ, 900 MHZ AND 1800 MHZ BANDS)
(AMENDMENT) REGULATIONS 2024

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The Commission for Communications Regulation, in exercise of the powers conferred on it by section 6(1) of the Wireless Telegraphy Act 1926 (No. 45 of 1926) as substituted by section 182 of the Broadcasting Act 2009 (No. 18 of 2009), as amended, and with the consent of the Minister for the Environment, Climate and Communications (as adapted by the Communications, Climate Action and Environment (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 373 of 2020)) in accordance with section 37 of the Communications Regulation Act 2002 (No. 20 of 2002), hereby makes the following Regulations:

Citation

1. These Regulations may be cited as the Wireless Telegraphy (Liberalised Use and Preparatory Licences in the 800 MHz, 900 MHz and 1800 MHz Bands) (Amendment) Regulations 2024.

Interpretation

2. (1) In these Regulations:

“Principal Regulations” means the Wireless Telegraphy (Liberalised use and Preparatory Licences in the 800 MHz, 900 MHz and 1800 MHz Bands) Regulations 2012 (S.I. No. 251 of 2012).

(2) A word or expression that is used in these Regulations and that is also used in the Principal Regulations has, unless the context otherwise requires, the same meaning in these Regulations that it has in those Regulations.

Licences to which these Regulations apply

3. These Regulations apply to Liberalised Use Licences.

Amendment of Regulation 2 of the Principal Regulations

4. (1) Regulation 2(1) of the Principal Regulations is amended –

(a) by inserting before the definition of “800 MHz Band” the following:

““3GPP” means the 3rd Generation Partnership Project;”,

(b) by inserting after the definition of “Act of 2002” the following:

““Active Antenna Systems” or “AAS” means a Base Station and an antenna system where the amplitude and/or phase between antenna elements is continually adjusted resulting in an antenna pattern that varies in response to short term changes in the radio environment. This excludes long-term beam shaping such as fixed electrical down tilt. In AAS Base Stations, the antenna system is integrated as part of the Base Station system or product”,

- (c) by inserting after the definition of “Base Price” the following:
““Base Station” means Apparatus connected to a backhaul network, which provides a Radiocommunication Service to terminal stations”,
- (d) by inserting after the definition of “Bidder” the following:
““Block Edge Mask” or “BEM” is an emission mask that is defined as a function of frequency in relation to a ‘block edge’, the latter being the frequency boundary of a spectrum block for which rights of use are assigned to a Licensee. The BEM consists of several elements which are defined for certain measurement bandwidths;
“Broadband System” is a terrestrial system capable of providing electronic communications services operating in a channel larger than 200 kHz;”,
- (e) by deleting the definition of “Decision of 2009”,
- (f) by inserting after the definition of “Decision of 2010” the following:
““Decision of 2022” means Commission Implementing Decision (EU) 2022/173 of 7 February 2022 on the harmonisation of the 900 MHz and 1800 MHz frequency bands for terrestrial systems capable of providing electronic communications services in the Union and repealing Decision 2009/766/EC;
“Equivalent Isotropically Radiated Power” or “EIRP” is the product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna (absolute or isotropic gain);”,
- (g) by inserting after the definition of “General Authorisation” the following:
““GSM” or “Global System for Mobile Communication” means a service consisting of the provision of a mobile telephony service of the kind referred to in the Annex to Council Recommendation 87/371/EEC of 25 June 1987”,
- (h) by inserting after the definition of “Licensee” the following:
““LTE” means the technology defined by 3GPP called Long Term Evolution;

“Narrowband System” is a terrestrial system capable of providing electronic communications services operating in a 200 kHz channel, excluding any GSM system;

“Non-Active Antenna Systems” or “non-AAS” means a Base Station and an antenna system that provides one or more antenna connectors, which are connected to one or more separately designed passive antenna elements to radiate radio waves. The amplitude and phase of the signals to the antenna elements is not continually adjusted in response to short term changes in the radio environment;”,

- (i) by inserting after the definition of “Time Slice 2” the following:

““Total Radiated Power” or “TRP” is a measure of how much power a composite antenna radiates. It equals the total conducted power input into the antenna array system less any losses in the antenna array system. TRP means the integral of the power transmitted in different directions over the entire radiation sphere;

“UMTS” means the technology defined by 3GPP called Universal Mobile Telecommunications System;”, and
- (j) by inserting after the definition of “Upfront Fee” the following:

““WiMAX” means the technology defined by 3GPP called Worldwide Interoperability for Microwave Access;”.

Amendment of Regulation 6 of the Principal Regulations.

5. Regulation 6 (2) of the Principal Regulations is amended by substituting “Decision of 2022” for “Decision of 2009”.

Amendment of Part 4 of Schedule 1 of the Principal Regulations.

6. (1) Section 2 of Part 4 of Schedule 1 to the Principal Regulations (“The 900 MHz and 1800 MHz bands”) is amended –

- (a) in subsection (2) –
 - (i) by substituting paragraph (d) with the following:

“Only Terrestrial Systems permitted under the Decision of 2022 can be worked and used in the 900 MHz band or the 1800 MHz band, or both.”,
 - (ii) by substituting paragraph (e) with the following:

“In the absence of bilateral or multilateral agreements between neighbouring Licensees, the Licensee deploying a GSM system in the 900 MHz band or the 1800 MHz band, or both, is required to meet the frequency separation obligation as set down in Section 3 of the Decision of 2022”,

(iii) by inserting the following after paragraph (f):

“(g) *Within a 900 MHz Band Block assigned to the Licensee and for terrestrial systems other than GSM systems, the in-block radiated power from a Base Station transmitter in the downlink direction must not exceed:*

(i) *an EIRP of 67 dBm/5 MHz per antenna for non-AAS for a broadband system; and*

(ii) *an EIRP of 69 dBm/5 MHz per antenna for non-AAS for a narrowband system;*

(h) *Outside of the 900 MHz Band Block(s) assigned to the Licensee and for terrestrial systems other than GSM systems, the Licensee shall comply with the out-of-block BEM as specified in Section 4 of the Annex of the Decision of 2022;*

(i) *Within a 1800 MHz Band Block assigned to the Licensee and for terrestrial systems other than GSM systems, the in-block radiated power from a Base Station transmitter in the downlink direction must not exceed:*

(i) *an EIRP of 67 dBm/5 MHz per antenna for non-AAS for a broadband system;*

(ii) *an EIRP of 69 dBm/5 MHz per antenna for non-AAS for a narrowband system; and*

(iii) *a TRP limit of 58 dBm/5MHz per cell for AAS;*

(j) *Outside of the 1800 MHz Band Block(s) assigned to the Licensee and for terrestrial systems other than GSM systems, the Licensee shall comply with the out-of-block BEM as specified in Section 4 of the Annex of the Decision of 2022;*

(k) *Within the 900 MHz assigned to the Licensee, the maximum mean in-block power limit of 25 dBm for Terminal Stations shall apply; and*

(l) *Within a 1800 MHz Band Block assigned to the Licensee, the maximum mean in-block power limit of 25 dBm for Terminal Stations shall apply.”.*

7. (1) Section 3 of Part 4 of Schedule 1 to the Principal Regulations (“Roll-out and Coverage Requirements”) is amended –

(a) in subsection (2) –

(i) by deleting footnote 8 and footnote 9 in paragraph (a)(ii);

(ii) by deleting footnote 10 in Table 5; and

(iii) by deleting footnote 11 and footnote 12 in paragraph (b)(i).



GIVEN under the Official Seal of the Commission for
Communications Regulation,
29 July, 2024.

HELEN DIXON,
Commissioner.

The Minister for the Environment, Climate and Communications (as adapted by the Communications, Climate Action and Environment (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 373 of 2020)), in accordance with section 37 of the Communications Regulation Act, 2002, consents to the making of the foregoing Regulations.



GIVEN under my Official Seal,
25 July, 2024.

EAMON RYAN,
Minister for the Environment,
Climate and Communications.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations prescribe matters in relation to the amendment of certain technical conditions relating to the 900 MHz and 1800 MHz Bands applying to Liberalised Use Licences granted under the Wireless Telegraphy (Liberalised Use and Preparatory Licences in the 800 MHz, 900 MHz and 1800 MHz bands) Regulations, 2012 (S.I. No. 251 of 2012), the implementation of EU Decision 2022/173 and repeal of Decision 2009/766/EC.

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