



STATUTORY INSTRUMENTS.

S.I. No. 112 of 2013



WIRELESS TELEGRAPHY ACT 1926 (SECTION 3) (EXEMPTION OF
LEVEL PROBING RADARS) ORDER 2013

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The Commission for Communications Regulation, in exercise of the powers conferred on it by section 3(6)(a) of the Wireless Telegraphy Act 1926 (No. 45 of 1926), (inserted by section 11(c) of the Wireless Telegraphy Act 1972 (No. 5 of 1972)), transferred to the Commission for Communications Regulation by section 4(2) of the Communications Regulation (Amendment) Act 2007 (No. 22 of 2007), hereby makes the following Order:

Citation

1. This Order may be cited as the Wireless Telegraphy Act 1926 (section 3) (Exemption of Level Probing Radars) Order 2013.

Interpretation and Definitions

2. In this Order—

“Act of 1926” means the Wireless Telegraphy Act 1926 (No. 45 of 1926);

“CEPT” means the European Conference of Postal and Telecommunications Administrations;

“Commission” means the Commission for Communications Regulation, established by Part 2 of the Communication Regulation Act 2002 (No.20 of 2002);

“dB” means a unit of transmission giving the ratio of two powers. If P1 and P2 represent two values of power and n the number of decibels representing their ratio then $n=10 \log_{10} P1/P2$. If the two powers are dissipated in equal resistive impedances their ratio in decibels may be expressed by $n=20 \log_{10} V1/V2$ where V1 and V2 are the voltages across the two resistive impedances;

“dBi” means decibels of power referenced to the gain of an isotropic antenna;

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

“ECC” means the Electronic Communications Committee of CEPT;

“ECC/DEC/(11)02” means ECC Decision of 11 March 2011 on industrial LPR operating in frequency bands 6 — 8.5 GHz, 24.05 — 26.5 GHz, 57 — 64 GHz and 75 — 85 GHz;

“e.i.r.p” (equivalent isotropically radiated power) means the product of the power supplied to the antenna and the antenna gain in a given direction relative to an isotropic antenna;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 2nd April, 2013.*

“EN 302 729-1” means the harmonised standard published by ETSI, on 16 May 2011;

“EN 302 729-2” means the harmonised standard published by ETSI, on 16 May 2011;

“ETSI” means the European Telecommunications Standards Institute;

“LPR” means Level Probing Radar and is defined as a radio transmitting and receiving device, that uses Ultra Wide Band (UWB) emission technology, deployed in an industrial environment by appropriately trained personnel and used in process controls to measure the (vertical variation of) level of various substances, mostly liquids or granulates;

“NGR” means National Grid Reference;

“R&TTE Directive” means Directive 1999/5/EC of European Parliament and Council, of 9 March 1999, on radio and telecommunications terminal equipment and the mutual recognition of their conformity;

“Regulations” means the European Communities (Radio Equipment and Telecommunications Terminal Equipment) Regulations 2001 (S.I. No. 240 of 2001).

Applicability

3. This Order only applies within the jurisdiction of the State and only if the apparatus for LPR is:

(1) operating in any of the frequency bands 6 — 8.5 GHz, 24.05 — 26.5 GHz, 57 — 64 GHz and 75 — 85 GHz; and

(2) compliant with Article 4 of this Order.

Terms, provisions and limitations

4. (1) LPR apparatus may not be used within a radius of 4 kilometres around the NGR points listed in the Schedule to this Order without prior authorisation from the Commission.

(2) From 4 to 40 kilometres around any Radio Astronomy Service station, the height of the antenna of LPR apparatus, operating in any of the frequency bands 6 — 8.5 GHz, 24.05 — 26.5 GHz and 75 — 85 GHz, may not exceed 15 metres above ground level.

(3) Users of LPR apparatus shall implement an Automatic Power Control mechanism with a dynamic range of at least 20 dB and shall comply with ETSI standards ETSI EN 302 729-1 and EN 302 729-2, and any revisions to those standards.

(4) The LPR apparatus shall comply with the requirements set out in Annex 1 of Decision ECC/DEC/ (11)02 of the Electronic Communications Committee.

(5) The LPR apparatus shall comply with the essential requirements and other relevant provisions of the Regulations.

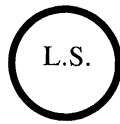
5. Misuse of the LPR apparatus will contravene this Order.

6. Information listed in the Schedule to this Order may be revised by the Commission as and when required.

SCHEDULE

Notification sites

Site Name	Co-ordinates
Birr, County Offaly	E206049 N205269
Elfordstown, County Cork	E187913 N077915



GIVEN under the Official Seal of the Commission for Communications Regulation this
27 March 2013.

KEVIN O'BRIEN,
Commissioner.

On behalf of the Commission of Communications Regulation

EXPLANATORY NOTE

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

This Order provides for the exemption of Level Probing Radar equipment from the requirement to be licensed under the Wireless Telegraphy Act 1926.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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