
STATUTORY INSTRUMENTS

1992 No. 2008

TELEGRAPHS

**The Wireless Telegraphy (Cordless Telephone
Apparatus) (Exemption) Regulations 1992**

Made - - - - *18th August 1992*
Laid before Parliament *21st August 1992*
Coming into force - - *18th September 1992*

The Secretary of State, in exercise of the powers conferred by sections 1(1) and 3(1)(a) and (b) of the Wireless Telegraphy Act 1949⁽¹⁾ as enacted, and as extended by the Wireless Telegraphy (Channel Islands) Order 1952⁽²⁾ and the Wireless Telegraphy (Isle of Man) Order 1952⁽³⁾, and now vested in him⁽⁴⁾, and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Wireless Telegraphy (Cordless Telephone Apparatus) (Exemption) Regulations 1992 and shall come into force on 18th September 1992.

Interpretation

2.—(1) In these Regulations—

“the 1949 Act” means the Wireless Telegraphy Act 1949;

“the 1984 Act” means the Telecommunications Act 1984⁽⁵⁾;

“cordless telephone apparatus” means wireless telegraphy apparatus consisting in a base station and one or more mobile stations where:—

(a) each of such stations is designed or adapted to be used—

(i) to send verbal messages to be conveyed over a telecommunication system; and

(ii) to receive verbal messages conveyed over a telecommunication system;

(b) the base station only is capable of being connected to a telecommunication system; and

(1) 1949 c. 54; there are amendments to section 1(1) not relevant to these Regulations.

(2) S.I. 1952/1900.

(3) S.I. 1952/1899.

(4) The Post Office Act 1969 (c. 48), section 3; S.I. 1969/1369, article 3, 1969/1371, article 2, and 1974/691, article 2.

(5) 1984 c. 12.

- (c) the apparatus is designed or adapted to operate on either of the following pairs of frequencies:—

<i>Base station transmission frequency</i>	<i>Mobile station transmission frequency</i>
(a) 47.43125 MHz	77.51250 MHz
or	
(b) 47.41875 MHz	77.55000 MHz; and

“station” means a station for wireless telegraphy.

(2) In these Regulations, “connected”, “convey” and “telecommunication system” shall be construed in accordance with section 4 of the 1984 Act.

Exemption

3. Subject to regulation 4, the establishment, installation and use of cordless telephone apparatus (hereinafter referred to as “the apparatus”) are hereby exempted from the provisions of section 1(1) of the 1949 Act.

Terms, provisions and limitations

4. The exemption provided for in regulation 3 shall be subject to the terms, provisions and limitations that—

- (a) the apparatus shall comply with the Department of Trade and Industry Performance Specification MPT 1371 as first published in May 1989 and as revised and reprinted in July 1992;
and
(b) the apparatus shall not cause or contribute to any undue interference with any wireless telegraphy.

Restrictions on use and inspection

5.—(1) Where a person authorised for the purposes of this regulation by the Secretary of State (“an authorised person”) has reasonable cause to believe that the apparatus does not comply with regulation 4, any person who is in possession or control of the apparatus shall, on the demand of that authorised person—

- (a) permit and facilitate its inspection by that authorised person;
(b) cause its use to—
(i) cease; or
(ii) be restricted in the manner specified by that authorised person,
for a period of time ending either on a date or on the occurrence of an event specified by the authorised person.

(2) Any authorised person exercising powers under paragraph (1) above, shall, if so required by the person in possession or control of the apparatus, produce evidence of his authority.

Amendment of the Wireless Telegraphy (Exemption) Regulations 1982

6. Regulation 2 of the Wireless Telegraphy (Exemption) Regulations 1982(6) is amended as follows—

- (a) in the definition of “cordless telephone apparatus”, by the deletion of—
 - (i) the word “public” in all places that it occurs; and
 - (ii) paragraph (ii); and
- (b) by substituting for the definition of “the Specification” the following definition ““the Specification” means Performance Specification MPT 1322 published in August 1982 and as amended in February 1991 and September 1991”

18th August 1992

T Eggar
Minister of State,
Department of Trade and Industry

(6) S.I. [1982/1697](#), as amended by S.I. [1987/775](#).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations provide for the exemption from the provisions of section 1(1) of the Wireless Telegraphy Act 1949 of certain cordless telephone apparatus. Such apparatus may therefore be installed and used without a wireless telegraphy licence (regulation 3).

Regulation 4 provides that, for exemption to apply, certain requirements must be complied with; the apparatus must comply with Department of Trade and Industry Performance Specification MPT 1371 as published in May 1989 and as revised and reprinted in July 1992 and the apparatus must not cause or contribute to any undue interference to wireless telegraphy. Copies of MPT 1371 may be obtained, free of charge, from the Radiocommunications Agency, Department of Trade and Industry, Waterloo Bridge House, Waterloo Road, London SE1 8UA.

Regulation 5 requires that use of the apparatus must cease, or its operation must be restricted, on the demand of a person authorised in that behalf by the Secretary of State. Failure to comply with such a demand is an offence under section 3 of the Wireless Telegraphy Act 1949.

These Regulations update the [Wireless Telegraphy \(Exemption\) Regulations 1982 \(S.I.No. 1697\)](#), as amended by [1987/775](#), by referring to the amendments to MPT 1322 of February 1991 and September 1991. Certain drafting amendments are also made (regulation 6(a)).

The use of the exempt apparatus remains subject to the requirement of a licence under section 7 of the Telecommunications Act 1984. Details of the licensing arrangements applicable may be obtained from the Office of Telecommunications, Export House, 50 Ludgate Hill, London EC4M 7JJ.