

SUBSIDIARY LEGISLATION 399.42**RADIOCOMMUNICATIONS APPARATUS
EXEMPTION ORDER**

25th August, 2015

LEGAL NOTICE 287 of 2015, as amended by Legal Notice 18 of 2022.

1. The title of this Order is the Radiocommunications Apparatus Exemption Order. Citation.

2. In this Order unless the context otherwise requires:

Definitions.
Amended by:
L.N. 18 of 2022.

"Commission Decision 2000/299/EC" means Commission Decision of 6 April 2000 establishing the initial classification of radio equipment and telecommunications terminal equipment and associated identifiers;

"ERC/DEC/(99)06" means the most recent version of ERC Decision (99)06 on the harmonised introduction of satellite personal communication systems operating in the bands below 1 GHz (S-PCS<1GHz);

"Marine Equipment Regulations" means the Conformity Assessment of Maritime Equipment Regulations; S.L.427.60.

"the Minister" means the Minister responsible for communications;

"mobile-satellite service" or "MSS" shall have the same meaning as in the National Radio Frequency Plan which is currently in force;

"mobile service" shall have the same meaning as in the National Radio Frequency Plan which is currently in force;

"mobile terminal" means a terminal in the mobile service intended to be used while in motion or during halts at unspecified points;

"MSS terminal" means a terminal in the mobile satellite service intended to be used while in motion or during halts at unspecified points;

"RED Regulations" means the Radio Equipment Regulations; S.L.427.41.

"Resolution 225" means Resolution 225 as published in the most recent edition of the Radio Regulations of the International Telecommunication Union on the use of additional frequency bands for the satellite component of IMT;

"satellite network" means a space system using one or more artificial satellites or parts of that system, consisting of only one satellite and the cooperating earth stations;

"SOLAS Convention" means the International Convention for the Safety of Life at Sea, signed in London on 1st November, 1974, and the Protocol thereto signed in London on 17th February, 1978, as amended;

"space" means any radiocommunication involving the use of one or more space stations or the use of one or more reflecting satellites or other objects in space; and

"terrestrial" means any radiocommunications other than space and radio-astronomy.

Applicability of
this Order.

3. This Order applies to the apparatus described in the Annex to this Order with the exception of MSS terminals installed permanently on ships which fall within the scope of the SOLAS Convention and MSS terminals installed permanently on aircraft.

Exemption.
Amended by:
L.N. 18 of 2022

4. The Minister, after consultation with the Malta Communications Authority, hereby orders that the radiocommunications apparatus listed in the Annex to this Order shall be exempted from the requirements of article 30 of the Electronic Communications (Regulation) Act:

Cap. 399.

S.L.427.41.
S.L.427.60

Provided that such apparatus shall be compliant with the RED Regulations or the Marine Equipment Regulations:

Provided further that such apparatus shall operate under the control of terrestrial or satellite networks, capable of providing electronic communications services in the frequency bands or parts thereof listed in the Annex to this Order.

Substituted by:
L.N. 18 of 2022.

ANNEX TO THE RADIOCOMMUNICATIONS APPARATUS
EXEMPTION ORDER
(Article 4)

List of radiocommunications apparatus exempted from the
requirements of article 30 of the Electronic Communications
(Regulation) Act

Table 1 – Mobile terminals (terrestrial)

Frequency band designation	Operating Frequency band	Mode of operation
700 MHz	703-733 MHz 758-788 MHz	FDD uplink FDD downlink
800 MHz	791-821 MHz 832-862 MHz	FDD downlink FDD uplink
900 MHz	880-915 MHz 925-960 MHz	FDD uplink / uplink only operation FDD downlink / downlink only operation
1.5 GHz	1427-1517 MHz	Downlink only operation
1.8 GHz	1710-1785 MHz 1805-1880 MHz	FDD uplink / uplink only operation FDD downlink / downlink only operation

2 GHz	1920-1980 MHz 2110-2170 MHz	FDD uplink / uplink only operation FDD downlink / downlink only operation
2.6 GHz	2500-2570 MHz 2570-2620 MHz 2620-2690 MHz	FDD uplink TDD downlink only operation FDD downlink
3.6 GHz	3400-3800 MHz	TDD
26 GHz	24.25-27.5 GHz	TDD

Table 2 – MSS terminals (space)

Operating Frequency band	Mode of operation	Operational constraints
137-138 MHz 148-150.05 MHz	Downlink (space-to-Earth) Uplink (Earth-to-space)	In accordance with ERC/DEC/(99)06 for system LEOTELCOM-1.
400.15-401 MHz 399.9-400.05 MHz	Downlink (space-to-Earth) Uplink (Earth-to-space)	In accordance with ERC/DEC/(99)06 for system ARGOS KINEIS and system MYRIOTA.
137.0250-137.1750 MHz 137.3275-137.3750 MHz 137.4725-137.5350 MHz 137.5850-137.6500 MHz 137.8125-138.0000 MHz 149.9000-149.9500 MHz	Downlink (space-to-Earth) Downlink (space-to-Earth) Downlink (space-to-Earth) Downlink (space-to-Earth) Downlink (space-to-Earth) Uplink (Earth-to-space)	In accordance with ERC/DEC/(99)06 for system SWARM.
1525.0-1544.0 MHz 1555.0-1559.0 MHz 1631.5-1634.5 MHz 1656.5-1660.5 MHz	Downlink (space-to-Earth) Downlink (space-to-Earth) Uplink (Earth-to-space) Uplink (Earth-to-space)	In accordance with the list published by the European Commission pursuant to Article 1(3) of Commission Decision 2000/299/EC for equipment falling within the scope of 'Class 1'. Refer to equipment sub-class 11.
1610-1613.5 MHz 1613.8-1626.5 MHz 2483.5-2500 MHz	Uplink (Earth-to-space) Downlink (space-to-Earth) Downlink (space-to-Earth)	In accordance with the list published by the European Commission pursuant to Article 1(3) of Commission Decision 2000/299/EC for equipment falling within the scope of 'Class 1'. Refer to equipment sub-class 14.

1980-2010 MHz 2170-2200 MHz	Uplink (Earth-to-space) Downlink (space-to-Earth)	In accordance with the list published by the European Commission pursuant to Article 1(3) of Commission Decision 2000/299/EC for equipment falling within the scope of 'Class 1'. Refer to equipment sub-class 15.
1525.0-1544.0 MHz 1555.0-1559.0 MHz 1626.5-1645.5 MHz 1656.5-1660.5 MHz	Downlink (space-to-Earth) Downlink (space-to-Earth) Uplink (Earth-to-space) Uplink (Earth-to-space)	In accordance with the list published by the European Commission pursuant to Article 1(3) of Commission Decision 2000/299/EC for equipment falling within the scope of 'Class 1'. Refer to equipment sub-class 16.
1518-1544 MHz 1545-1559 MHz 1610-1626.5 MHz 1646.5-1660.5 MHz 1670-1675 MHz	Downlink (space-to-Earth) Downlink (space-to-Earth) Uplink (Earth-to-space) Uplink (Earth-to-space) Uplink (Earth-to-space)	In accordance with Resolution 225.