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No. S 461

TELECOMMUNICATIONS ACT
(CHAPTER 323)

TELECOMMUNICATIONS
(RADIO-COMMUNICATION) (AMENDMENT)
REGULATIONS 2009

In exercise of the powers conferred by section 74 of the Telecommunications Act, the Info-communications Development Authority of Singapore, with the approval of RAdm (NS) Lui Tuck Yew, Senior Minister of State, charged with the responsibility of the Minister for Information, Communications and the Arts, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Telecommunications (Radio-communication) (Amendment) Regulations 2009 and shall come into operation on 2nd October 2009.

Amendment of regulation 2

2. Regulation 2 of the Telecommunications (Radio-communication) Regulations (Rg 5) (referred to in these Regulations as the principal Regulations) is amended —

(a) by deleting the definition of “class licence” and substituting the following definition:

“ “class licence” means an individual station class licence referred to in regulation 65 or a station (spectrum) class licence referred to in regulation 65A;”;

(b) by inserting, immediately after the definition of “class licensee”, the following definitions:

““individual station class licence” means an individual station class licence referred to in regulation 65;

“individual station class licensee” means a person who is deemed to have been granted an individual station class licence;”; and

(c) by inserting, immediately after the definition of “station licence”, the following definitions:

““station (spectrum) class licence” means a station (spectrum) class licence referred to in regulation 65A;

“station (spectrum) class licensee” means a person who is deemed to have been granted a station (spectrum) class licence;”.

Amendment of regulation 23

3. Regulation 23 of the principal Regulations is amended by inserting, immediately after paragraph (3), the following paragraph:

“(4) In this regulation and regulation 24, “station” does not include a radio-communication station specified in the Fourth Schedule.”.

Deletion and substitution of heading to Part VIII

4. The heading to Part VIII of the principal Regulations is deleted and the following heading substituted therefor:

“INDIVIDUAL STATION CLASS LICENCE AND STATION (SPECTRUM) CLASS LICENCE”.

Amendment of regulation 65

5. Regulation 65 of the principal Regulations is amended —

(a) by inserting, immediately after the words “A person” in paragraph (1), the words “, other than a telecommunication licensee;”;

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- (b) by deleting the words “a class licence” in paragraphs (1) and (3) and substituting in each case the words “an individual station class licence”;
 - (c) by deleting the words “A class licence” in paragraph (2) and substituting the words “An individual station class licence”;
and
 - (d) by deleting the regulation heading and substituting the following regulation heading:

“Grant of individual station class licences”.

New regulation 65A

6. The principal Regulations are amended by inserting, immediately after regulation 65, the following regulation:

“Grant of station (spectrum) class licences

65A.—(1) A telecommunication licensee who operates a radio-communication station specified in the Fourth Schedule shall be deemed to have been granted a station (spectrum) class licence by the Authority for that purpose.

(2) A station (spectrum) class licence shall be subject to the conditions specified in the Fifth Schedule.

(3) No fee is payable for the grant of a station (spectrum) class licence.”.

Amendment of Third Schedule

7. The Third Schedule to the principal Regulations is amended —
- (a) by deleting the words “A class licensee” in paragraphs 1, 2 and 3 and substituting in each case the words “An individual station class licensee”;
 - (b) by deleting the words “a class licence” in paragraph 4 and substituting the words “an individual station class licence”;
 - (c) by deleting the words “class licensee” in paragraph 4 and substituting the words “individual station class licensee”;
and

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- (d) by deleting the words “CLASS LICENCE” in the Schedule heading and substituting the words “INDIVIDUAL STATION CLASS LICENCE”.

New Fourth and Fifth Schedules

8. The principal Regulations are amended by inserting, immediately after the Third Schedule, the following Schedules:

“FOURTH SCHEDULE

Regulations 23(4) and 65A(1)

RADIO-COMMUNICATION STATION OPERATED BY TELECOMMUNICATION LICENSEE

1. A femtocell with an output power limit that does not exceed 100 mW EIRP and which is connected to a telecommunication licensee’s public cellular mobile telephone system or public wireless broadband access system.

FIFTH SCHEDULE

Regulation 65A(2)

CONDITIONS OF STATION (SPECTRUM) CLASS LICENCE

1. A station (spectrum) class licensee shall comply with the technical specifications laid down from time to time by the Authority in relation to the radio-communication station.
2. A station (spectrum) class licensee shall ensure that the radio-communication station is approved by the Authority before it is used for connection to any telecommunication system or equipment belonging to a public telecommunication licensee, and that the radio-communication station is not tampered with or, without just cause, modified in any manner after the approval of the Authority has been obtained.
3. A station (spectrum) class licensee shall, at its own cost and as required by the Authority, conduct inspections of the radio-communication station in order to satisfy the Authority that the radio-communication station has not been tampered with or, without just cause, modified in any manner after the approval of the Authority has been obtained.
4. A station (spectrum) class licensee shall ensure that the radio-communication station is not used for any unlawful purpose.

5. The Authority may cancel or suspend a station (spectrum) class licence if it is satisfied that the station (spectrum) class licensee is contravening, or has contravened and is likely again to contravene, any of these conditions or the provisions of the Act.

6. A station (spectrum) class licensee shall ensure that the radio-communication station operates only within the radio frequency spectrum assigned to the station (spectrum) class licensee.

7. A station (spectrum) class licensee shall keep up-to-date records of the radio-communication station, including details of the installation location of the radio-communication station, the name of the equipment manufacturer, the model and serial number of the equipment, and the frequency, output power, date of purchase and date of disposal of the equipment, and shall submit such records to the Authority as the Authority may, from time to time, require.”

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Miscellaneous amendments

9. The principal Regulations are amended by deleting the words “or a network (spectrum) licence” in the following regulations and substituting in each case the words “, a network (spectrum) licence or a station (spectrum) class licence”:

Regulations 10(d), 11(2) and 12(1).

[G.N. Nos. S 707/2005; S 263/2006]

Made this 15th day of September 2009.

YONG YING-I

Chairman,

*Info-communications Development
Authority of Singapore.*

[IDA/LGL/3.3/reg-12; AG/LEG/SL/323/2000/1 Vol. 8]