



STATUTORY INSTRUMENTS.

**S.I. No. 88 of 2026**

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WIRELESS TELEGRAPHY ACT 1926 (SECTION 3) (EXEMPTION OF  
APPARATUS FOR MOBILE COMMUNICATION SERVICES ON BOARD  
VESSELS) ORDER 2026

S.I. No. 88 of 2026

WIRELESS TELEGRAPHY ACT 1926 (SECTION 3) (EXEMPTION OF APPARATUS FOR MOBILE COMMUNICATION SERVICES ON BOARD VESSELS) ORDER 2026

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), (amended 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 Apparatus for Mobile Communication Services on Board Vessels) Order 2025.

*Interpretation*

2. The Interpretation Act 2005 (No. 23 of 2005) applies to this Order.

3. In this order—

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

“Apparatus for Mobile Communication Services on Board Vessels” means apparatus for wireless telegraphy, providing MCV services on aircraft fulfilling all of the requirements set out in the Annex to the MCV Decision;

“Apparatus for Wireless Telegraphy” has the same definition herein as in the Wireless Telegraphy Act 1926 (No. 45 of 1926);

“Baseline” has the same meaning as that within the Maritime Jurisdiction Act 2021 (No. 28 of 2021);

“EECC Regulations” means European Union (Electronic Communications Code) Regulations 2022 (S.I. No. 444 of 2022);

“Electronic Communications Network” and “Electronic Communications Service” have the meanings ascribed in the EECC Regulations to “electronic communications network” and “electronic communications service” respectively;

“MCV Decision” means the European Commission Implementing Decision (EU) 2024/340 of 22 January 2024 (O.J. L 340, 24.01.2024) and as may be amended by the European Commission from time to time, and which amendment has legal effect in the State;

“Mobile Communication Services on Board Vessels” or “MCV” means electronic communication services (“MCV services”), as defined in Article 2, point (4), of Directive (EU) 2018/1972, provided by an Undertaking to enable

*Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 13th March, 2026.*

persons on board a vessel to communicate via public communication networks using a system subject to Article 3 without establishing direct connections with land-based mobile networks;

“Radio Equipment Directive” means Directive 2014/53/EU of the European Parliament and of the Council, of 16 April 2014, on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity;

“Radio Equipment Regulations” means the European Union (Radio Equipment) Regulations 2017 (S.I. No. 248 of 2017);

“Territorial Sea” as the meaning assigned to it by Part 3 of the Sea Fisheries and Maritime Jurisdiction Act 2006 (No. 8 of 2006), as amended;

“1800 MHz frequency band” means the 1710–1785 MHz frequency band for uplink (terminal transmit, base station receive) and 1805–1880 MHz frequency band for downlink (base station transmit, terminal receive);

“paired 2.6 GHz frequency band” means the 2500–2570 MHz frequency band for uplink (terminal transmit, base station receive) and 2620–2690 MHz frequency band for downlink (base station transmit, terminal receive);

“Undertaking” means a person engaged or intending to engage in the provision of electronic communications networks or services or associated facilities.

### *Applicability*

4. Section 3 of the Wireless Telegraphy Act 1926 (No. 45 of 1926) does not apply to classes of Apparatus for MCV services described as, and fulfilling the requirements set out in, the MCV Decision, the Annex to the MCV Decision, and otherwise meeting the essential requirements of the Radio Equipment Directive and the Radio Equipment Regulations.

5. (1) This Order does not:

- (a) exempt any Apparatus for MCV services from any seaworthiness; approval, inspections, licensing, or operational provisions as required by law; or
- (b) exempt any Apparatus for MCV services from licensing under the Act of 1926 where such apparatus is used for the purposes of the Global Maritime Distress and Safety System, or for any other distress and safety communications purposes.

6. This Order only applies within the jurisdiction of the State and its Territorial Sea.

*Conditions*

7. (1) In addition to Articles 4, 5 and 6 of this Order:

- (a) the operation of the Apparatus for MCV services must be immediately terminated should any malfunction or other such situation occur;
- (b) In the event of a malfunction, the Apparatus for MCV services must be disabled for the remainder of the vessels time in the Territorial Sea and may not be used again until it is fully certified as being conformant with the Decision of 2010 and otherwise operating correctly; and
- (c) The transmitting (Tx) power of user equipment (UE) connected to a MCV system in the 1800 MHz frequency band and the paired 2.6 GHz frequency band shall be limited in accordance with the following formula:

$$\text{UE Tx Power (dBm)} = 2 + (D - 12) * 0,75$$

where: D is the distance from the Baseline and  $12 < D \leq 41$  nautical miles.

- (d) the Commission for Communications Regulation reserves the right to inspect the Apparatus for MCV services installation thereof at the operator's own expense prior to, and during operation if necessary.

*Revocation*

8. Statutory Instrument Number 169 of 2013, Wireless Telegraphy Act 1926 (Section 3) (Exemption of Apparatus for Mobile Communications Services on Board Vessels) Order 2013 is hereby revoked.



GIVEN under the official seal of the Commission for  
Communications Regulation,  
11 March, 2026.

GARRETT BLANEY,  
Chairperson  
For and on Behalf of the Commission for  
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 certain wireless telegraphy apparatus, namely apparatus for mobile communications services on board vessels, which meet certain conditions stated in the face of the order, from the requirement to be licensed under the Wireless Telegraphy Act 1926. Statutory Instrument Number 169 of 2013, Wireless Telegraphy Act 1926 (Section 3) (Exemption of Apparatus for Mobile Communications Services on Board Vessels) Order 2013 is revoked.

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