



STATUTORY INSTRUMENTS.

S.I. No. 289 of 2023



EUROPEAN UNION (WIRELESS TELEGRAPHY ACT 1926)
(AMENDMENT) REGULATIONS 2023

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I, EAMON RYAN, Minister for the Environment, Climate and Communications, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving full effect to Articles 33 and 38(1) of Regulation (EU) 2018/1139 of 4 July 2018¹, hereby make the following regulations:

1. These Regulations may be cited as the European Union (Wireless Telegraphy Act 1926) (Amendment) Regulations 2023.

2. The Wireless Telegraphy Act 1926 (No. 45 of 1926) is amended –

(a) in section 2, by the insertion of the following definitions:

“ ‘daa’ means daa, public limited company;

‘Dublin Airport’ has the same meaning as it has in the State Airports Act 2004 (No. 32 of 2004);

‘UAS’ means unmanned aircraft system;

‘unmanned aircraft system’ means an unmanned aircraft and the equipment to control it remotely, including any electronic device;

‘radio frequency jammer’ means a device constructed, adapted or intended to be used to prevent the reception of radio transmissions by a receiver relevant to its function;”

(b) in section 12 -

(i) in subsection (1), by the insertion of “Subject to subsection (1A), it shall not” for “It shall not”,

(ii) by the insertion of the following subsection after subsection (1):

“(1A) It shall be lawful for daa or a servant or agent of daa to work or use a radio frequency jammer at Dublin Airport to interfere with the working of or otherwise injuriously affect any UAS where daa or such servant or agent reasonably believes such work or use to be necessary to ensure the safety of civil aviation or public safety.”

(c) in section 12B -

¹ OJ No. L212, 22.8.2018, p. 1.

- (i) in subsection (1), by the substitution of “Subject to subsection (1A), any person” for “Any person”, and
- (ii) by the insertion of the following subsection after subsection (1):

“(1A) Subsection (1) shall not apply to the use by daa or a servant or agent of daa of a radio frequency jammer at Dublin Airport for the purpose of interfering with a UAS where daa or such servant or agent reasonably believes such use to be necessary to ensure the safety of civil aviation or public safety.”.



GIVEN under my Official Seal,
6 June, 2023.

EAMON RYAN,
Minister for the Environment, Climate and
Communications.

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