
STATUTORY INSTRUMENTS

2004 No. 692

The Communications (Television Licensing) Regulations 2004

PART 1

General

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Communications (Television Licensing) Regulations 2004 and shall come into force on 1st April 2004.

[^{F1}(2) These Regulations extend to the Channel Islands ^{F2}... except for—

- (a) Schedule 2, Part 4 and regulation 3(1)(b) so far as it relates to that Part;
- (b) regulations 10 and 11.]

[^{F3}(2A) These Regulations extend to the Isle of Man except for regulations 10 and 11.]

(3) In these Regulations “the Act” means the Communications Act 2003.

Textual Amendments

- F1** Reg. 1(2) substituted (1.4.2020) by [The Communications \(Television Licensing\) \(Amendment\) \(No. 2\) Regulations 2020 \(S.I. 2020/160\)](#), regs. 1(1), **3**
- F2** Words in reg. 1(2) omitted (1.5.2021) by virtue of [The Communications \(Television Licensing\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/227\)](#), regs. 1(1), **4(1)**
- F3** Reg. 1(2A) inserted (1.5.2021) by [The Communications \(Television Licensing\) \(Amendment\) \(No. 2\) Regulations 2021 \(S.I. 2021/227\)](#), regs. 1(1), **4(2)**

PART 2

TV licence fees

Interpretation of Part 2

2.—(1) In this Part—

“caravan” means any structure designed or adapted for habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted;

[^{F4}“digital set top box” means a television receiver whose function is to receive television programmes in digital form, and which cannot itself display, or record or otherwise store such programmes;]

“the due date” in relation to any TV licence means the date on which the licensee is required to obtain the licence in accordance with the Act whether in consequence of the expiry of a previous licence or otherwise; and

“touring caravan” means a caravan normally used for touring from place to place.

(2) Any reference to—

- (a) the issue of a TV licence includes a reference to the renewal of such a licence;
- (b) a person's residence includes any place provided for that person's private occupation.

Textual Amendments

F4 Words in [reg. 2\(1\)](#) inserted (1.4.2007) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2007 \(S.I. 2007/718\)](#), regs. 1(1), **3** (with [reg. 13](#))

TV licence fees

3.—(1) Subject to regulations 5 and 6—

- (a) on the issue of a TV licence of a type specified in an entry in column 1 of the table in Schedule 1, the fee payable shall be that specified in column 3 in relation to that type of licence;
- (b) on the issue of a TV licence of a type specified in paragraph 1, 3^[F5], 8 or 18] of Schedule 2, the person to whom the licence is issued shall be liable to make payments as provided by (as the case may be) Part 1, 2^[F6], 3 or 4] of that Schedule;
- (c) on the issue of a TV licence of a type specified in an entry in column 1 of the table in Part 1 of Schedule 3, the fee payable shall (subject to paragraph (2)) be determined in accordance with the entry in column 3 in relation to that type of licence;
- (d) on the issue of a TV licence of the type specified in paragraph 1 of Schedule 4, the fee payable shall be determined in accordance with paragraph 2 of that Schedule;
- (e) on the issue of a TV licence of the type specified in paragraph 2 of Schedule 5, the fee payable shall be determined in accordance with paragraph 3 of that Schedule.

(2) In relation to a TV licence of the type specified in the second entry in column 1 of the table in Part 1 of Schedule 3, the fee is to be payable in instalments in the circumstances specified in Part 2 of that Schedule; and the amount of each of the instalments, and the dates on which they are payable, are to be determined in accordance with that Part.

(3) Any sum payable by virtue of paragraph (1) or (2) shall be payable irrespective of the duration of the TV licence.

^[F7](4) In the first and third entries in column 2 of the table in Schedule 1, a reference to—

- (a) installing a black and white television receiver includes a reference to installing a digital set top box in such a way that it can only be used to cause television programmes to be displayed on a television set or monitor that can display them in black and white only; and
- (b) using a black and white television receiver includes a reference to using a digital set top box installed as described in this paragraph.]

Textual Amendments

F5 Words in [reg. 3\(1\)\(b\)](#) substituted (1.4.2018) by [The Communications \(Television Licensing\) \(Amendment\) \(No. 2\) Regulations 2018 \(S.I. 2018/339\)](#), regs. 1(2), **3(a)**

- F6** Words in reg. 3(1)(b) substituted (1.4.2018) by [The Communications \(Television Licensing\) \(Amendment\) \(No. 2\) Regulations 2018 \(S.I. 2018/339\)](#), regs. 1(2), **3(b)**
- F7** Reg. 3(4) added (1.4.2007) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2007 \(S.I. 2007/718\)](#), reg. 1(1), **4** (with reg. 13)

Duplicate licences

4. Where a TV licence has been lost or destroyed, the sum of [^{F8}£4.50] shall be paid on the issue of a duplicate of such a licence; but no such sum shall be payable on the issue of a duplicate of a TV licence that was issued free of charge.

Textual Amendments

- F8** Word in reg. 4 substituted (1.4.2005) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2005 \(S.I. 2005/606\)](#), reg. 1(1), **3** (with reg. 10)

Concessions for blind persons

5.—(1) Where—

- (a) a TV licence is issued to a blind person, authorising the installation or use of a television receiver at one or more places or in one or more vehicles, vessels or caravans specified in the licence; and
- (b) each place, vehicle, vessel or caravan so specified is a residence of that person,

the fee payable (including the amount of any instalment payments) shall be 50 per cent of the amount which would otherwise be payable for the licence in accordance with regulation 3.

This reduction in the amount payable is referred to in this [^{F9}regulation] as the “blind concession”.

(2) In order to establish an entitlement to the blind concession a person must—

[^{F10}(a) show that he is registered as blind by means of a certificate or other document issued by or on behalf of—

- (i) a local authority in Great Britain,
- (ii) a Health and Social Services Trust in Northern Ireland, or
- (iii) the Department of Health and [^{F11}Social Care] for the Isle of Man; or]

(b) provide evidence that he is blind by way of a certificate signed by an ophthalmologist.

[^{F12}(3) A person is not required to provide the evidence referred to in paragraph (2) to obtain the blind concession in respect of a TV licence where that person has previously established an entitlement to the concession by providing the evidence referred to in that paragraph and—

- (a) the evidence was provided within the period of 5 years ending on the date on which the licence is issued, or
- (b) the BBC are satisfied that the evidence previously provided is sufficient to establish the person’s entitlement to the concession as at that date.]

(4) This regulation does not apply where the TV licence is of a type and description specified in paragraph 1 of Schedule 4 or paragraph 2 of Schedule 5.

(5) In these Regulations—

“blind” means that the person concerned is so blind as to be unable to perform any work for which eyesight is essential;

“local authority” means—

- (a) in England, a county council, a district council, a London borough council, the Common Council of the City of London, and the Council of the Isles of Scilly;
- (b) in Wales, a county council or a county borough council;
- (c) ^{M1}in Scotland, a council constituted under section 2 of the Local Government etc (Scotland) Act 1994; ^{F13} ...
- (d) ^{F14} ...

^{M2}“ophthalmologist” means a doctor whose name is included in the register of specialists kept by the General Medical Council under article 8 of the European Specialist Medical Qualifications Order 1995 and in respect of whom that register indicates his speciality to be ophthalmology.

Textual Amendments

- F9** Word in reg. 5(1) substituted (1.4.2005) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2005 \(S.I. 2005/606\)](#), regs. 1(1), **4** (with reg. 10)
- F10** Reg. 5(2)(a) substituted (1.4.2007) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2007 \(S.I. 2007/718\)](#), regs. 1(1), **5(1)** (with reg. 13)
- F11** Words in reg. 5(2)(a)(iii) substituted (1.9.2016) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2016 \(S.I. 2016/704\)](#), regs. 1(1), **3**
- F12** Reg. 5(3) substituted (1.4.2007) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2007 \(S.I. 2007/718\)](#), regs. 1(1), **5(2)** (with reg. 13)
- F13** Word in reg. 5(5) omitted (1.4.2007) by virtue of [The Communications \(Television Licensing\) \(Amendment\) Regulations 2007 \(S.I. 2007/718\)](#), regs. 1(1), **5(3)** (with reg. 13)
- F14** Words in reg. 5(5) omitted (1.4.2007) by virtue of [The Communications \(Television Licensing\) \(Amendment\) Regulations 2007 \(S.I. 2007/718\)](#), regs. 1(1), **5(3)** (with reg. 13)

Marginal Citations

- M1** 1994 c. 39.
- M2** [S.I. 1995/3208](#), amended by [S.I. 2002/849](#).

Concessions for persons aged 75 years or more

6.—(1) No fee shall be payable for a TV licence of a type referred to in the first or second entry in column 1 of the table in Schedule 1 where—

- (a) the licence is issued to a person aged 75 years or more or to a person who will attain that age in the calendar month in which the licence is issued; and
- (b) the single place, vehicle, vessel or caravan specified in the licence is the sole or main residence of that person.

(2) Paragraph (1) only applies where the residence referred to in that paragraph is in the United Kingdom^{F15} ... [^{F16}or the Isle of Man].

[^{F17}(2A) No fee shall be payable for a TV licence of a type referred to in the first or second entry in column 1 of the table in Schedule 1 where—

- (a) a residence is in the Bailiwick of Guernsey (but excluding Sark);
- (b) the licence is issued to a person who has attained the age of 75 before 1st September 2016; and

(c) the single place, vehicle, vessel or caravan specified in the licence is the sole or main residence of that person.]

(3) Where a TV licence of the type referred to in paragraph 1 of Schedule 4 is issued in respect of accommodation for residential care, in calculating the fee payable no account shall be taken of any unit of accommodation or, as the case may be, residential care dwelling that is the sole or main residence of a resident who is aged 75 years or more on the date on which the licence is issued.

(4) In paragraph (3), the expressions “accommodation for residential care”, “resident” and “residential care dwelling” shall have the meanings given to them by Part 2 of Schedule 4.

(5) Paragraph (3) only applies where the accommodation to which the licence relates is in the United Kingdom.

Textual Amendments

- F15** Words in reg. 6(2) omitted (1.9.2016) by virtue of [The Communications \(Television Licensing\) \(Amendment\) Regulations 2016 \(S.I. 2016/704\)](#), regs. 1(1), **4(2)**
- F16** Words in reg. 6(2) inserted (with effect in accordance with reg. 1(3) of the amending S.I.) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2018 \(S.I. 2018/219\)](#), regs. 1(2), **3**
- F17** Reg. 6(2A) inserted (1.9.2016) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2016 \(S.I. 2016/704\)](#), regs. 1(1), **4(3)**

Revocation and savings

7.—(1) The Regulations specified in Schedule 6 are hereby revoked.

(2) The Wireless Telegraphy (Television Licence Fees) Regulations 1997^{M3} shall continue to apply to any television licence issued before 1st April 2004 as they had effect immediately before that date.

(3) In paragraph (2) the reference to a television licence is to such a licence within the meaning of the Wireless Telegraphy Act 1949^{M4}.

Marginal Citations

- M3** [S.I. 1997/290](#), amended by [S.I. 1998/558](#), [1999/765](#), [2000/630](#), [2001/772](#), [2002/641](#), and [2003/663](#).
- M4** [1949 c. 54](#); [section 1\(7\)](#) defines “television licence”, which was inserted by the [Broadcasting Act 1990 \(c. 42\)](#), [section 180](#), and [Schedule 18, Part I, paragraph 1](#).

PART 3

Definitions for the purposes of the Communications Act 2003 and the Wireless Telegraphy Act 1967

Interpretation of Part 3

8. In this Part—

[^{F18}“digital set top box” has the same meaning as in Part 2;]

“members of the public” means members of the public in the United Kingdom, the Channel Islands and the Isle of Man;

[^{F19}“on-demand programme service”, and references to the provision of such a service by the BBC, have the same meanings as in the Communications Act 2003 (and, in the application of this Part to the Channel Islands and the Isle of Man, they are to have the meanings which they have in the United Kingdom). If an amendment of the Communications Act 2003 changes the meaning in the United Kingdom of “on-demand programme service” or the meaning of any reference to the provision of such a service by the BBC, the change to the meaning is also to have effect in the Channel Islands and the Isle of Man for the purposes of this Part;]

“programme” has the same meaning as in the Act; and

“television programme service” has the same meaning as in Part 3 of the Act.

Textual Amendments

F18 Words in reg. 8 inserted (1.4.2007) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2007 \(S.I. 2007/718\)](#), regs. 1(1), **6** (with reg. 13)

F19 Words in reg. 8 inserted (1.9.2016) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2016 \(S.I. 2016/704\)](#), regs. 1(1), **5(1)**

Meaning of “television receiver”

9.—[^{F20}(1) Subject to paragraph (2), in Part 4 of the Act (licensing of TV reception), “television receiver” means any apparatus installed or used for the purpose of receiving (whether by means of wireless telegraphy or otherwise)—

- (a) any television programme service, or
- (b) an on-demand programme service which is provided by the BBC,

whether or not the apparatus is installed or used for any other purpose.]

[^{F21}(2) But a digital set top box is not a television receiver for the purposes of that Part if it is installed in such a way that it can be used only to cause the production of sound through a device whose functions are limited to the production, or the production and recording, of sound.]

[^{F22}(3)] In this regulation, any reference to receiving a television programme service includes a reference to receiving by any means any programme included in that service, where that programme is received at the same time (or virtually the same time) as it is received by members of the public by virtue of its being broadcast or distributed as part of that service.

Textual Amendments

F20 Reg. 9(1) substituted (1.9.2016) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2016 \(S.I. 2016/704\)](#), regs. 1(1), **6(1)**

F21 Reg. 9(2) inserted (1.4.2007) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2007 \(S.I. 2007/718\)](#), regs. 1(1), **7(b)** (with reg. 13)

F22 Reg. 9(2) renumbered as reg. 9(3) (1.4.2007) by [The Communications \(Television Licensing\) \(Amendment\) Regulations 2007 \(S.I. 2007/718\)](#), regs. 1(1), **7(c)** (with reg. 13)

Meaning of “television dealer”

^{F23}10.

.....

Textual Amendments

F23 Regs. 10, 11 omitted (14.8.2013) by virtue of [The Enterprise and Regulatory Reform Act 2013 \(Broadcasting Consequential Amendments\) Order 2013 \(S.I. 2013/1854\)](#), arts. 1, 2

Meaning of “television set”

^{F23} **11.**

.....

Textual Amendments

F23 Regs. 10, 11 omitted (14.8.2013) by virtue of [The Enterprise and Regulatory Reform Act 2013 \(Broadcasting Consequential Amendments\) Order 2013 \(S.I. 2013/1854\)](#), arts. 1, 2

Tessa Jowell
Secretary of State for Culture, Media and Sport

We consent to the making of these Regulations to the extent that they are made in exercise of the powers conferred by section 365 of the Communications Act 2003

Nick Ainger
John Heppell
Two of the Commissioners of Her Majesty's
Treasury

Changes to legislation:

There are currently no known outstanding effects for the The Communications (Television Licensing) Regulations 2004.