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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations prescribe the fees payable for TV licences; define “television receiver” for the purposes of Part 4 of the Communications Act 2003 (licensing of TV reception); and define terms used for the purposes of Part 1 of the Wireless Telegraphy Act 1967 (information as to sale and hire of television sets).

Part 2 of the Regulations consolidates the Regulations specified in Schedule 6. In addition to drafting amendments, the Regulations—

- (a) increase the licence fee for a basic black and white only TV licence from £38.50 to £40.50 and from £116.00 to £121.00 for a basic colour TV licence;
- (b) increase the fee for a premium instalment licence, which is a colour TV licence paid in quarterly instalments, from a total cost of £121.00 to £126.00 (not available in the Channel Islands);
- (c) increase the fee for a budget instalment licence from a total cost of £116.00 to £121.00. Part 2 of Schedule 2 sets out the different instalment schemes which apply to such a licence, including the circumstances in which each such scheme will apply. Different instalment schemes apply depending on whether or not the licence holder has entered into arrangements with the BBC to make payments in respect of the licence before the date on which that person is required to obtain the licence in accordance with the Communications Act 2003 (“the due date”). Different instalment schemes also apply depending on the length of the period of the licence;
- (d) increase the fee for the easy entry licence (which is not available in the Channel Islands or the Isle of Man) from a total cost of £116.00 to £121.00. Part 3 of Schedule 2 sets out the different instalment schemes which apply to such a licence, including the circumstances in which each such scheme will apply. Different instalment schemes apply depending on whether or not the licence holder has entered into arrangements with the BBC to make payments in respect of the licence before the due date. Different instalment schemes also apply depending on the length of the period of the licence;
- (e) provide for an increase in the fee payable for an interim licence. An interim licence is issued to any person who is over 74 years of age and who will therefore attain the age of 75 years in less than a year (at which point the person will be eligible for a free licence). The fee is calculated on a monthly basis. Where the licence is for black and white TV receivers only, the fee has been increased from £3.208 to £3.375 for each month, or part of a month, of the licence period. Where the licence authorises the installation and use of a colour TV receiver, the fee has been increased from £9.666 to £10.083 for each month. Part 2 of Schedule 3 specifies the circumstances in which instalments are payable for an interim licence, the amounts of any instalment payments and the date on which they are payable;
- (f) provide for the fee payable by a blind person in respect of a TV licence, authorising the installation and use of a TV receiver at the person's residence, to be reduced by 50 per cent. This replaces the blind concession provided for by the Secretary of State's determination under section 2(2) of the Wireless Telegraphy Act 1949, dated 31 March 2000 (and as amended on 29 March 2001);
- (g) provide for persons over the age of 75 years to be able to obtain a free TV licence for their sole or main residence. This replaces the Secretary of State's direction to the BBC under section 1(2) of the Wireless Telegraphy Act 1949, dated 30 October 2000 (and as amended on 29 March 2001), directing that TV licences be issued free to persons aged 75 and over;

**Changes to legislation:** There are currently no known outstanding effects for the The Communications (Television Licensing) Regulations 2004. (See end of Document for details)

- (h) update the definition of “accommodation for residential care” for England and Wales so that it refers to the Care Standards Act 2000 and regulations made under that Act rather than referring to the Registered Homes Act 1984, which has now been repealed;
- (i) update the definition of “accommodation for residential care” for Scotland so that it refers to the Regulation of Care (Scotland) Act 2001 rather than referring to sections 61 to 63 of the Social Work (Scotland) Act 1968, which have been repealed.

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

Part 3 of the Regulations—

- (j) defines “television receiver” for the purposes of Part 4 of the Communications Act 2003 (which re-enacts the requirement for the installation and use of a TV receiver to be authorised by a TV licence); and
- (k) defines “television dealer” and “television set” for the purposes of Part 1 of the Wireless Telegraphy Act 1967 (which imposes upon the television dealers an obligation to notify the BBC, as the authority responsible for TV licensing, of certain particulars relating to the sale of hire of a television set).

A Regulatory Impact Assessment has not been prepared in relation to these Regulations.

**Changes to legislation:**

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