
STATUTORY INSTRUMENTS

2022 No. 1091

ELECTRONIC COMMUNICATIONS

The Wireless Telegraphy (Licence Charges for the 3.4 GHz Frequency Band and the 3.6 GHz Frequency Band) Regulations 2022

Made - - - - *25th October 2022*

Coming into force - - *15th November 2022*

The Office of Communications (“OFCOM”) make the following Regulations in exercise of the powers conferred by sections 12, 13(2) and 122(7) of the Wireless Telegraphy Act 2006(1) (“the Act”).

Before making these Regulations, OFCOM have given notice of their proposal to do so in accordance with section 122(4)(a) of the Act, published notice of their proposal in accordance with section 122(4)(b) of the Act, and have considered the representations made to them before the time specified in the notice in accordance with section 122(4)(c) of the Act.

Citation and commencement

1. These Regulations may be cited as the Wireless Telegraphy (Licence Charges for the 3.4 GHz Frequency Band and the 3.6 GHz Frequency Band) Regulations 2022 and shall come into force on 15th November 2022.

Interpretation

2. In these Regulations—

“MHz” means megahertz;

“OFCOM” means the Office of Communications;

“3.4 GHz frequency band” means the frequencies from 3480.0 MHz to 3500.00 MHz and 3580.0 MHz to 3600 MHz; and

“3.6 GHz frequency band” means the frequencies from 3600.0 MHz to 3680.0 MHz.

Revocation

3. The Wireless Telegraphy (Licence Charges for the 3.4 GHz Frequency Band and the 3.6 GHz Frequency Band) Regulations 2019(2) are hereby revoked.

Licence charges payable for the 3.4 GHz frequency band

4.—(1) On 15th November 2022 the holder of a wireless telegraphy licence of the Spectrum Access 3.4 GHz licence class authorising the use of any frequencies in the 3.4 GHz frequency band shall pay to OFCOM the amount calculated in accordance with paragraphs (2) and (3).

(2) The formula to calculate the total sum mentioned in paragraph (1) is—

$$S = £270,792,410 \times (CPI_t \div CPI_0);$$

Where—

“S” means the total sum;

“CPI_t” means the most recent CPI value that is available on 15th November 2022;

“CPI₀” means the CPI value that is available for July 2022;

“CPI value” means the number given in respect of that month in the monthly all items consumer prices index published by the Statistics Board.

(3) If the total sum calculated in accordance with paragraph (2) is a fraction of a whole number, it shall be rounded down to the nearest whole number.

Licence charges payable for the 3.6 GHz frequency band

5.—(1) On 15th November 2022 the holder of a wireless telegraphy licence of the Spectrum Access 3.6 GHz to 3.8 GHz licence class authorising the use of frequencies in the 3.6 GHz frequency band shall pay to OFCOM the amount calculated in accordance with paragraphs (2) and (3).

(2) The formula to calculate the total sum mentioned in paragraph (1) is—

$$S = £306,432,095 \times (CPI_t \div CPI_0);$$

Where—

“S” means the total sum;

“CPI_t” means the most recent CPI value that is available on 15th November 2022;

“CPI₀” means the CPI value that is available for July 2022;

“CPI value” means the number given in respect of that month in the monthly all items consumer prices index published by the Statistics Board.

(3) If the total sum calculated in accordance with paragraph (2) is a fraction of a whole number, it shall be rounded down to the nearest whole number.

25th October 2022

David Willis
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Office of Communications

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set the level of charges payable to OFCOM in respect of the licences of the Spectrum Access 3.4 GHz licence class granted under section 8 of the Wireless Telegraphy Act 2006 (c.36) for the use of the frequencies in the bands 3480.0 MHz to 3500.0 MHz and 3580.0 MHz to 3600.0 MHz.

These Regulations also set the level of charges payable to OFCOM in respect of the licences of the Spectrum Access 3.6 GHz to 3.8 GHz licence class granted under section 8 of the Wireless Telegraphy Act 2006 (c.36) for the use of the frequencies in the band 3600.0 MHz to 3680.0 MHz.

A regulatory impact assessment of the effect of these Regulations has been prepared. Copies of this assessment have been placed in the library of the Houses of Parliament.