
STATUTORY INSTRUMENTS

1989 No. 1850

TELEGRAPHS

The Wireless Telegraphy (Licence Charges) Regulations 1989

Made - - - - *5th October 1989*
Laid before Parliament *11th October 1989*
Coming into force - - *1st November 1989*

The Secretary of State, in exercise of the powers conferred by section 2(1) of the Wireless Telegraphy Act 1949(1) as enacted, and as extended by the Wireless Telegraphy (Channel Islands) Order 1952(2) and the Wireless Telegraphy (Isle of Man) Order 1952(3) and now vested in him(4), the power conferred on him by the Department of Trade and Industry (Fees) Order 1988(5), and of all other powers enabling him in that behalf, hereby, with the consent of the Treasury, makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Wireless Telegraphy (Licence Charges) Regulations 1989 and shall come into force on 1st November 1989.

Revocation

2. The Wireless Telegraphy (Licence Charges) Regulations 1986(6) and the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 1988(7) are hereby revoked.

Interpretation

3.—(1) In these Regulations—

“the Act” means the Wireless Telegraphy Act 1949;

“base station” means a station which facilitates or controls communications between a mobile station and:—

(1) 1949 c. 54.

(2) S.I. 1952/1900.

(3) S.I. 1952/1899.

(4) 1969 c. 48, section 3; S.I. 1969/1369, article 3, 1371, article 2, and 1974/691, article 2.

(5) S.I. 1988/93, which was made under section 102 of the Finance (No. 2) Act 1987 (c. 51). The relevant provisions of S.I. 1988/93 are article 8 and Part V of Schedule 1.

(6) S.I. 1986/1039.

(7) S.I. 1988/135.

- (a) itself;
- (b) another mobile station; or
- (c) a telecommunication system which conveys messages:–
 - (i) otherwise than by wireless telegraphy; or
 - (ii) by a fixed link,

and in this definition, “convey” and “telecommunication system” shall be construed in accordance with section 4 of the Telecommunications Act 1984⁽⁸⁾;

“channel” means a part of the radio frequency spectrum intended to be used for a single transmission of signals, and defined by–

- (a) two specified limits; or
 - (b) by its centre frequency and the associated bandwidth,
- or by any indication equivalent to (a) or (b);

“fixed link” means a connection by wireless telegraphy designed for use between not more than two fixed points;

“licence” means a licence granted under section 1 of the Act;

“mobile station” means a station (other than a base station) intended to be used while in motion or during halts at unspecified points;

“national channel” means a channel which–

- (a) the licensee is authorised to use throughout England and Wales (whether or not he is also authorised to use it in any other place); and
- (b) is not, at the time of issue or renewal, or at the prescribed time, as the case may be, authorised to be used by any person other than the licensee in any part of England or Wales under a licence granted under section 1 of the Act;

“National Public Radiotelephone Service Licence” includes any licence howsoever entitled authorising the operation of a national public radiotelephone service;

“prescribed sum” has the meaning given by regulation 4(1);

“prescribed time” has the meaning given by regulation 4(2); and

“station” means a station for wireless telegraphy.

(2) Where these Regulations provide for the prescribed sum to be calculated by reference to a number of aircraft, channels, national channels, stations, base stations or mobile stations, the number thereof shall be taken to be the number of aircraft in respect of which the use of the wireless telegraphy apparatus thereof is authorised by the licence, or the number of channels, national channels, stations, base stations, or mobile stations, the use of which is authorised by the licence, as the case may be.

(3) In these Regulations, a reference to a link of a class listed in the table below means a fixed link where the bandwidth of the channel designated in the licence for the purposes of the link is within the limits specified in relation to a link of that class in the said table:–

<i>Class of Link</i>	<i>Limits of Bandwidth</i>
Class 1 link	Not more than 50 kHz
Class 2 link	More than 50 kHz but not more than 3.5 MHz
Class 3 link	More than 3.5 MHz but not more than 7 MHz

⁽⁸⁾ 1984 c. 12.

<i>Class of Link</i>	<i>Limits of Bandwidth</i>
Class 4 link	More than 7 MHz but not more than 14 MHz
Class 5 link	More than 14 MHz

Licence charges and time of payment

4.—(1) Subject to regulations 5, 6 and 8, the sum which is to be paid to the Secretary of State by the person to whom a licence is issued (“the licensee”) under section 2(1) of the Act—

(a) on the issue or renewal of the licence;

(b) at such times thereafter (if any) as are prescribed times in relation to licences of that type, shall be, in relation to licences of a type listed in the Schedule—

(i) the fixed sum specified; or

(ii) the variable sum determined in accordance with the criteria specified,

in respect of issue, renewal, or the prescribed time, as the case may be, for licences of that type in the said Schedule (“the prescribed sum”).

(2) Where an interval of time for payment is specified in the Schedule in relation to any type of licence therein listed, the first day after the expiry of each successive such interval of time (the first such interval having begun with the date of issue or renewal as the case may be), such day not being a time at which the licence falls to be renewed, shall be the prescribed time (“the prescribed time”) at which the prescribed sum is to be paid to the Secretary of State under section 2(1) of the Act.

Concessionary licence charges

5. In relation to a Private Mobile Radio (Standard) Licence or a Maritime Business Radio Licence granted to a licensee which:—

(a) is registered as a charity under the Charities Acts 1960⁽⁹⁾ and 1985⁽¹⁰⁾; and

(b) has as its primary object the safety of human life in an emergency,

the sum to be paid by such licensee to the Secretary of State under section 2(1) of the Act on issue or renewal, as the case may be, and at each of the prescribed times (if any) shall be one half of the prescribed sum.

6.—(1) This regulation applies to an Aircraft Licence which authorises the installation and use of the wireless telegraphy apparatus of any aircraft in respect of which—

(a) a certificate of airworthiness issued by the Civil Aviation Authority under article 8 of the Air Navigation Order 1985⁽¹¹⁾ has been in force throughout the two years immediately preceding the issue, renewal or prescribed time, as the case may be; and

(b) the entries in the technical log kept pursuant to article 10(a) of the said Order record not more than one hundred flying hours in each of the said two years,(

“a relevant aircraft”).

(2) In calculating the sum to be paid by the licensee to the Secretary of State under section 2(1) of the Act in respect of an Aircraft Licence to which this regulation applies, where the component of the prescribed sum in respect of any relevant aircraft would, but for this regulation, exceed £25, that component shall be £25.

⁽⁹⁾ 1960 c. 58.

⁽¹⁰⁾ 1985 c. 20.

⁽¹¹⁾ S.I. 1985/1643. Article 10 was amended by S.I. 1988/2250, article 2. There are other amendments not relevant to these Regulations.

Other licence charges

7.—(1) Subject to paragraph (2), there is hereby authorised, in such cases as are not otherwise dealt with by these Regulations or any other regulations made under section 2(1) of the Act, the charge by the Secretary of State of such sums, whether on the issue or renewal of the licence or subsequently, as may in the particular case appear to him to be proper.

(2) Paragraph (1) shall not apply to licences of any type wholly or mainly intended to meet the needs of persons desiring to use, in a private dwelling house and without making any charge to other persons, apparatus not designed or adapted for emission (as opposed to reception).

Application

8. Nothing in regulation 4 or the Schedule shall apply to—

- (a) a Band III Private Mobile Radio National Trunked Service Licence;
- (b) a Band III Private Mobile Radio Trunked Service Licence; or
- (c) a National Public Radiotelephone Service Licence

which was issued before 15th July 1986.

2nd October 1989

Douglas Hogg
Minister for Industry and Enterprise,
Department of Trade and Industry

We consent to these Regulations.

5th October 1989

Stephen Dorrell
Kenneth Carlisle
Two of the Lords Commissioners of Her
Majesty's Treasury

THE SCHEDULE

Regulation 4

<i>Class of Licence</i>	<i>The prescribed sum in respect of issue, renewal and the prescribed time</i>		<i>The prescribed time: interval of time for payment</i>
	<i>Fixed sums</i>	<i>Variable sums</i>	
Aeronautical			
Aeronautical Ground Station (General)	£100		Yearly
Aeronautical Ground Station (Glider, Hang Glider and Balloon)	£25		Yearly
Aeronautical Ground Station (Special)	£200		Yearly
Aeronautical Ground Station (Special Mobile)	£50		Yearly
Aircraft		£25 for each aircraft which has an approved maximum take-off weight of not more than 2,730 kg; £250 for each aircraft which has an approved maximum take-off weight of more than 2,730 kg but not more than 5,700 kg; £500 for each aircraft which has an approved maximum take-off weight of more than 5,700 kg	Yearly
Aircraft (Glider, Hang Glider and Balloon)	£17.50		Yearly
Aeronautical Navigational Aids and Radar		£20 for each navigational aid or radar station	Yearly
Amateur			
Amateur Radio (A)	£12		Yearly
Amateur Radio (B)	£12		Yearly
Amateur Radio Beacon and Repeater		£12 for each station	Yearly
Citizens' Band			
Citizens' Band Radio	£12		Yearly
Fixed Services			

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	<i>Fixed sums</i>	<i>Variable sums</i>	
Fixed Radio-Relay Link		£150 for each Class 1 link; £225 for each Class 2 link; £300 for each Class 3 link; £450 for each Class 4 link; £575 for each Class 5 link	Yearly
Scanning Telemetry Link		£25 for each station	Yearly
Temporary Fixed Link		As for Fixed Radio-Relay Link	None
Fixed Satellite Services			
Transmitting Earth Station Licence for Satellite Tracking, Telemetry and Command		£7,000 for each station	Yearly
Transmitting Earth Station Licence for specialised Satellite Services	£22,000		Yearly
Maritime			
Maritime Navigational Aids and Radar		£20 for each navigational aid or radar station	Yearly
Maritime Business Radio		For each base station: per channel designated for use by that base station—£120 for one or more but not exceeding 10 mobile stations; £250 for more than 10 but not exceeding 25 mobile stations; £400 for more than 25 but not exceeding 40 mobile stations plus £200 for each successive group of 40 mobile stations (any final group of less than 40 being disregarded)	Yearly

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	<i>Fixed sums</i>	<i>Variable sums</i>	
Maritime Business Radio (Base Station Only)		For each base station: £50 for each channel designated for use by that base station	Yearly
Port Operations Radio	£150		Yearly
Ship Radio	£50		Yearly
Ship Radio (Transportable)	£25		Yearly
Ship Radio (VHF)	£17.50		Yearly
Paging			
Induction Communication (Return Speech)		£25 for each base station	Yearly
Local Communications		£75 for each base station	Yearly
Radiating Cable		£50 for each base station	Yearly
Radio Paging (Standard)		£25 for each base station	Yearly
Radio Paging (Return Speech)		£75 for each base station	Yearly
Local Wide Area Paging		£250 for each base station subject to a maximum of £5,000	Yearly
National Wide Area Paging		£5,000 for each national channel	Yearly
Private Mobile Radio			
Private Mobile Radio (Standard)		For licences which authorise the use of one or more national channels—£5,000 for each national channel (any other channels being disregarded); For other licences—£120 for one or more but not exceeding 10 mobile stations; £250 for more than 10 but not exceeding 25 mobile stations;	Yearly

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<i>Class of Licence</i>	<i>The prescribed sum in respect of issue, renewal and the prescribed time</i>		<i>The prescribed time: interval of time for payment</i>
	<i>Fixed sums</i>	<i>Variable sums</i>	
		£400 for more than 25 but not exceeding 40 mobile stations plus £200 for each successive group of 40 mobile stations (any final group of less than 40 being disregarded)	
Private Mobile Radio Demonstration		As for Private Mobile Radio (Standard)	Yearly
Private Mobile Radio Short Term Hire		As for Private Mobile Radio (Standard)	Yearly
Message Handling Service		For each base station: £500 for each channel designated for use by that base station	Yearly
Private Mobile Radio Service Provider		For each base station: £750 for each channel designated for use by that base station	Yearly
Band III Private Mobile Radio National Trunked Service	£100,000 on issue; £200,000 on the first anniversary; £300,000 on the third anniversary; £400,000 on the fifth anniversary; £500,000 on each of the seventh and all subsequent anniversaries		Yearly
Band III Private Mobile		£500 for each channel on issue; £750 for each channel on the first anniversary; £1,000 for each channel on each of the second and subsequent anniversaries	Yearly
National Public Radio-telephone Service		£1,100 for each national channel on issue; £2,200 for each national channel on the first anniversary; £3,300 for each	Yearly

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Class of Licence	The prescribed sum in respect of issue, renewal and the prescribed time		The prescribed time: interval of time for payment
	Fixed sums	Variable sums	
		national channel on the second anniversary; £4,400 for each national channel on the third anniversary; £5,500 for each national channel on each of the fourth and all subsequent anniversaries	
Miscellaneous			
Local Authority (Emergency Alarm) Radio	£100		Yearly
Police and Fire Service Comprehensive Radio	£2,000		Yearly
Telemetry, Telecommand and Teleapproach Radio		£25 for each station	Yearly
Testing and Development		£50 for each station	Yearly
Radio Microphone	£100		Yearly

EXPLANATORY NOTE

(This Note is not part of the Regulations)

These Regulations, which revoke the Wireless Telegraphy (Licence Charges) Regulations 1986 (S.I.1986/1039) and the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 1988, provide for the fees to be paid—

- (a) on the issue or renewal of 43 types of licence; and
- (b) in respect of 42 of those 43 types of licence, at the times thereafter prescribed by these Regulations.

These Regulations do not affect the fees to be paid in respect of television broadcast receiving licences, which continue to be set under the Wireless Telegraphy (Broadcast Licence Charges and Exemption) Regulations 1984 (S.I. 1984/1053) and amendments to those Regulations (S.I. 1985/490, 1988/376, 899 and 1989/325).

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The principal changes are that the fees are increased in respect of five types of aeronautical licence, and that the fee structures for Fixed Radio-Relay Link Licences, Maritime Business Radio Licences and Aircraft Licences are altered.

There are three new types of licence. Nevertheless, the number of types of licence provided for which fees are set has been reduced to 43 on account of exemptions of certain wireless telegraphy apparatus from licensing under section 1 of the Wireless Telegraphy Act 1949 and the merging of certain licences.