
STATUTORY INSTRUMENTS

1995 No. 244

TELEGRAPHS

The Wireless Telegraphy (Licence Charges) (Amendment) Regulations 1995

<i>Made</i>	- - - -	<i>1st February 1995</i>
<i>Laid before Parliament</i>		<i>6th February 1995</i>
<i>Coming into force</i>	- -	<i>1st April 1995</i>

The Secretary of State, in exercise of the power conferred by section 2(1) of the Wireless Telegraphy Act 1949⁽¹⁾, and now vested in him⁽²⁾, the power conferred on him by article 8 of the Department of Trade and Industry (Fees) Order 1988⁽³⁾, and of all other powers enabling him in that behalf, hereby, with the consent of the Treasury, makes the following Regulations:

1. These Regulations may be cited as the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 1995 and shall come into force on 1st April 1995.

2. In these Regulations, “the Principal Regulations” means the Wireless Telegraphy (Licence Charges) Regulations 1991⁽⁴⁾.

3. In regulation 3 of the Principal Regulations after paragraph (6) there shall be inserted the following—

“(7) In relation to a Maritime Business Radio Licence and a Maritime Business Radio (Base Station Only) Licence “channels designated for emergency use” means channels 0 and 00 when used solely to assist Her Majesty’s Coastguard.

(8) In relation to a Port Operations Radio Licence “channels designated for emergency use” means channels 16 and 70, channel 10 when used solely to assist the Secretary of State with oil pollution control activities and channels 67 and 73 when used solely to assist Her Majesty’s Coastguard.

(9) In relation to a Ship Radio Licence a vessel which is used solely for pleasure is a vessel—

(a) which—

(1) 1949 c. 54; section 2 was extended to the Channel Islands and the Isle of Man, respectively, by S.I. 1952/1900, amended by S.I. 1967/1279, S.I. 1969/1396 and S.I. 1952/1899; there are amendments to section 2 not relevant to these Regulations.
(2) 1969 c. 48; section 3; S.I. 1969/1369, article 3, 1371, article 2, and 1974/691, article 2.
(3) S.I. 1988/93, which was made under section 102 of the Finance (No. 2) Act 1987 (c. 51).
(4) S.I. 1991/542, amended by S.I. 1992/362 and S.I. 1994/659.

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- (i) (aa) in the case of a vessel wholly owned by an individual or individuals is used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or
- (bb) in the case of a vessel owned by a body corporate is used only for the sport or pleasure of employees and officers of the body corporate or their immediate family or friends; and
- (ii) in respect of any voyage or excursion the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred in meeting the cost of the voyage or excursion, and no other payments are made by or on behalf of users of the vessel, other than by the owner; or
- (b) which is wholly owned by or on behalf of a members' club formed for the purpose of sport or pleasure and which is used only for the sport or pleasure of members of that club or their immediate family, and for the use of which any charges levied are paid into club funds and applied for the general use of the club, and no other payments are made by or on behalf of users of the vessel, and in this paragraph "immediate family" means—
in relation to an individual, the husband or wife of the individual, and a relative of the individual or the individual's husband or wife, and "relative" means brother, sister, ancestor or lineal descendant."

4. In regulation 8 of the Principal Regulations after the words "Transmission of" there shall be inserted the words "National and".

5. For regulation 9 of the Principal Regulations there shall be substituted the following—

"Fees scales

9. In relation to a Band III Private Mobile Radio National Trunked Service Licence, a Band III Private Mobile Radio Regional Trunked Service Licence, a National Public Data Network Service Licence, a National Public Radiotelephone System Licence and a Personal Communications Network Licence, where any such licence has been issued to a licensee in respect of a station or stations and another person subsequently applies for a licence in respect of that station or those stations, as the case may be, that person shall assume the position of the previous licensee on the fee scale applicable thereto set out in the Schedule."

6. In the Schedule to the Principal Regulations for the provisions relating to the category headed "**Maritime**" there shall be substituted the following—

"Class of licence	The prescribed sum in respect of the issue or renewal of the licence and in respect of the prescribed time:		The prescribed time: Interval of time for payment
	Fixed sums	Variable sums	
Maritime			
Maritime Business Radio		for each base station £180 per channel provided that channels designated	Yearly

“Class of licence	The prescribed sum in respect of the issue or renewal of the licence and in respect of the prescribed time:		The prescribed time: Interval of time for payment
	Fixed sums	Variable sums	
		for emergency use shall not be taken into account	
Maritime Business Radio (Base Station Only)		for each base station £100 per channel provided that channels designated for emergency use shall not be taken into account	Yearly
Maritime Radio (Navigational Aid and Radar)		for each navigational aid or radar station £40 per channel	Yearly
Port Operations Radio		for each base station £100 per channel provided that channels designated for emergency use shall not be taken into account	Yearly
Ship Radio		£40 provided that if the stations and/or the apparatus is operated only on a vessel or in the case of a transportable station vessels used solely for pleasure the prescribed sum shall be £22	None”

31st January 1995

Ian Taylor
 Parliamentary Under-Secretary of State,
 Department of Trade and Industry

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We consent to these Regulations,

1st February 1995

Timothy Kirkhope
Andrew Mitchell
Two of the Lords Commissioners of Her
Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Wireless Telegraphy (Licence Charges) Regulations 1991 (S.I.1991/542), as amended by the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 1992 (S.I. 1992/362) and the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 1994 (S.I. 1994/659) (“the Principal Regulations”), which provide for fees to be paid in relation to wireless telegraphy licences granted under section 1 of the Wireless Telegraphy Act 1949 (c. 54).

The Regulations provide that certain channels designated for emergency use shall not be taken into account when calculating the fees applicable for Maritime Business Radio, Maritime Business Radio (Base Station Only) and Port Operations Radio Licences (regulation 3).

The other main change to the Principal Regulations is that the three types of Ship Radio Licence, namely the Ship Radio Licence which cost £50, the Ship Radio (Transportable) Licence which cost £25 and the Ship Radio (VHF) Licence which cost £22 have been replaced by a single Ship Radio Licence with a two tier fee structure. A Ship Radio Licence will now cost £40 unless the radio equipment is operated on a vessel which is used solely for pleasure in which case the fee will be £22 (regulation 6).