
STATUTORY INSTRUMENTS

1997 No. 1006

TELEGRAPHS

The Wireless Telegraphy (Licence Charges) (Amendment) Regulations 1997

<i>Made</i>	- - - -	<i>19th March 1997</i>
<i>Laid before Parliament</i>		<i>21st March 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1997</i>

The Secretary of State, in exercise of the powers 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 1997 and shall come into force on 1st April 1997.

2. The Wireless Telegraphy (Licence Charges) Regulations 1995⁽⁴⁾ are hereby amended as follows:

(a) for regulation 3(4), there shall be substituted the following paragraph:

“(4) In relation to a Programme Making and Special Events Fixed Site Licence, a Programme Making and Special Events Low Power Licence and a Programme Making and Special Events Link Licence—

(a) “area” in relation to a channel means a channel specified in such licence which the licensee may use in an area with a population coverage exceeding 200,000 individuals but below 2 million individuals;

(b) “local” in relation to a channel means a channel specified in such licence which the licensee may use in an area with a population coverage below 200,000 individuals or within a radius of 5 kilometres of a given point, or only in the Channel Islands or Isle of Man;

(1) 1949 c. 54; section 2 was extended to the Channel Islands by S.I. 1952/1900, amended by S.I. 1967/1279 and S.I. 1969/1369, and to the Isle of Man by S.I. 1952/1899; there are amendments to section 2 not relevant to these Regulations.
(2) Post Office Act 1969 (c. 48), section 3; S.I. 1969/1369, article 3; S.I. 1969/1371, article 2; S.I. 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. 1995/1331, as amended by S.I. 1996/1464.

- (c) “occasional use” in relation to a channel means a channel specified in such licence which the licensee is authorised to use for a period not exceeding 48 hours;
- (d) “premium case” means a case where both the applicant applies for the issue or variation of such licence outside office hours and the licence is granted or varied outside office hours at the applicant’s request; and for the purposes of this definition “office hours” means 09.00 to 17.00 hours from Monday to Friday other than on a day which is a bank holiday in England and Wales;
- (e) “primary” in relation to a channel means a channel specified in such licence which such licence authorises the licensee to use at any time;
- (f) “regional” in relation to a channel means a channel specified in such licence which the licensee is authorised to use in an area with a population coverage exceeding 2 million individuals but below 12 million individuals;
- (g) “request” in relation to a channel means a channel specified in such licence which such licence only authorises the licensee to use at such limited times as are specified in the licence;
- (h) “secondary” in relation to a channel means a channel specified in such licence which such licence only authorises the licensee to use when the channel or band is not being used by another licensee under a licence which authorises such use as a primary channel;
- (i) “shared” in relation to a channel means a channel specified in such licence which the licensee is authorised to use at the same time as such channel may be used by a licensee under another licence;
- (j) “transaction charge” means a sum which when added to the sum that would otherwise be payable, produces the sum of £20;
- (k) “UK” in relation to a channel means a channel specified in such licence which the licensee is authorised to use anywhere within the British Islands;
- (l) “variation” in relation to a licence refers to the addition of a channel to the channel specified in such licence; and

for the purpose of determining “population coverage” as referred to above, reference shall be made as appropriate to:

- (i) the estimated mid-year resident population for England and Wales for 1995 as shown in the “Office of National Statistics Population and Health Monitor (PPI 96/2)” published in August 1996;
 - (ii) the estimated mid-year resident population for Scotland for 1995 as shown in the “Mid-1995 Population Estimates Scotland” published in June 1996; and
 - (iii) the estimated mid-year resident population for Northern Ireland for 1995 as shown in the “Annual Report of the Registrar General for Northern Ireland” published in November 1996.”; and
- (b) for the provisions in Schedule 4 relating to the following classes of licence: Independent Programme Maker’s, Independent Programme Maker’s Four Monthly, Independent Programme Maker’s Seven Day, Independent Programme Maker’s Six Hour, Radio Broadcaster’s Programme Making, Radio Microphone Class A Class B and Class C, Sporting and Other Public Events (Miscellaneous), there shall be substituted the provisions set out in the Schedule to these Regulations.

18th March 1997

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

We consent to these Regulations

19th March 1997

Patrick McLoughlin,
Roger Knapman,
Two of the Lord Commissioners of Her
Majesty's Treasury

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

Regulation 2(b)

<i>Class of licence</i>	<i>The prescribed sum in respect of the issue or renewal of the licence and in respect of the prescribed time:</i>		<i>The prescribed time: Interval of time for payment</i>
	<i>Fixed sums</i>	<i>Variable sums</i>	
Programme Making and Special Events Fixed Site		<p>For the issue or variation of a licence, the following sums plus, in a premium case, £50:</p> <p>For single channel talk-back or radio microphone for specific sites—</p> <p>£20 per channel per site</p> <p>For multi-channel talk-back or radio microphone, or wideband channel for specific sites—</p> <p>£80 per channel per site</p>	None, save in relation to the sum which is to be paid upon the variation of a licence, where the prescribed time is the time of such variation
Programme Making and Special Events Low Power		<p>For the issue or variation of a licence, the following sums, plus, in a premium case, £50 plus, in any case other than a premium case, where the aggregate sum payable on the issue or variation of a licence would otherwise be less than £20, a transaction charge:</p> <p>For single channel radio microphone—</p> <p>£8 per occasional use channel</p> <p>£480 per request channel</p> <p>£960 per primary UK channel</p> <p>£96 per shared UK channel</p>	None, save in relation to the sum which is to be paid on the variation of a licence, where the prescribed time is the time of such variation

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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	
		<p>£240 per primary regional channel</p> <p>£96 per primary area channel</p> <p>£48 per primary local channel</p> <p>Multi-channel radio microphone, or single wideband channel—</p> <p>£40 per occasional use wideband or channel</p> <p>£2,400 per request channel or wideband channel</p> <p>£160 per shared UK wideband channel</p>	
Programme Making and Special Events Link		<p>For the issue or variation of a licence, the following sums, plus, in a premium case, £50 plus, in any case other than a premium case, where the aggregate sum payable on the issue or variation of a licence would otherwise be less than £20, a transaction charge:</p> <p>For occasional use:</p> <p>£2 per channel of 12.5 kHz in the band 26–65 MHz</p> <p>£6 per channel of 12.5 kHz in the band 65–470 MHz</p> <p>£2 per channel of 12.5 kHz in the band 470–1000 MHz</p>	<p>None, save in relation to the sum which is to be paid on the variation of a licence, where the prescribed time is the time of such variation</p>

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<i>Class of licence</i>	<i>The prescribed sum in respect of the issue or renewal of the licence and in respect of the prescribed time:</i>		<i>The prescribed time: Interval of time for payment</i>
	<i>Fixed sums</i>	<i>Variable sums</i>	
		<p>£12 per channel of 0.5 MHz in the band 1–2 GHz</p> <p>£20 per channel of 5 MHz in the band 2–5 GHz</p> <p>£12 per channel of 5 MHz in the band 5–8 GHz</p> <p>£6 per channel of 5 MHz in the band 8–20 GHz</p> <p>£4 per channel of 5 MHz in the band 20–40 GHz</p> <p>£2 per channel of 5 MHz in the band above 40 GHz</p>	
		<p>For request channels:</p> <p>£360 per channel of 12.5 kHz in the band 65–470 MHz</p> <p>£120 per channel of 12.5 kHz in the band 470–1000 MHz</p> <p>£720 per channel of 0.5 MHz in the band 1–2 GHz</p> <p>£1,200 per channel of 5 MHz in the band 2–5 GHz</p> <p>£720 per channel of 5 MHz in the band 5–8 GHz</p> <p>£360 per channel of 5 MHz in the band 8–20 GHz</p> <p>£240 per channel of 5 MHz in the band 20–40 GHz</p> <p>£120 per channel of 5 MHz in the</p>	

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	<i>Fixed sums</i>	<i>Variable sums</i>	
		band above 40 GHz	
		For primary regional channels:	
		£60 per channel of 12.5 kHz in the band 26–65 MHz	
		£180 per channel of 12.5 kHz in the band 65–470 MHz	
		£60 per channel of 12.5 kHz in the band 470–1000 MHz	
		£360 per channel of 0.5 MHz in the band 1–2 GHz	
		£600 per channel of 5 MHz in the band 2–5 GHz	
		£360 per channel of 5 MHz in the band 5–8 GHz	
		£180 per channel of 5 MHz in the band 8–20 GHz	
		£120 per channel of 5 MHz in the band 20–40 GHz	
		£60 per channel of 5 MHz in the band above 40 GHz	
		For secondary regional channels and primary area channels:	
		£24 per channel of 12.5 kHz in the band 26–65 MHz	
		£72 per channel of 12.5 kHz in the band 65–470 MHz	

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<i>Class of licence</i>	<i>The prescribed sum in respect of the issue or renewal of the licence and in respect of the prescribed time:</i>		<i>The prescribed time: Interval of time for payment</i>
	<i>Fixed sums</i>	<i>Variable sums</i>	
		<p>£24 per channel of 12.5 kHz in the band 470–1000 MHz</p> <p>£144 per channel of 0.5 MHz in the band 1–2 GHz</p> <p>£240 per channel of 5 MHz in the band 2–5 GHz</p> <p>£144 per channel of 5 MHz in the band 5–8 GHz</p> <p>£72 per channel of 5 MHz in the band 8–20 GHz</p> <p>£48 per channel of 5 MHz in the band 20–40 GHz</p> <p>£24 per channel of 5 MHz in the band above 40 GHz</p>	
		<p>For secondary area channels and primary local channels:</p>	
		<p>£12 per channel of 12.5 kHz in the band 26–65 MHz</p> <p>£36 per channel of 12.5 kHz in the band 65–470 MHz</p> <p>£12 per channel of 12.5 kHz in the band 470–1000 MHz</p> <p>£72 per channel of 0.5 MHz in the band 1–2 GHz</p> <p>£120 per channel of 5 MHz in the band 2–5 GHz</p>	

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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	
		£72 per channel of 5 MHz in the band 5–8 GHz	
		£36 per channel of 5 MHz in the band 8–20 GHz	
		£24 per channel of 5 MHz in the band 20–40 GHz	
		£12 per channel of 5 MHz in the band above 40 GHz	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Wireless Telegraphy (Licence Charges) Regulations 1995 (S.I. 1995/1331), as amended by the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 1996 (S.I. 1996/1464) (as so amended, “the 1995 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). In relation to the 1995 Regulations, these Regulations provide for:

- (a) the substitution of a new regulation 3(4); and
- (b) the substitution in Schedule 4 of provisions relating to three new classes of licence, Programme Making and Special Events Fixed Site, Programme Making and Special Events Low Power, and Programme Making and Special Events Link, for the following classes: Independent Programme Maker’s, Independent Programme Maker’s Four Monthly, Independent Programme Maker’s Seven Day, Independent Programme Maker’s Six Hour, Radio Broadcaster’s Programme Making, Radio Microphone Class A Class B and Class C, Sporting and Other Public Events (Miscellaneous).

The documents “Office of National Statistics Population and Health Monitor (PPI 96/2)”, “Mid-1995 Population Estimates Scotland”, and “Annual Report of the Registrar General for Northern Ireland” may be obtained from The Stationery Office.