

2009 No. 505

ELECTRONIC COMMUNICATIONS

BROADCASTING

**The Communications (Television Licensing) (Amendment)
Regulations 2009**

Made - - - - *26th February 2009*
Laid before Parliament *9th March 2009*
Coming into force - - *1st April 2009*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 365(1) and (4) and 402 of the Communications Act 2003(a), as extended by the Communications (Jersey) Order 2003(b), the Broadcasting and Communications (Jersey) Order 2004(c), the Communications (Bailiwick of Guernsey) Order 2003(d), the Communications (Bailiwick of Guernsey) Order 2004(e) and the Communications (Isle of Man) Order 2003(f).

These Regulations are made with the consent of the Treasury in accordance with section 365(6) of the Communications Act 2003.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Communications (Television Licensing) (Amendment) Regulations 2009 and come into force on 1st April 2009.

(2) These Regulations extend to the Channel Islands and the Isle of Man.

Amendment of the 2004 Regulations

2. The Communications (Television Licensing) Regulations 2004(g) (“the 2004 Regulations”) are amended as set out in regulations 3 to 7 of these Regulations.

Amendment of Schedule 1

3. In Schedule 1 (Issue fees for TV licences) —

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- (a) 2003 c.21.
(b) S.I. 2003/3197. Article 6 of the Order extends section 402 of the Communications Act 2003 to Jersey. There are amendments to the Order not relevant to these Regulations.
(c) S.I. 2004/308. Article 4 of the Order extends sections 365 and 368 of the 2003 Act to Jersey.
(d) S.I. 2003/3195. Article 6 of the Order extends section 402 of the 2003 Act to Guernsey. There are amendments to the Order not relevant to these Regulations.
(e) S.I. 2004/307. Article 4 of the Order extends sections 365 and 368 of the 2003 Act to Guernsey.
(f) S.I. 2003/3198, amended by S.I. 2004/309. Article 6 of the Order extends, with modifications, sections 365, 368 and 402 of the 2003 Act to the Isle of Man. There are amendments to the Order not relevant to these Regulations.
(g) S.I. 2004/692, amended by S.I. 2005/606, S.I. 2006/619, S.I. 2007/718 and S.I. 2008/643.

- (a) for “£47.00” in each place where it occurs substitute “£48.00”;
- (b) for “£139.50” in each place where it occurs substitute “£142.50”.

Amendment of Schedule 2

- 4.—(1) Schedule 2 (Fees for TV licences payable by instalments) is amended as follows.
- (2) Omit paragraph 1(3).
 - (3) In paragraph 2(1) for “£36.14 and “£36.12” substitute, respectively, “£36.89” and “£36.87”.
 - (4) In each of paragraphs 5(1) and 6(1), for “2008” substitute “2009”.
 - (5) For table 1 substitute table 1 in the Schedule to these Regulations.
 - (6) For table 2 substitute table 2 in the Schedule to these Regulations.
 - (7) In paragraph 7(6)—
 - (a) in sub-paragraph (b) for “2008” substitute “2009”; and
 - (b) for “£81.40” and “£11.62” substitute, respectively, “£83.15” and “£11.87”.
 - (8) For table 3 substitute table 3 in the Schedule to these Regulations.
 - (9) Omit paragraph 8(3).
 - (10) In paragraph 9, for paragraph (c) substitute—
 - “(c) the amount of each of the first 24 of those instalments is to be £5.50 and the amount of the final instalment is to be £5.00.”
 - (11) In paragraph 11—
 - (a) in sub-paragraph (3) for “£49.00” substitute “£51.50”;
 - (b) in sub-paragraph (6) for “£10.00” substitute “£10.50”.
 - (12) In paragraph 12—
 - (a) in sub-paragraph (2)(b) for “£6.80” substitute “£7.10”;
 - (b) for sub-paragraph (3)(b) substitute—
 - “(b) the amount of the first 7 instalments is to be £8.90 and the final instalment is to be £8.70;”;
 - (c) in sub-paragraph (4)(b) for “£11.40” and “£11.00” substitute, respectively, “£11.90” and “£11.50”;
 - (d) in sub-paragraph (5)(b) for “£17.00” substitute “£17.75”.
 - (13) In paragraph 13—
 - (a) in sub-paragraph (2)(a) for “£8.10” substitute “£8.40”;
 - (b) for sub-paragraph (2)(b) substitute—
 - “(b) sub-paragraph (3)(b) is to have effect as if it provided for each of the 8 instalments to be £10.50;”;
 - (c) in sub-paragraph (2)(c) for “£13.50” substitute “£14.00”;
 - (d) in sub-paragraph (2)(d) for “£20.25” substitute “£21.00”.
 - (14) In paragraph 14—
 - (a) in sub-paragraph (1) for “£49.00” substitute “£51.50”;
 - (b) in sub-paragraph (2)(a) for “£9.05” substitute “£9.10”;
 - (c) in sub-paragraph (2)(b) for “£10.70” substitute “£11.20”;
 - (d) in sub-paragraph (2)(c) for “£15.10” substitute “£15.20”;
 - (e) for sub-paragraph (2)(d) substitute—
 - “(d) sub-paragraph (5)(b) is to have effect as if it provided for the amount of each of the 4 instalments to be £22.75.”.

(15) In paragraph 15—

- (a) in sub-paragraph (2)(a) for “£9.95” substitute “£10.25”;
- (b) in sub-paragraph (2)(b) for “£12.50” and “£12.00” substitute, respectively, “£12.85” and “£12.55”;
- (c) in sub-paragraph (2)(c) for “£16.60” and “£16.50” substitute, respectively, “£17.10” and “£17.00”;
- (d) in sub-paragraph (2)(d) for “£24.90” and “£24.80” substitute, respectively, “£25.70” and “£25.40”.

(16) In paragraph 16—

- (a) for sub-paragraph (2)(a) substitute—
 - “(a) sub-paragraph (2)(b) is to have effect as if it provided for the amount of each of the 10 instalments to be £11.55;”;
- (b) in sub-paragraph (2)(b) for “£14.10” and “£13.80” substitute, respectively, “£14.45” and “£14.35”;
- (c) in sub-paragraph (2)(c) for “£18.75” substitute “£19.25”;
- (d) in sub-paragraph (2)(d) for “£28.20” and “£27.90” substitute, respectively, “£28.90” and “£28.80”.

(17) In paragraph 17—

- (a) in sub-paragraph (1) for “£10.00” substitute “£10.50”;
- (b) in sub-paragraph (2)(a) for “£12.95” substitute “£13.20”;
- (c) for sub-paragraph (2)(b) substitute—
 - “(b) sub-paragraph (3)(b) is to have effect as if it provided for the amount of each of the 8 instalments to be to be £16.50;”;
- (d) for sub-paragraph (2)(c) substitute—
 - “(c) sub-paragraph (4)(b) is to have effect as if it provided for the amount of each of the 6 instalments to be to be £22.00;”;
- (e) for sub-paragraph (2)(d) substitute—
 - “(d) sub-paragraph (5)(b) is to have effect as if it provided for the amount of each of the 4 instalments to be to be £33.00;”.

Amendment of Schedule 3

5.—(1) In the table in Part 1 of Schedule 3 (Fees for interim TV licences) for “£3.916” and “£11.625” substitute, respectively, “£4.00” and “£11.875”.

(2) In paragraph 1(5)(b) of Part 2 of that Schedule (Interim TV licence (including colour): payment by instalments) for “£139.50” substitute “£142.50”.

Amendment of Schedule 5

6.—(1) Schedule 5 (TV licence fees for hotels and hospitality areas and mobile units) is amended as follows.

(2) In the definition of “relevant amount”—

- (a) in paragraph (a) for “£47.00 substitute “£48.00”; and
 - (b) in paragraph 1(b) for “£139.50” substitute “£142.50”.
- (3) In paragraph 3(1)(a) for “£47.00 substitute “£48.00”.
- (4) In paragraph 3(1)(b) for “£139.50” substitute “£142.50”.

Saving and transitional provision

7. In relation to a TV licence issued before 1st April 2009 Schedules 1 to 5 to the 2004 Regulations continue to have effect without the amendments made by these Regulations.

24th February 2009

Andy Burnham
Secretary of State
Department for Culture, Media and Sport

We consent to the making of these Regulations to the extent that they are made under section 365 of the Communications Act 2003

26th February 2009

Bob Blizzard
Steve McCabe
Two of the Lords Commissioners of Her Majesty's Treasury

SCHEDULE 1

Table 1

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>	<i>Column 7</i>
Date by which instalment is to be paid	Amount of instalment payment					
Date on which the licence is issued ("the issue date")	£81.90	£76.60	£70.25	£62.50	£52.85	£40.40
The last day of the period of 1 month beginning on the day immediately following the issue date	£12.12	£13.18	£14.45	£16.00	£17.93	£20.42
The last day of the period of 2 months beginning on the day immediately following the issue date	£12.12	£13.18	£14.45	£16.00	£17.93	£20.42
The last day of the period of 3 months beginning on the day immediately following the issue date	£12.12	£13.18	£14.45	£16.00	£17.93	£20.42
The last day of the period of 4 months beginning on the day immediately following the issue date	£12.12	£13.18	£14.45	£16.00	£17.93	£20.42
The last day of the period of 5 months beginning on the day immediately following	£12.12	£13.18	£14.45	£16.00	£17.93	£20.42

the issue date						
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Table 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>	<i>Column 6</i>	<i>Column 7</i>
Date by which instalment is to be paid	Amount of instalment payment					
Date on which the licence is issued (“the issue date”)	£83.15	£77.75	£71.25	£63.35	£53.45	£40.75
The last day of the period of 1 month beginning on the day immediately following the issue date	£11.87	£12.95	£14.25	£15.83	£17.81	£20.35
The last day of the period of 2 months beginning on the day immediately following the issue date	£11.87	£12.95	£14.25	£15.83	£17.81	£20.35
The last day of the period of 3 months beginning on the day immediately following the issue date	£11.87	£12.95	£14.25	£15.83	£17.81	£20.35
The last day of the period of 4 months beginning on the day immediately following the issue date	£11.87	£12.95	£14.25	£15.83	£17.81	£20.35
The last day of the period of 5 months beginning on the day immediately following the issue date	£11.87	£12.95	£14.25	£15.83	£17.81	£20.35

Table 3

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>	<i>Column 5</i>
Date by which instalment is to be paid	Amount of instalment payment			
Date on which the licence is issued (“the issue date”)	£23.75	£28.50	£35.64	£47.50
The last day of the period of 1 month beginning on the day immediately following the issue date	£23.75	£28.50	£35.62	£47.50
The last day of the period of 2 months beginning on the day immediately following the issue date	£23.75	£28.50	£35.62	£47.50
The last day of the period of 3 months beginning on the day immediately following the issue	£23.75	£28.50	£35.62	

date				
The last day of the period of 4 months beginning on the day immediately following the issue date	£23.75	£28.50		
The last day of the period of 5 months beginning on the day immediately following the issue date	£23.75			

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Communications (Television Licensing) Regulations 2004 (S.I. 2004/692) (“the 2004 Regulations”).

Licence fee increases

These Regulations provide for increases in the sums to be paid for different categories of licences set out in the 2004 Regulations, and in the sums payable by way of instalments under instalment schemes set out in those Regulations.

In summary—

- (a) the fee for a basic black and white only TV licence is increased from £47.00 to £48.00, and that for a basic colour TV licence from £139.50 to £142.50;
- (b) the premium instalment licence payment scheme is extended to the Channel Islands;
- (c) the easy entry television licence payment scheme is extended to the Channel Islands and the Isle of Man;
- (d) the issue fee and subsequent instalments for the premium instalment licence are raised to £36.89 and £36.87 respectively, the total payable rising from £144.50 to £147.50;
- (e) amendments are made in relation to the instalments payable for the budget instalment licence and easy entrance licence so that in every case the total amount payable is raised from £139.50 to £142.50;
- (f) the provisions relating to the interim TV licence (which is not available in the Channel Islands (except in the Bailiwick of Guernsey, excluding Sark) are amended to raise the fee payable in respect of each month, or part of a month, from £3.916 to £4.00 in the case of a black and white only TV licence and from £11.625 to £11.875 in the case of a colour TV licence; and
- (g) the provisions relating to TV licence fees for hotels, hospitality areas and mobile units are amended to reflect the rise in the fees payable for basic black and white only and colour TV licences to £48.00 and £142.50 respectively.

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STATUTORY INSTRUMENTS

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£5.00