

2015 No. 1995

ELECTRONIC COMMUNICATIONS

The Wireless Telegraphy (Licence Charges) (Amendment) (No. 2) Regulations 2015

Made - - - - *9th December 2015*

Coming into force - - *31st December 2015*

The Office of Communications (“OFCOM”) make the following Regulations in exercise of the powers conferred by sections 12, 13(2) and 122 of the Wireless Telegraphy Act 2006(a) (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.—(1) These Regulations may be cited as the Wireless Telegraphy (Licence Charges) (Amendment) (No. 2) Regulations 2015 and shall come into force on 31st December 2015.

Amendment of the Wireless Telegraphy (Licence Charges) Regulations 2011

2. The Wireless Telegraphy (Licence Charges) Regulations 2011(b) (“the principal Regulations”) shall be amended in accordance with the following provisions of these Regulations.

Amendment of regulation 2

3.—(1) In regulation 2 of the principal Regulations—

(a) before the definition of “the 2004 Regulations”, insert—

““the 2000 Regulations” means the Wireless Telegraphy (Broadband Fixed Access Licences) Regulations 2000(c);” and

(b) after the definition of “non-congestion area”, insert—

““OFCOM” means the Office of Communications;”

(a) 2006 c.36; sections 12, 13(2) and 122 were extended to the Bailiwick of Guernsey by article 2 of the Wireless Telegraphy (Guernsey) Order 2006 (S.I. 2006/3325); to the Bailiwick of Jersey by article 2 of the Wireless Telegraphy (Jersey) Order 2006 (S.I. 2006/3324); and to the Isle of Man by article 2 of the Wireless Telegraphy (Isle of Man) Order 2007 (S.I. 2007/278).
(b) S.I. 2011/1128 as amended by S.I. 2012/1075, S.I. 2013/917, S.I. 2014/1295 and S.I. 2015/1334.
(c) S.I. 2000/2039.

Insertion of new regulation 7

4. After regulation 6, insert—

“Licence charges payable for the 28 GHz frequency band

7.—(1) On 5th January 2016 and on each anniversary of that date, each holder of a licence of the Spectrum Access 28 GHz licence class granted under the procedure set out in a notice made under the 2000 Regulations which authorises use of frequencies within the frequency bands 28.0525–28.4445 GHz and 29.0605–29.4525 GHz shall pay to OFCOM the sums specified in paragraph (2).

(2) The sum which must be paid in accordance with paragraph (1) comprises—

- (a) £703.63 for each 2 x 1 MHz channel which is authorised by the licence in Region A as described in Part 1 of the Schedule to the 2000 Regulations;
- (b) £520.17 for each 2 x 1 MHz channel which is authorised by the licence in Region B as described in Part 1 of the Schedule to the 2000 Regulations;
- (c) £380.20 for each 2 x 1 MHz channel which is authorised by the licence in Region C as described in Part 1 of the Schedule to the 2000 Regulations;
- (d) £341.22 for each 2 x 1 MHz channel which is authorised by the licence in Region I as described in Part 1 of the Schedule to the 2000 Regulations;
- (e) £263.97 for each 2 x 1 MHz channel which is authorised by the licence in Region J as described in Part 1 of the Schedule to the 2000 Regulations;
- (f) £372.72 for each 2 x 1 MHz channel which is authorised by the licence in Region L as described in Part 1 of the Schedule to the 2000 Regulations; and
- (g) £64.40 for each 2 x 1 MHz channel which is authorised by the licence in Region N as described in Part 1 of the Schedule to the 2000 Regulations.”

Philip Marnick

Group Director of Spectrum Group

9th December 2015

For and by the authority of the Office of Communications

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Wireless Telegraphy (Licence Charges) Regulations 2011 (S.I. 2011/1128 as amended by S.I. 2012/1075, S.I. 2013/917, S.I. 2014/1295 and S.I. 2015/1334).

These Regulations specify the sum which is payable for licences awarded under the Wireless Telegraphy (Broadband Fixed Access Licences) Regulations 2000 (“the 2000 Regulations”) for use of frequencies in the 28 GHz spectrum band. These licences authorise use of radio frequencies within the geographic regions of the United Kingdom described in Part 1 of the Schedule to the 2000 Regulations.

A full regulatory impact assessment of the effect that these Regulations will have on the costs to business is available to the public from the Office of Communication’s (“OFCOM”) Library at Riverside House, 2A Southwark Bridge Road, London, SE1 9HA (Tel: 020 7981 3000) and on OFCOM’s website at www.ofcom.org.uk. Copies of this assessment have also been placed in the library of the House of Commons.

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