

SCHEDULES

SCHEDULE 18

Section 180.

TRANSFER OF FUNCTIONS CONNECTED WITH TELEVISION LICENCES

PART I

AMENDMENTS OF WIRELESS TELEGRAPHY ACT 1949

- 1 (1) Section 1 (licensing of wireless telegraphy) shall be amended as follows.
- (2) In subsection (1), for the words from “granted” to “any person” substitute “granted under this section—
 - (a) by the Secretary of State (unless it is a television licence), or
 - (b) if it is a television licence, by the BBC;and any person”.
- (3) In subsection (2), for the words from “limitations as” (where first occurring) to “including” substitute “limitations—
 - (a) as the Secretary of State may think fit; or
 - (b) in the case of a television licence, as the Secretary of State may direct or (subject to any such direction) the BBC may think fit,including”.
- (4) In subsection (3), before “, continue in force” insert “or (if it is a television licence) by the BBC”.
- (5) In subsection (4)—
 - (a) after “wireless telegraphy licence” insert “other than a television licence”; and
 - (b) at the end add “; and a television licence may be revoked, or the terms, provisions or limitations thereof varied, by the BBC (either of their own motion or to give effect to any direction of the Secretary of State under subsection (2)(b) of this section)—
 - (a) by a notice in writing served on the holder of the licence; or
 - (b) by a general notice published as mentioned above.”
- (6) At the end of the section add the following subsection—
 - (7) In this Act—
 - “television licence” means a wireless telegraphy licence authorising the installation and use of a television receiver; and
 - “television receiver” means television receiving apparatus of any class or description specified in regulations made by the Secretary of State under section 2 of this Act.”

Status: This is the original version (as it was originally enacted).

- 2 (1) Section 2 (fees and charges for wireless telegraphy licences) shall be amended as follows.
- (2) In subsection (1), for the words from “paid to” to “by the person” substitute “paid—
- (a) to the Secretary of State; or
 - (b) in the case of a television licence, to the BBC,
- by the person”.
- (3) For the first paragraph of subsection (2) substitute—
- “Notwithstanding anything in subsection (1) of this section, where—
- (a) an application for the issue or renewal of a television licence is made to the BBC by a person ordinarily resident in the United Kingdom, and
 - (b) the BBC are satisfied, by means of a certificate issued by the local authority and produced to them by the applicant, that the applicant is a blind person not resident in a public or charitable institution or in a school,
- the BBC shall, to such extent as the Secretary of State may determine, dispense with the payment of any sum which would otherwise be payable on the issue or renewal of the licence.”
- 3 In section 15(1) (entry and search of premises etc.), for the words from “authorising” down to (but not including) “and named” substitute “authorising—
- (a) any person or persons authorised in that behalf by the Secretary of State; or
 - (b) where the offence relates to the installation or use of a television receiver, any person or persons authorised in that behalf by the BBC or the Secretary of State,”.
- 4 In section 19 (interpretation), insert the following subsection after subsection (2)—
- “(2A) In this Act—
- “the BBC” means the British Broadcasting Corporation; and
- “television licence” and “television receiver” have the meaning given by section 1(7) of this Act.”

PART II

AMENDMENTS OF PART I OF WIRELESS TELEGRAPHY ACT 1967

- 1 In the following provisions, namely—
- (a) subsections (1), (2), (4) and (5) of section 1 (registration of dealers),
 - (b) subsections (1), (3) and (6) of section 2 (notification and recording of transactions),
 - (c) subsection (1) of section 3 (power to call for additional information),
 - (d) subsections (1) and (2) of section 4 (service of notices, etc.), and
 - (e) subsections (3) to (5) of section 5 (offences and enforcement),
- for “the Postmaster General” wherever those words occur (which are, by virtue of section 3(1) of the Post Office Act 1969 and the Ministry of Posts and Telecommunications (Dissolution) Order 1974, to be construed as, or in certain instances as including, a reference to the Secretary of State) substitute “the BBC”.

- 2 In section 1(5), for “him” substitute “them”.
- 3 In section 2(3)—
 - (a) for “him” substitute “them”; and
 - (b) for “he” substitute “they”.
- 4 In section 3(1), for “him” (where first occurring) substitute “them”.
- 5 In section 4(2), for “him” (wherever occurring) substitute “them”.
- 6 In section 5—
 - (a) in subsection (3), for “his” substitute “their”; and
 - (b) in subsection (5), after “came to” insert “their or”.
- 7 In section 6(1)—
 - (a) insert the following definition after the definition of “appointed day”—
 - ““the BBC” means the British Broadcasting Corporation;”;
 - (b) at the end of the definition of “prescribed” add “after consultation with the BBC”.