



Communications Act 2003

2003 CHAPTER 21

PART 4

LICENSING OF TV RECEPTION

365 TV licence fees

- (1) A person to whom a TV licence is issued shall be liable to pay—
- on the issue of the licence (whether initially or by way of renewal), and
 - in such other circumstances as regulations made by the Secretary of State may provide,

such sum (if any) as may be provided for by any such regulations.

[^{F1}(1A) Liability to pay a sum under regulations under subsection (1) is subject to any concession applying in accordance with a determination by the BBC under section 365A.]

- (2) Sums which a person is liable to pay by virtue of regulations under subsection (1) must be paid to the BBC and are to be recoverable by them accordingly.
- (3) The BBC are entitled, in such cases as they may determine, to make refunds of sums received by them by virtue of regulations under this section.
- (4) Regulations under this section may include provision—
- for the means by which an entitlement to a concession [^{F2}provided for by the regulations] must be established; and
 - for the payment of sums by means of an instalment scheme set out in the regulations.
- (5) [^{F3}A reference in this section or section 365A to a concession] is a reference to any concession under which a person is, on the satisfaction of specified requirements—
- exempted from the liability to pay a sum in respect of a TV licence; or
 - required to pay only a reduced sum in respect of such a licence.

Changes to legislation: *Communications Act 2003, Section 365 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- [^{F4}(5A) Regulations under this section may not provide for a concession that requires the person to whom the TV licence is issued, or another person, to be of or above a specified age, unless—
- (a) the age specified is below 65, and
 - (b) the requirement is not satisfied if the person concerned is 65 or over at the end of the month in which the licence is issued.
- (5B) Subsection (5A) does not apply to—
- (a) the concession provided for by regulation 3(d) of and Schedule 4 to the Communications (Television Licensing) Regulations 2004 (S.I. 2004/692) (accommodation for residential care), or
 - (b) a concession in substantially the same form.]
- (6) The consent of the Treasury shall be required for the making of any regulations under this section by the Secretary of State.
- (7) Subject to subsection (8), sums received by the BBC by virtue of any regulations under this section must be paid into the Consolidated Fund.
- (8) The BBC may retain, out of the sums received by them by virtue of regulations under this section, any sums they require for making refunds of sums so received.

Textual Amendments

- F1** S. 365(1A) inserted (1.6.2020) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 89(3)**, 118(3) (as amended by [S.I. 2020/530](#), art. 2)
- F2** Words in s. 365(4)(a) inserted (1.6.2020) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 89(4)**, 118(3) (as amended by [S.I. 2020/530](#), art. 2)
- F3** Words in s. 365(5) substituted (1.6.2020) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 89(5)**, 118(3) (as amended by [S.I. 2020/530](#), art. 2)
- F4** S. 365(5A)(5B) inserted (1.6.2020) by [Digital Economy Act 2017 \(c. 30\)](#), **ss. 89(6)**, 118(3) (as amended by [S.I. 2020/530](#), art. 2)

Modifications etc. (not altering text)

- C1** [S. 365\(1A\)](#) amendment by 2017 c. 30, s. 89 extended to Isle of Man (1.6.2020) by [The Communications \(Isle of Man\) Order 2020 \(S.I. 2020/149\)](#), arts. 1(3), **3**
- C2** [S. 365\(4\)\(a\)](#) amendment by 2017 c. 30, s. 89 extended to Isle of Man (1.6.2020) by [The Communications \(Isle of Man\) Order 2020 \(S.I. 2020/149\)](#), arts. 1(3), **3**
- C3** [S. 365\(5\)](#) amendment by 2017 c. 30, s. 89 extended to Isle of Man (1.6.2020) by [The Communications \(Isle of Man\) Order 2020 \(S.I. 2020/149\)](#), arts. 1(3), **3**
- C4** [S. 365\(5A\)\(5B\)](#) amendment by 2017 c. 30, s. 89 extended to Isle of Man (1.6.2020) by [The Communications \(Isle of Man\) Order 2020 \(S.I. 2020/149\)](#), arts. 1(3), **3**

Commencement Information

- I1** S. 365 in force at 1.4.2004 by [S.I. 2003/3142](#), art. 4(2), **Sch. 2** (with art. 11) (as amended (8.3.2004) by [S.I. 2004/697](#), art. 2(3))

Changes to legislation:

Communications Act 2003, Section 365 is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2003/1900, art. 3(2) by [S.I. 2003/3142 art. 1\(3\)](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/1492 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 by [S.I. 2004/697 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2003/3142 art. 4 Sch. 2 by [S.I. 2004/545 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 124Q(7)(a) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 148A and cross-heading inserted by [2022 c. 46 s. 73\(2\)](#)
- s. 368E(5)(d)(e) inserted by [2017 c. 30 s. 94\(3\)](#)
- s. 402(2A)(za)(zb) inserted by [2022 c. 46 Sch. para. 2](#)
- Sch. 3A para. 21(6) inserted by [2022 c. 46 Sch. para. 3\(5\)\(b\)](#)
- Sch. 3A para. 37(3)(aza) inserted by [2022 c. 46 Sch. para. 3\(9\)](#)
- Sch. 3A para. 84(1)(aza) inserted by [2022 c. 46 Sch. para. 3\(10\)](#)
- Sch. 3A para. 103(1)(ca) inserted by [2022 c. 46 s. 70](#)
- Sch. 3A para. 119A inserted by [2022 c. 46 s. 72](#)
- Sch. 3A Pt. 4ZA inserted by [2022 c. 46 s. 67\(1\)](#)