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STATUTORY INSTRUMENTS

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**1991 No. 542**

**TELEGRAPHS**

**The Wireless Telegraphy (Licence Charges) Regulations 1991**

*Made* - - - - *7th March 1991*  
*Laid before Parliament* *11th March 1991*  
*Coming into force* - - *1st April 1991*

The Secretary of State, in exercise of the powers conferred by section 2(1) of the Wireless Telegraphy Act 1949<sup>(1)</sup> as enacted, and as extended by the Wireless Telegraphy (Channel Islands) Order 1952<sup>(2)</sup> and the Wireless Telegraphy (Isle of Man) Order 1952<sup>(3)</sup> and now vested in him<sup>(4)</sup>, the power conferred on him by the Department of Trade and Industry (Fees) Order 1988<sup>(5)</sup>, and of all other powers enabling him in that behalf, hereby, with the consent of the Treasury, makes the following Regulations:—

**Citation and commencement**

1. These Regulations may be cited as the Wireless Telegraphy (Licence Charges) Regulations 1991 and shall come into force on 1st April 1991.

**Revocation**

2. The Wireless Telegraphy (Licence Charges) Regulations 1989<sup>(6)</sup> and the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 1989<sup>(7)</sup> are hereby revoked.

**Interpretation**

3.—(1) In these Regulations—

“the Act” means the Wireless Telegraphy Act 1949;

“alarm station” means, in relation to a Long Range Alarms Licence, a station—

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(1) 1949 c. 54; there are amendments to section 2 not relevant to these Regulations.  
(2) S.I. 1952/1900.  
(3) S.I. 1952/1899.  
(4) 1969 c. 48, section 3; S.I. 1969/1369, article 3, 1371, article 2, and 1974/691, article 2.  
(5) S.I. 1988/93, which was made under section 102 of the Finance (No. 2) Act 1987 (c. 51). The relevant provisions of S.I. 1988/93 are article 8 and Part V of Schedule 1.  
(6) S.I. 1989/1850.  
(7) S.I. 1989/1929.

(a) located on premises for the purpose of the protection of those premises by means of a radio alarm; and

(b) connected by wireless telegraphy to a central station;

“apparatus” means wireless telegraphy apparatus;

“base station” means a station which facilitates or controls communications between a mobile station and:—

(a) itself;

(b) another mobile station; or

(c) a telecommunication system which conveys messages:—

(i) otherwise than by wireless telegraphy; or

(ii) by a fixed link,

and in this definition, “convey” and “telecommunication system” shall be construed in accordance with section 4 of the Telecommunications Act 1984(8);

“central station” means, in relation to a Long Range Alarms Licence, a station—

(a) established and used for the purpose of providing a service consisting in the protection of premises by means of a radio alarm; and

(b) remotely located from the premises in respect of which the service is provided;

“channel” means a part of the radio frequency spectrum intended to be used for a single transmission of signals, and defined by—

(a) two specified limits; or

(b) by its centre frequency and the associated bandwidth,

or by an indication equivalent to (a) or (b);

“fixed link” means a connection by wireless telegraphy designed for use between not more than two fixed points;

“licence” means a licence granted under section 1 of the Act;

“licensee” means the person to whom a licence is issued;

“medium wave band” means that part of the radio frequency spectrum between 526.5 kHz and 1606.5 kHz;

“mobile station” means a station (other than a base station) intended to be used while in motion or during halts at unspecified points;

“national channel” means a channel which—

(a) the licensee is authorised to use throughout England and Wales (whether or not he is also authorised to use it in any other place); and

(b) is not, at the time of issue or renewal of the licence, or at the prescribed time, as the case may be, authorised to be used by any person other than the licensee in any part of England or Wales under a licence granted under section 1 of the Act;

“on-site system” means, in relation to a Long Range Alarms Licence, a connection by wireless telegraphy for the purposes of the protection of a single set of premises where all the stations are located on those premises;

“prescribed sum” has the meaning given by regulation 4(1);

“prescribed time” has the meaning given by regulation 4(2);

“station” means a station for wireless telegraphy; and

“VHF band” means that part of the radio frequency spectrum between 87.5 MHz and 108.0 MHz.

(2) Where these Regulations provide for the prescribed sum to be calculated by reference to a number of any of the following things, that is to say, channels, channels for which a particular type of use is authorised, national channels, stations, base stations, mobile stations, fixed links, links of a class, alarm stations, central stations, or on-site systems, the number thereof shall be taken to be the number the use of which is authorised by the licence at the time of the issue or renewal of the licence, or the prescribed time, as the case may be.

(3) In relation to an Aircraft Licence, the number of aircraft by reference to which the prescribed sum is calculated shall be taken to be the number thereof in respect of which the use of the apparatus thereof is authorised by the licence, at the time of the issue or renewal of the licence, or the prescribed time, as the case may be.

(4) In these Regulations, a reference to a link of a class listed in the table below means a fixed link where the bandwidth of the channel designated in the licence for the purposes of the link is within the limits specified in relation to a link of that class in the said table:—

Class of Link	Limits of Bandwidth
Class 1 link	Not more than 50 kHz
Class 2 link	More than 50 kHz but not more than 3.5 MHz
Class 3 link	More than 3.5 MHz but not more than 7 MHz
Class 4 link	More than 7 MHz but not more than 14 MHz
Class 5 link	More than 14 MHz

(5) In relation to an Independent Programme Maker’s Licence—

(a) “premium rate” refers to the fee to be paid in respect of the issue of such licence where both the applicant applies for the licence outside office hours, and the licence is granted outside office hours at the applicant’s request; and

(b) “ordinary rate” refers to the fee to be paid where the premium rate is not payable,

and in this paragraph, “office hours” means 09.30 to 16.30 hours from Monday to Friday other than on a day which is a bank holiday in England and Wales.

(6) In relation to a Transmission of Local Radio Broadcasting Services Licence, a reference to the licensee’s coverage is a reference to the total population covered by the transmitters which the licensee is authorised to use in the medium wave band or the VHF band (as the case may be) as specified in the list entitled “Coverage of Independent Local Radio Stations” (“the list”) published on 20th November 1990 by the Radiocommunications Agency of the Department of Trade and Industry, and “covered” shall be construed accordingly.

### **Licence charges and time of payment**

4.—(1) Subject to regulations 5, 6 and 8, the sum which is to be paid to the Secretary of State by the licensee under section 2(1) of the Act—

(a) on the issue or renewal of the licence;

(b) at such times thereafter (if any) as are prescribed times in relation to licences of that type, shall be, in relation to licences of a type listed in the Schedule—

(i) the fixed sum specified; or

(ii) the variable sum determined in accordance with the criteria specified, in respect of issue, renewal, or the prescribed time, as the case may be, for licences of that type in the said Schedule (“the prescribed sum”).

(2) Where an interval of time for payment is specified in the Schedule in relation to any type of licence therein listed, the first day after the expiry of each successive such interval of time (the first such interval having begun with the date of issue or renewal as the case may be), such day not being a time at which the licence falls to be renewed, shall be the prescribed time (“the prescribed time”) at which the prescribed sum is to be paid to the Secretary of State under section 2(1) of the Act.

### Concessionary licence charges

5.—(1) This regulation applies where a relevant licence is granted to an applicant, or held by a licensee, which—

- (a) is a charity; and
- (b) has as its object the safety of human life in an emergency,

such applicant or licensee being hereinafter referred to as “a qualifying charity”.

(2) The sum to be paid by a qualifying charity to the Secretary of State under section 2(1) of the Act on the issue or renewal of a relevant licence, and at each of the prescribed times (if any), as the case may be, shall be one half of the prescribed sum.

(3) In this regulation—

“charity” means a person who—

- (a) being subject to the laws of England and Wales, or Scotland, or Northern Ireland, is a charity within the meaning of section 506(1) of the Income and Corporation Taxes Act 1988<sup>(9)</sup>;
- (b) being subject to the laws of the Isle of Man, is registered as a charity under the Charities Registration Act 1989<sup>(10)</sup>;
- (c) being subject to the laws of Guernsey, is a member for the time being of the Association of Guernsey Charities; or
- (d) being subject to the laws of Jersey, is a member for the time being of the Association of Jersey Charities; and

“relevant licence” means a licence of one of the following types:—

- (a) Private Mobile Radio (Standard) Licence; and
- (b) Maritime Business Radio Licence.

6.—(1) This regulation applies to an Aircraft Licence which authorises the installation and use of the apparatus of aircraft including one or more aircraft in respect of each of which—

- (a) a certificate of airworthiness issued by the Civil Aviation Authority under article 8 of the Air Navigation Order 1985 (“the 1985 Order”)<sup>(11)</sup> or article 8 of the Air Navigation Order 1989 (“the 1989 Order”)<sup>(12)</sup> has been in force throughout the two years immediately preceding the issue or renewal of the licence or the prescribed time as the case may be; and

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<sup>(9)</sup> 1988 c. 1.

<sup>(10)</sup> An Act of Tynwald.

<sup>(11)</sup> S.I. 1985/1643. Article 10 was amended by S.I. 1988/2250, article 2. S.I. 1985/1643 and 1988/2250 were revoked by 1989/2004.

<sup>(12)</sup> S.I. 1989/2004. Article 8 was amended by S.I. 1990/2154, article 2(2).

- (b) the entries in the technical log kept pursuant to article 10 of the 1985 Order<sup>(11)</sup> or article 10 of the 1989 Order<sup>(12)</sup> record not more than one hundred flying hours in each of the said two years,

such an aircraft being hereinafter referred to as “a relevant aircraft”.

(2) In calculating the sum to be paid by the licensee to the Secretary of State under section 2(1) of the Act in respect of an Aircraft Licence to which this regulation applies, where the component of the prescribed sum in respect of each relevant aircraft would, but for this regulation, exceed £30, that component shall be £30.

### **Other licence charges**

7.—(1) Subject to paragraph (2), there is hereby authorised, in such cases as are not otherwise dealt with by these Regulations or any other regulations for the time being in force under section 2(1) of the Act, the charge by the Secretary of State of such sums, whether on the issue or renewal of the licence or subsequently, as may in the particular case appear to him to be proper.

(2) Paragraph (1) shall not apply to licences of any type wholly or mainly intended to meet the needs of persons desiring to use, in a private dwelling house and without making any charge to other persons, apparatus not designed or adapted for emission (as opposed to reception).

### **Application**

8. Nothing in regulation 4 or the Schedule shall apply to a Transmission of Local Radio Broadcasting Services Licence where the licensee’s coverage is not specified in the list.

5th March 1991

*John Redwood*  
Minister of State,  
Department of Trade and Industry

We consent to these Regulations

7th March 1991

*Sydney Chapman*  
*Irvine Patnick*  
Two of the Lords Commissioners of Her  
Majesty’s Treasury

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<sup>(11)</sup> S.I. 1985/1643. Article 10 was amended by S.I. 1988/2250, article 2. S.I. 1985/1643 and 1988/2250 were revoked by 1989/2004.

<sup>(12)</sup> S.I. 1989/2004. Article 8 was amended by S.I. 1990/2154, article 2(2).

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## THE SCHEDULE

Regulation 4

Class of Licence		
The prescribed sum in respect of the issue or renewal of the licence and in respect of the prescribed time:		
Fixed sums	Variable sums	
The prescribed time:		
Interval of time for payment		
<b>Aeronautical</b>		
Aeronautical Ground Station (General)	£150	Yearly
Aeronautical Ground Station (Glider, Hang Glider and Balloon)	£25	Yearly
Aeronautical Ground Station (Special)	£250	Yearly
Aeronautical Ground Station (Special Mobile)	£50	Yearly
Aircraft		yearly
	£30 for each aircraft which has an approved maximum take-off weight of not more than 3,200 kg;	
	£250 for each aircraft which has an approved maximum take-off weight of more than 3,200 kg but not more than 5,700 kg;	
	£550 for each aircraft which has an approved maximum take-off weight of more than 5,700 kg	
Aircraft (Glider, Hang Glider and Balloon)	£20	Yearly
Aeronautical Navigational Aids and Radar		Yearly
	£20 for each navigational aid or radar station	
<b>Amateur</b>		
Amateur Radio (Novice) (A)		Yearly
	£15 for persons aged 21 years or over; no	

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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:	
Fixed sums	Variable sums		
The prescribed time:			
Interval of time for payment			
		charge for persons aged under 21 years	
Amateur Radio (Novice) (B)		As for Amateur Radio (Novice) (A)	Yearly
Amateur Radio (A)	£15		Yearly
Amateur Radio (B)	£15		Yearly
Amateur Radio Beacon and Repeater		£15 for each station	Yearly
<b>Broadcasting and Ancillary Services</b>			
Transmission of Local Radio Broadcasting Services		Any number of transmitters in the medium wave band—	Yearly
		£246 per complete 100,000 people covered, any final group of less than 100,000 people being disregarded;	
		Any number of transmitters in the VHF band—	
		coverage of less than 100,000 people—£246;	
		coverage of 100,000 people or more—£369	
		per complete 100,000 people covered, any final group of less than 100,000 people being disregarded	
Restricted Radio Services Transmission		For each medium wave band frequency—	None

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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:	Fixed sums	Variable sums	The prescribed time: Interval of time for payment
			<p>£180 where the power of transmission is less than 50 mW ERP;                      £400 where the power of transmission is 50 mW ERP or more but not exceeding 1 W ERP;                      £830 where the power of transmission exceeds 1 W ERP</p>	
			<p>For each VHF band frequency—                      £680 where the power of transmission does not exceed 1 W ERP;                      £1,440 where the power of transmission exceeds 1 W ERP</p>	
Radio Broadcaster's Programme Making		£18 per talk-back channel;		Yearly
		£18 per radio microphone channel;		
		£36 per programme audio channel;		
		£72 per airborne link channel;		
		£72 per terrestrial link channel		



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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:			
Fixed sums	Variable sums		
The prescribed time:			
Interval of time for payment			
Radio Microphone	£130		Yearly
Independent Programme Maker's		£100 per channel for radio microphones, or equipment of any other type where that equipment operates at a power not exceeding 10 mW ERP;	None
Independent Programme Maker's Four Monthly		Talk back and sound links for fixed sites—£155 per channel per site	None
Independent Programme Maker's Seven Day		Talk back and sound links for specific sites— Ordinary rate—£39 per channel per site; Premium rate—£139 per channel per site;	None
		Vision Links— Ordinary rate—£69 per channel per site; Premium rate—£169 per channel per site	
<b>Citizens' Band</b>			
Citizens' Band Radio	£15		Yearly
<b>Fixed Services</b>			
Fixed Microwave Radio-Relay Link		£225 for each Class 1 link;	Yearly

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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:	
Fixed sums	Variable sums		
The prescribed time:		Interval of time for payment	
		£340 for each Class 2 link;	
		£450 for each Class 3 link;	
		£675 for each Class 4 link;	
		£860 for each Class 5 link	
Scanning Telemetry Link		£37.50 for each station	Yearly
Temporary Fixed Microwave Link		As for Fixed Microwave Radio-Relay Link	None
Fixed Millimetric Radio-Relay Link		£75 for each fixed link	Yearly
<b>Fixed Satellite Services</b>			
Transmitting Earth Station Licence for Satellite Tracking, Telemetry and Command		£8,000 for each station	Yearly
Transmitting Earth Station Licence for Specialised Satellite Services	£25,850		Yearly
<b>Maritime</b>			
Maritime Radio (Navigational Aid and Radar)		For each navigational aid or radar station—£20 per channel designated for use by that station	Yearly
Maritime Business Radio		For each base station—	Yearly

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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:			
Fixed sums	Variable sums		
The prescribed time:			
Interval of time for payment			
		per channel designated for use by that base station—	
		£120 for one or more but not exceeding 10 mobile stations;	
		£250 for more than 10 but not exceeding 25 mobile stations;	
		£400 for more than 25 but not exceeding 40 mobile stations;	
		for more than 40 mobile stations—£400 for the first 40 plus £200 for each successive group of 20 and £200 for any final group of less than 20	
Maritime Business Radio (Base Station Only)		For each base station; £50 for each channel designated for use by that base station	Yearly
Port Operations Radio	£150		Yearly
Ship Radio	£50		Yearly
Ship Radio (Transportable)	£25		Yearly
Ship Radio (VHF)	£20		Yearly
<b>Paging</b>			
Local Communications		£75 for each base station	Yearly
Radiating Cable		£50 for each base station	Yearly

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Class of Licence	Fixed sums	Variable sums	
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			
Radio Paging (Standard)	£25 for each base station		Yearly
Local Wide Area Paging	£250 for each base station subject to a maximum of £5,000		Yearly
National Wide Area Paging	£5,000 for each national channel		Yearly
<b>Private Mobile Radio</b>			
Private Mobile Radio (Standard)		For national channels—  £5,000 for each channel;  For other channels— £120 for one or more but not exceeding 10 mobile stations; £250 for more than 10 but not exceeding 25 mobile stations; £400 for more than 25 but not exceeding 40 mobile stations; for more than 40 mobile stations— £400 for the first 40 plus £200 for each successive group of 20 and £200 for any final group of less than 20	Yearly
Private Mobile Radio Demonstration		As for Private Mobile Radio (Standard)	Yearly
Private Mobile Radio Short Term Hire		As for Private Mobile Radio (Standard)	Yearly

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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:	
Fixed sums	Variable sums		
The prescribed time:		Interval of time for payment	
Private Mobile Radio Service Provider	For each base station; £750 for each channel designated for use by that base station	Yearly	
Band III Private Mobile Radio National Trunked Service	£315,000 on the anniversary of issue of the licence falling between 1st April 1991 and 31st March 1992 inclusive;	Yearly	
	£395,000 on the anniversary of issue of the licence falling between 1st April 1992 and 31st March 1993 inclusive;		
	£475,000 on the anniversary of issue of the licence falling between 1st April 1993 and 31st March 1994 inclusive;		
	£560,000 on the anniversary of issue of the licence falling between 1st April 1994 and 31st March 1995 inclusive;		
	£650,000 on the anniversary of issue of the licence falling between 1st April 1995 and 31st March 1996 inclusive;		
	£760,000 on the anniversary of issue of the licence falling on or after 1st April 1996		

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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:	
Fixed sums	Variable sums		
The prescribed time:		Interval of time for payment	
Band III Private Mobile Radio Trunked Service	£500 for each channel on issue of the licence;	Yearly	
	£750 for each channel on the first anniversary of the issue of the licence;		
	£1,000 for each channel on each of the second and subsequent anniversaries of the issue of the licence		
National Public Radio-telephone Service	£5,000 per channel	Yearly	
National Public Mobile Data Service	On issue—	Yearly	
	£1,000 per national channel		
	£		
	£400 per other channel		
	On the first and second anniversaries of issue of the licence—		
£2,000 per national channel			
£800 per other channel			
On the third and fourth anniversaries of issue of the licence—			
£3,000 per national channel			
£			
£1,200 per other channel			
On the fifth and sixth anniversaries of issue of the licence—			

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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:		
Fixed sums	Variable sums	
The prescribed time:		
Interval of time for payment		
		£4,000 per national channel £1,600 per other channel
		On the seventh and each subsequent anniversary of issue of the licence— £5,000 per national channel £ £2,000 per other channel
<b>Other Licences</b>		
Local Authority (Emergency Alarm) Radio	£100	Yearly
Telemetry, Telecommand and Teleapproach Radio		£40 for each station Yearly
Testing and Development		£75 for each station Yearly
Long range alarms		£100 per on-site system Yearly
		£55 per central station
		£50 per alarm station

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations, which revoke (regulation 2) the Wireless Telegraphy (Licence Charges) Regulations 1989 (S.I. 1989/1850) and the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 1989 (S.I. 1989/1929), provide (regulation 4 and the Schedule) for the fees to be paid—

- (a) on the issue or renewal of 50 types of wireless telegraphy licence; and
- (b) in respect of 45 of those types of licence, at the times following issue or renewal prescribed by these Regulations.

These Regulations do not affect the fees to be paid in respect of television licences, which are set under the Wireless Telegraphy (Television Licence Fees) Regulations 1991 (S.I. 1991/436).

The principal changes are that the fees are increased in respect of all licences except for all Private Mobile Radio licence types, and most of the Maritime, and some of the Aeronautical licence types. The fee structure for Band III Private Mobile Radio National Trunked Service Licences is altered.

These regulations set fees for 11 new types of licence, including 6 in the Broadcasting and Ancillary Services category. Three types of licence have become obsolete. The fees for Police and Fire Service Comprehensive Radio Licences are no longer prescribed by Regulations but are set individually under regulation 7.

The Regulations refer (regulation 3(6)) to the “Coverage of Independent Local Radio Stations” list in connection with Transmission of Local Radio Broadcasting Services Licences. A copy of this list may be obtained, free of charge, from the Librarian, Radio-communications Agency, Waterloo Bridge House, Waterloo Road, London SE1 8UA.

In providing for concessionary fees for charities (regulation 5), the Regulations refer to the Association of Guernsey Charities and the Association of Jersey Charities. The addresses of these Associations are c/o Guernsey Chamber of Commerce, States Arcade, St. Peter Port, Guernsey, and c/o Dower House, Domaine des Vaux, St. Lawrence, Jersey, respectively.