
STATUTORY INSTRUMENTS

2004 No. 692

The Communications (Television Licensing) Regulations 2004

PART 2

TV licence fees

Interpretation of Part 2

2.—(1) In this Part—

“caravan” means any structure designed or adapted for habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted;

“the due date” in relation to any TV licence means the date on which the licensee is required to obtain the licence in accordance with the Act whether in consequence of the expiry of a previous licence or otherwise; and

“touring caravan” means a caravan normally used for touring from place to place.

(2) Any reference to—

- (a) the issue of a TV licence includes a reference to the renewal of such a licence;
- (b) a person’s residence includes any place provided for that person’s private occupation.

TV licence fees

3.—(1) Subject to regulations 5 and 6—

- (a) on the issue of a TV licence of a type specified in an entry in column 1 of the table in Schedule 1, the fee payable shall be that specified in column 3 in relation to that type of licence;
- (b) on the issue of a TV licence of a type specified in paragraph 1, 3 or 8 of Schedule 2, the person to whom the licence is issued shall be liable to make payments as provided by (as the case may be) Part 1, 2 or 3 of that Schedule;
- (c) on the issue of a TV licence of a type specified in an entry in column 1 of the table in Part 1 of Schedule 3, the fee payable shall (subject to paragraph (2)) be determined in accordance with the entry in column 3 in relation to that type of licence;
- (d) on the issue of a TV licence of the type specified in paragraph 1 of Schedule 4, the fee payable shall be determined in accordance with paragraph 2 of that Schedule;
- (e) on the issue of a TV licence of the type specified in paragraph 2 of Schedule 5, the fee payable shall be determined in accordance with paragraph 3 of that Schedule.

(2) In relation to a TV licence of the type specified in the second entry in column 1 of the table in Part 1 of Schedule 3, the fee is to be payable in instalments in the circumstances specified in Part 2 of that Schedule; and the amount of each of the instalments, and the dates on which they are payable, are to be determined in accordance with that Part.

(3) Any sum payable by virtue of paragraph (1) or (2) shall be payable irrespective of the duration of the TV licence.

Duplicate licences

4. Where a TV licence has been lost or destroyed, the sum of £3.25 shall be paid on the issue of a duplicate of such a licence; but no such sum shall be payable on the issue of a duplicate of a TV licence that was issued free of charge.

Concessions for blind persons

5.—(1) Where—

(a) a TV licence is issued to a blind person, authorising the installation or use of a television receiver at one or more places or in one or more vehicles, vessels or caravans specified in the licence; and

(b) each place, vehicle, vessel or caravan so specified is a residence of that person,

the fee payable (including the amount of any instalment payments) shall be 50 per cent of the amount which would otherwise be payable for the licence in accordance with regulation 3.

This reduction in the amount payable is referred to in this paragraph as the “blind concession”.

(2) In order to establish an entitlement to the blind concession a person must—

(a) show that he is registered as blind with—

(i) a local authority in the United Kingdom, or

(ii) the Department of Health and Social Security for the Isle of Man,

by way of a certificate or other document issued by or on behalf of the authority concerned; or

(b) provide evidence that he is blind by way of a certificate signed by an ophthalmologist.

(3) A person is not required to provide the evidence referred to in paragraph (2) to obtain the blind concession in respect of a TV licence where—

(a) that person has previously established an entitlement to the concession by providing the evidence referred to in that paragraph; and

(b) that evidence was provided within the period of 5 years ending on the date on which the licence is issued.

(4) This regulation does not apply where the TV licence is of a type and description specified in paragraph 1 of Schedule 4 or paragraph 2 of Schedule 5.

(5) In these Regulations—

“blind” means that the person concerned is so blind as to be unable to perform any work for which eyesight is essential;

“local authority” means—

(a) in England, a county council, a district council, a London borough council, the Common Council of the City of London, and the Council of the Isles of Scilly;

(b) in Wales, a county council or a county borough council;

(c) in Scotland, a council constituted under section 2 of the Local Government etc (Scotland) Act 1994(1); and

(d) in Northern Ireland, a district council;

(1) 1994 c. 39.

“ophthalmologist” means a doctor whose name is included in the register of specialists kept by the General Medical Council under article 8 of the European Specialist Medical Qualifications Order 1995(2) and in respect of whom that register indicates his speciality to be ophthalmology.

Concessions for persons aged 75 years or more

6.—(1) No fee shall be payable for a TV licence of a type referred to in the first or second entry in column 1 of the table in Schedule 1 where—

- (a) the licence is issued to a person aged 75 years or more or to a person who will attain that age in the calendar month in which the licence is issued; and
- (b) the single place, vehicle, vessel or caravan specified in the licence is the sole or main residence of that person.

(2) Paragraph (1) only applies where the residence referred to in that paragraph is in the United Kingdom, the Isle of Man or the Bailiwick of Guernsey (but excluding Sark).

(3) Where a TV licence of the type referred to in paragraph 1 of Schedule 4 is issued in respect of accommodation for residential care, in calculating the fee payable no account shall be taken of any unit of accommodation or, as the case may be, residential care dwelling that is the sole or main residence of a resident who is aged 75 years or more on the date on which the licence is issued.

(4) In paragraph (3), the expressions “accommodation for residential care”, “resident” and “residential care dwelling” shall have the meanings given to them by Part 2 of Schedule 4.

(5) Paragraph (3) only applies where the accommodation to which the licence relates is in the United Kingdom.

Revocation and savings

7.—(1) The Regulations specified in Schedule 6 are hereby revoked.

(2) The Wireless Telegraphy (Television Licence Fees) Regulations 1997(3) shall continue to apply to any television licence issued before 1st April 2004 as they had effect immediately before that date.

(3) In paragraph (2) the reference to a television licence is to such a licence within the meaning of the Wireless Telegraphy Act 1949(4).

(2) S.I.1995/3208, amended by S.I. 2002/849.

(3) S.I. 1997/290, amended by S.I. 1998/558, 1999/765, 2000/630, 2001/772, 2002/641, and 2003/663.

(4) 1949 c. 54; section 1(7) defines “television licence”, which was inserted by the Broadcasting Act 1990 (c. 42), section 180, and Schedule 18, Part I, paragraph 1.