

2018 No. 339

ELECTRONIC COMMUNICATIONS

BROADCASTING

The Communications (Television Licensing) (Amendment) (No. 2) Regulations 2018

<i>Made</i> - - - -	<i>8th March 2018</i>
<i>Laid before Parliament</i>	<i>9th March 2018</i>
<i>Coming into force</i> - -	<i>1st April 2018</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 365(1) and (4) and 402(3) of the Communications Act 2003(a).

The Treasury has consented to the making of these Regulations in accordance with section 365(6) of that Act.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Communications (Television Licensing) (Amendment) (No. 2) Regulations 2018.

(2) These Regulations come into force on 1st April 2018.

(3) These Regulations extend to the United Kingdom only.

Amendment of the Communications (Television Licensing) Regulations 2004

2. The Communications (Television Licensing) Regulations 2004(b) are amended in accordance with regulations 3 and 4.

Amendment of regulation 3

3. In regulation 3 (TV licence fees), in paragraph (1)(b)—

(a) for “or 8” substitute “, 8 or 18”;

(b) for “or 3” substitute “, 3 or 4”.

(a) 2003 c. 21.

(b) S.I. 2004/692, to which there are amendments not relevant to these Regulations.

Amendment of Schedule 2

4. In Schedule 2 (fees for TV licences payable by instalments), after paragraph 17 insert—

“PART 4

Simple payment plan licence (not black and white only)

18.—(1) This Part deals with a TV licence to be known as a “Simple payment plan licence (not black and white only)” (in this Part referred to as a “simple payment licence”).

(2) A simple payment licence is a licence of the same description as that given in the second entry of column 2 of the table in Schedule 1 (TV licence (including colour)) but where—

- (a) the licence is to be issued only in accordance with paragraphs 19 and 20, and
- (b) payment for the licence is to be made in instalments as set out in paragraph 21.

(3) In this Part, “issue date”, in relation to a simple payment licence, means the date on which the licence is issued.

19.—(1) In the period beginning with 1st April 2018 and ending with 30th September 2018, a simple payment licence is to be issued only to a person who is in any of circumstances A to C (see paragraph 20).

(2) In the period beginning with 1st October 2018 and ending with 30th September 2019, a simple payment licence is to be issued only to a person who, immediately before the due date, held a simple payment licence issued before or on 30th September 2018.

(3) A simple payment licence is not to be issued after 30th September 2019.

20.—(1) Circumstance A is that the person—

- (a) has been questioned under caution on or after 1st April 2018 about a TV licensing offence, and
- (b) is not, immediately before the issue date, authorised under a TV licence to install or use a TV receiver.

(2) Circumstance B is that the person has, within the period of 6 months ending with the issue date, received advice from a debt advice charity in relation to any of the person’s financial obligations.

(3) Circumstance C is that the person—

- (a) held a TV licence (other than a simple payment licence) within the period of 6 months ending with the issue date,
- (b) failed to make one or more payments in respect of that licence, and
- (c) is not, immediately before the issue date, authorised under a TV licence to install or use a TV receiver.

(4) In this paragraph—

“a debt advice charity” means—

- (a) Advice NI^(a),
- (b) Christians against Poverty^(b),
- (c) the National Association of Citizens Advice Bureaux^(c),

(a) Charity registration number NIC100008.

(b) Charity registration number 1097217.

(c) Charity registration number 279057. The National Association of Citizens Advice Bureaux trades as “Citizens Advice” in England and “Citizens Advice Cymru” in Wales.

- (d) the Northern Ireland Association of Citizens Advice Bureaux(a),
- (e) the Scottish National Association of Citizens Advice Bureaux(b),
- (f) Money Advice Trust(c), or
- (g) Foundation for Credit Counselling(d);

“TV licensing offence” means an offence under—

- (a) section 363(2) of the Act (installing or using a television receiver without a licence),
- (b) section 363(3) of the Act (possessing or controlling a receiver and intending to install or use it without a licence etc), or
- (c) section 366(8) of the Act (obstructing or failing to assist a person using powers to enforce TV licensing).

21.—(1) This paragraph specifies the different instalments which are payable in different circumstances in respect of a simple payment licence.

(2) Where the person to whom the simple payment licence is issued elects, before or on the issue date, to pay fortnightly instalments, the instalments are those set out in subparagraphs (3) to (5).

(3) An issue fee is payable on the issue date and the amount of that fee is determined by reference to the period of the month within which the issue date falls in accordance with the following—

<i>Period of month</i>	<i>Issue fee</i>
Period beginning with first day of month and ending with fifteenth day of month	£6.00
Period beginning with sixteenth day of month and ending with twenty-ninth day of month	£6.02
Remaining period of month	£6.29

(4) Further instalments are payable at fortnightly intervals with the first being payable on the date which is the last day of the period of 2 weeks beginning with the day immediately following the issue date.

(5) The number of the further instalments and the amount of each is determined by reference to the amount of the issue fee in accordance with the following—

<i>Issue fee</i>	<i>Number of further instalments</i>	<i>Amount of each further instalment</i>
£6.00	25	£5.78
£6.02	24	£6.02
£6.29	23	£6.27

(6) Where the person to whom the simple payment licence is issued elects, before or on the issue date, to pay monthly instalments, the instalments are those set out in subparagraphs (7) and (8).

(7) An issue fee of £12.56 is payable on the issue date.

(a) Charity registration number NIC103461.
 (b) Charity registration number SC016637.
 (c) Charity registration number 1099506.
 (d) Charity registration number 1016630. The Foundation for Credit Counselling trades as “StepChange Debt Charity” and “StepChange Debt Charity Scotland”.

(8) 11 further instalments of £12.54 are payable at monthly intervals with the first of those instalments being payable on the date which is the first day of the month following the month within which the issue date falls.”.

8th March 2018

Matt Hancock
Secretary of State
Department for Digital, Culture, Media and Sport

We consent:

8th March 2018

Rebecca Harris
Andrew Stephenson
Two of the Lords Commissioners of Her Majesty’s Treasury

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Communications (Television Licensing) Regulations 2004 (S.I. 2004/692) (“the CTLR 2004”) to make provision for a trial of a new TV licence to be known as a “Simple payment plan licence (not black and white only)” (a “simple payment licence”).

The cost of a simple payment licence is £150.50, payable in fortnightly or monthly instalments (see new paragraph 21 of Schedule 2 to the CTLR as inserted by regulation 4).

In the period ending with 30th September 2018, a simple payment licence is to be issued only in certain circumstances (see new paragraphs 19(1) and 20 of Schedule 2 to the CTLR 2004 as inserted by regulation 4). For example, a licence can be issued to a person if the person has, within the period of 6 months ending with the date the licence is issued, received advice from one of a list of specified charities in relation to any of the person’s financial obligations.

Provision is made for the renewal of a simple payment licence in the period beginning with 1st October 2018 and ending with 30th September 2019 (see new paragraph 19(2) of Schedule 2 to the CTLR 2004 as inserted by regulation 4).

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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