
STATUTORY INSTRUMENTS

2008 No. 139

ELECTRONIC COMMUNICATIONS

The Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2008

Made - - - - *23rd January 2008*

Coming into force - - *13th February 2008*

The Office of Communications (“OFCOM”) make the following Regulations in exercise of the powers conferred by sections 12, 13(2) and 122(7) of the Wireless Telegraphy Act 2006(1), (“the Act”).

Before making these Regulations OFCOM have given notice of their proposal to do so in accordance with section 122(4)(a) of the Act, published notice of their proposal in accordance with section 122(4)(b) of the Act, and have considered the representations made to them before the time specified in the notice in accordance with section 122(4)(c) of the Act.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2008 and shall come into force on 13 February 2008.

(2) In these Regulations “the principal Regulations” means the Wireless Telegraphy (Licence Charges) Regulations 2005(2).

Amendment of the Wireless Telegraphy (Licence Charges) Regulations 2005

2. The principal Regulations shall be amended in accordance with the following provisions of these Regulations.

Amendment of Schedule 2

3.—(1) Schedule 2 (licence charges and payment intervals) shall be amended in accordance with the following paragraphs of this regulation.

(2) Under the heading “Satellite Services”, for all entries in Columns 1 to 4, substitute the following entries—

(1) [2006 c.36](#)
(2) [S.I. 2005/1378](#) as amended by [S.I. 2006/2894](#) and [S.I. 2007/2326](#)

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“Satellite (Aircraft Earth Station)	£200		12 months
		For each terminal requiring technical coordination by Ofcom resulting in the variation of a licence, £200.	
Satellite (Earth Station Network)	£200		12 months
		For each terminal requiring technical coordination by Ofcom resulting in the variation of a licence, £200.	
Satellite (Earth Station on Board Train)	£200		12 months
		For each terminal requiring technical coordination by Ofcom resulting in the variation of a licence, £200.	
Satellite (Earth Station – Non-Fixed Satellite Service)	£500		12 months
Satellite (Earth Station – Non-Geostationary)	£500		12 months
Satellite (Permanent Earth Station)		For each site (the area contained within a circle of a radius of 500 metres centred on a point defined by the licensee), the appropriate sum calculated in accordance with the formula set out in Part 1 of Schedule 8.	12 months
Satellite (Transportable Earth Station)		For each earth station operating in the 13.78-14.5 GHz band, the appropriate sum payable in accordance with Part 3 of Schedule 8 as determined by the power and bandwidth of the earth station.	12 months
Satellite (Transportable Very Small Aperture Terminal)		For each earth station operating in the 13.78-14.5 GHz band, the appropriate sum payable in accordance with Part 3 of Schedule 8 as determined by the power and bandwidth of the earth station.	12 months”

(3) In this regulation—

- (a) the column headed “Class of licence” in Schedule 2 to the principal Regulations shall be designated as “Column 1”;
- (b) the column headed “Fixed sums” in Schedule 2 to the principal Regulations shall be designated as “Column 2”;
- (c) the column headed “Variable sums” in Schedule 2 to the principal Regulations shall be designated as “Column 3”;
- (d) the column headed “Prescribed payment interval” in Schedule 2 to the principal Regulations shall be designated as “Column 4”;
- (e) the four columns of the grid in regulation 3(2) of these Regulations are to be inserted as Columns 1 to 4 of that Schedule.

Amendment of Schedule 8

4. For all of the entries in Schedule 8, substitute the following entries—

“SCHEDULE 8

FEES PAYABLE FOR SATELLITE (PERMANENT EARTH STATION), (TRANSPORTABLE EARTH STATION) AND (TRANSPORTABLE VERY SMALL APERTURE TERMINAL) LICENCES

PART 1

FORMULA FOR CALCULATING THE APPROPRIATE SUM FOR A SATELLITE (PERMANENT EARTH STATION) LICENCE

4. In this Part, subject to paragraph 6, “the appropriate sum” means the amount in pounds sterling, which is payable for a Satellite (Permanent Earth Station) Licence, calculated in accordance with the formula set out in paragraph 5.

5. The formula is –

$$AS = \sum_{bands} \left[28 \times BF_{band} \times \sqrt{\sum_{paths_{band}} (P_{path} \times BW_{path})} \right]$$

where –

“AS” means the appropriate sum;

“bands” mean the numbers listed in Column 1 of the table set out in Part 2, corresponding to the range of frequency band listed in Column 2 of that table which are authorised by the licence;

“ BF_{band} ” means the band factor applying to each band, being the number in Column 3 of the table set out in Part 2 corresponding to the band listed in Column 1 of the same table;

“ $paths_{band}$ ” means the set of those transmission paths authorised by the licence for which the authorised transmission frequency lies within the frequency range of each band as set out in Column 2 of the table set out in Part 2;

“ P_{path} ” means the authorised peak transmit power (in Watts) at the flange of the antenna of the earth station for each transmission path;

“ BW_{path} ” means the authorised transmit bandwidth (in MHz) for each transmission path; and

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“transmission path” means a combination of a satellite earth station transmitter, a satellite receiver, a transmission frequency, and polarisation for which transmissions are authorised by the licence.

6. Where the amount in pounds sterling calculated in accordance with the formula set out in paragraph 5 is less than £500, the appropriate sum shall be £500.

PART 2

BAND FACTOR FOR CALCULATING THE APPROPRIATE SUM FOR A SATELLITE (PERMANENT EARTH STATION) LICENCE

<i>Column 1: band</i>	<i>Column 2: Range of frequency band (fb) (in GHz)</i>	<i>Column 3: Band factor</i>
1	$fb < 5$	1.54
2	$5 \leq fb < 10$	1.23
3	$10 \leq fb < 16$	0.87
4	$16 \leq fb < 24$	0.70
5	$fb \geq 24$	0.60

PART 3

FEES PAYABLE FOR SATELLITE (TRANSPORTABLE EARTH STATION) AND (TRANSPORTABLE VERY SMALL APERTURE TERMINAL) LICENCES

7. The appropriate sum is the amount in pounds sterling, which is payable for each earth station of a Satellite (Transportable Earth Station) and a Satellite (Transportable Very Small Aperture Earth Station) Licence, specified in Column 2 of the table below as determined by the range of p specified in Column 1 of that table in which the licensee’s network falls.

8. In this Part –

- (a) “OMP” means the number corresponding to the number of the Operational Maximum Power (in Watts) as declared by the licensee on application for the earth station licence;
- (b) “ p ” means the product of OMP multiplied by WBW ; and
- (c) “ WBW ” means the number corresponding to the number of the widest bandwidth (in MHz) as declared by the licensee on application for the licence.

<i>Column 1: Range of p</i>	<i>Column 2: Fee (£) per earth station</i>
$0 < p \leq 100$	300
$100 < p \leq 2,500$	1,400
$p > 2,500$	4,300”

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23rd January 2008

Ed Richards
Chief Executive of the Office of
Communications
For and by the authority of the Office of
Communications

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Wireless Telegraphy (Licence Charges) Regulations 2005 ([S.I. 2005/1378](#) as amended by [S.I. 2006/2894](#) and [S.I. 2007/2326](#)) (the “Principal Regulations”).

For the Satellite sector, the Regulations introduce fixed charges for the Satellite (Aircraft Earth Station) and (Earth Station Network) licence classes. The Regulations also introduce charges for two new licence classes (Satellite (Earth Station on Board Train) and (Transportable Very Small Aperture Terminal) licences), and increase existing charges for the Satellite (Permanent Earth Station) and (Transportable Earth Station) licence classes.

A full regulatory impact assessment of the effect that these Regulations will have on the costs to business is available to the public from the OFCOM Library at Riverside House, 2A Southwark Bridge Road, London SE1 9HA (Tel: 020 7981 3000) or on OFCOM’s website at www.ofcom.org.uk. Copies of this assessment have also been placed in the libraries of both Houses of Parliament.