

**EXPLANATORY MEMORANDUM TO
THE COMMUNICATIONS (TELEVISION LICENSING)(AMENDMENT)
REGULATIONS 2008**

2008 No. 643

1. Preliminary

- 1.1 This explanatory memorandum has been prepared by the Department for Culture, Media and Sport and is laid before Parliament by Command of Her Majesty.

2. Description

- 2.1 These Regulations amend the Communications (Television Licensing) Regulations 2004 (S.I. 2004/692) (“the 2004 Regulations”).

Licence fee increases

- 2.2 Regulations 3(a) and (b), 4, 5 and 6(a) and (b) provide for increases in the sums provided to be paid for different categories of licences set out in the 2004 Regulations, and in the sums payable by way of instalments under instalment schemes set out in those Regulations.

In summary-

(a) the fee for a basic black and white only TV licence is increased from £45.50 to £47.00, and that for a basic colour TV licence from £135.50 to £139.50;

(b) the issue fee and subsequent instalments for the premium instalment licence (not available in the Channel Islands) are raised to £36.14 and £36.12 respectively, the total payable rising from £140.50 to £144.50;

(c) amendments are made in relation to the instalments payable for the budget instalment licence and easy entrance licence (which is not available in the Channel Islands or Isle of Man) so that in every case the total amount payable is raised from £135.50 to £139.50;

(d) the provisions relating to the interim TV licence (which is not available in the Channel Islands except in the Bailiwick of Guernsey, excluding Sark) are amended to raise the fee payable in respect of each month, or part of a month, from £3.791 to £3.916 in the case of a black and white only TV licence and from £11.291 to £11.625 in the case of a colour TV licence; and

(e) the provisions relating to TV licence fees for hotels, hospitality areas and mobile units are amended to reflect the rise in the fees payable for basic black and white only and colour TV licences to £47.00 and £139.50 respectively.

Saving and transitional provision

2.3 Regulation 7 provides that in relation to TV licences issued before 1st April 2008, Schedules 1 to 3 and 5 to the 2004 Regulations continue to apply without the amendments made by these Regulations.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

4. Legislative Background

4.1 This Order is made in exercise of the Secretary of State's powers under sections 365(1) and (4) and 402 of the Communications Act 2003.

5. Extent and application

5.1 The 2004 Regulations, which these Regulations amend, extend to the whole of the United Kingdom and, by virtue of the Orders cited in the preamble to the Regulations, to the Channel Islands and the Isle of Man.

6. European Convention on Human Rights

6.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1 These regulations will give effect to the second year's television licence fee increases under the BBC funding settlement for the years 2007-08 to 2012-13, announced by the Secretary of State for Culture, Media and Sport on 18 January 2007.

8. Impact

8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies other than to clarify, and give additional flexibility to, TV licence conditions and concessions.

9. Contact

9.1 Alastair Dougans at the Department for Culture, Media and Sport (tel: 020 7211 6471; e-mail: alastair.dougans@culture.gsi.gov.uk) can answer any queries regarding the instrument.