

2020 No. 160

ELECTRONIC COMMUNICATIONS

BROADCASTING

The Communications (Television Licensing) (Amendment) (No. 2) Regulations 2020

<i>Made</i> - - - -	<i>11th February 2020</i>
<i>Laid before Parliament</i>	<i>21st February 2020</i>
<i>Coming into force</i> - -	<i>1st April 2020</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 2020 and come into force on 1st April 2020.

(2) 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.

3. For regulation 1(2) (extent) substitute—

“(2) These Regulations extend to the Channel Islands and the Isle of Man except for—

(a) Schedule 2, Part 4 and regulation 3(1)(b) so far as it relates to that Part;

(b) regulations 10 and 11.”

4. In Schedule 2, Part 4 (simple payment plan licence (not black and white only))—

(a) for paragraph 18(3) substitute—

“(3) In this Part—

“issue date”, in relation to a simple payment licence, means the date on which the licence is issued;

(a) 2003 c.21.

(b) S.I. 2004/692 amended by S.I. 2018/339, there are other amending instruments but none is relevant.

“expiry date”, in relation to a simple payment licence, means the date specified in the licence as being the last day that the licence is valid.”;

- (b) for paragraphs 19(1) to (3) substitute—
“(1A) A simple payment licence is to be issued only to a person who is in any of circumstances A to D (see paragraph 20).”;
- (c) in paragraph 20(1)—
(i) for “questioned under caution” substitute “visited for enforcement purposes”;
(ii) for “2018” substitute “2020”;
- (d) after paragraph 20(3), insert—
“(3A) Circumstance D is that the person held a simple payment licence within the period of 12 months ending with the issue date.”;
- (e) in paragraph 20(4), in the definition of “a debt advice charity”, for paragraphs (a) to (g) substitute “a charity registered under the Charities Act 2011(a) that provides debt counselling or other financial advice to persons in financial difficulty.”;
- (f) in paragraph 21(2) for “the instalments” to the end substitute “sub-paragraphs (2A) to (2D) apply”;
- (g) for paragraphs 21(3) to (8) substitute—
“(2A) An issue fee is payable on the issue date.
(2B) 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 date immediately following the issue date.
(2C) The number of further instalments is determined by the number of complete fortnights in the period beginning with the date on which the first instalment falls due and ending with the expiry date.
(2D) The amounts of the issue fee and each further instalment are determined according to the number of further instalments payable, as set out in Table 1.

Table 1

<i>Issue fee</i>	<i>Number of further instalments</i>	<i>Amount of each further instalment</i>
£6.25	25	£6.05
£6.30	24	£6.30
£6.62	23	£6.56
£7.02	22	£6.84
£7.35	21	£7.15
£7.50	20	£7.50
£7.97	19	£7.87
£8.46	18	£8.28
£8.75	17	£8.75
£9.34	16	£9.26
£9.90	15	£9.84
£10.50	14	£10.50
£11.25	13	£11.25
£12.18	12	£12.11

(2E) Where the person to whom the simple payment licence is issued elects, before or on the issue date, to pay monthly instalments, sub-paragraphs (2F) to (2I) apply.

(a) 2011 c.25.

(2F) An issue fee is payable on the issue date.

(2G) Further instalments are payable at monthly intervals with the first being payable on the date which is the last day of the period of one month beginning with the day immediately following the issue date.

(2H) The number of further instalments is determined by the number of complete months in the period beginning with the date on which the first instalment falls due and ending with the expiry date.

(2I) The amounts of the issue fee and of each further instalment are determined according to the number of further instalments payable as set out in Table 2.

Table 2

<i>Issue fee</i>	<i>Number of further instalments</i>	<i>Amount of each further instalment</i>
£13.18	11	£13.12
£14.40	10	£14.31
£15.75	9	£15.75
£17.50	8	£17.50
£19.74	7	£19.68
£22.50	6	£22.50
£26.25	5	£26.25”.

10th February 2020

Morgan of Cotes
Secretary of State
Department for Digital, Culture, Media and Sport

We consent:

11th February 2020

Rebecca Harris
Iain Stewart
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) to make provision for a form of TV licence to be known as a “simple payment plan licence (not black and white only)” (a “simple payment licence”). The 2004 Regulations were amended by the Communications (Television Licensing) (Amendment) (No. 2) Regulations 2018 (SI 2018/339) to trial these types of licence, on a temporary basis, permitting the TV licence fee to be paid for in evenly spread monthly or fortnightly instalments, in specified circumstances.

These Regulations bring the temporary scheme into ongoing operation by removing the provisions which time limit the temporary scheme (regulation 4(b)). These Regulations also make some changes to the conditions of the scheme. For example the definition of a “debt advice charity” has been widened (regulation 4(e)). In addition, a new “Circumstance D” has been included for the

issue of a simple payment licence to those who have held one in the 12 months before the issue date of the new licence (regulations 4(b) and (d)). The scheme has also been amended to take account of the new licence fee of £157.50 applicable from 1st April 2020. The regulations allow for the duration of the licence to be shortened to reflect the fact that it has been purchased on any date later than the due date. This allows the duration of the licences to be set to ensure that all periods of licensable activity are paid for.

An impact assessment has not been produced for this instrument as there will be no impact on the private sector and negligible impact on the voluntary sectors is foreseen.

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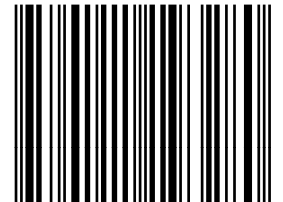
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