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 STATUTORY INSTRUMENTS
 

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1984 No. 1053

## TELEGRAPHS

**The Wireless Telegraphy (Broadcast Licence  
Charges and Exemption) Regulations 1984**

*Made* - - - - - 24th July 1984

*Laid before Parliament* 26th July 1984

*Coming into Operation*

*For the purposes of Regulations 1(3)  
(partially) and 4* 1st August 1984

*For the purposes of Regulation 5(2)* 1st January 1985

*For all other purposes* 1st September 1984

The Secretary of State, in exercise of the powers conferred by sections 1 and 2 of the Wireless Telegraphy Act 1949(a), as enacted, and as extended by the Wireless Telegraphy (Channel Islands) Order 1952(b) and the Wireless Telegraphy (Isle of Man) Order 1952(c), and now vested in him(d), hereby, with the consent of the Treasury, makes the following Regulations:—

*Citation, Commencement and Revocations*

1.— (1) These Regulations may be cited as the Wireless Telegraphy (Broadcast Licence Charges and Exemption) Regulations 1984.

(2) These Regulations shall come into operation on 1st September 1984 except that—

(a) Regulation 4 (exemption for broadcast relay apparatus) and paragraph (3) below insofar as it relates to the Regulations specified in Part I of Schedule 1 (revocations) shall come into operation on 1st August 1984; and

(b) Regulation 5(2) (hotels) shall come into operation on 1st January 1985.

(3) The Regulations specified in Schedule 1 are hereby revoked.

*Interpretation*

2. In these Regulations—

“accommodation for residential care” has the meaning given to it in Schedule 2;

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(a) 1949 c.54.

(b) S.I. 1952/1900.

(c) S.I. 1952/1899.

(d) 1969 c.48; S.I. 1969/1369, 1371, 1974/691.

“the Act” means the Wireless Telegraphy Act 1949;

“amateur station” means a station for wireless telegraphy established and used as part of the self-training of the licensee in communication by wireless telegraphy, for the purpose of communication with other stations similarly established and used;

“authorised broadcasting station” means a station for the time being duly authorised to conduct a broadcasting service pursuant to the Radio Regulations published by the General Secretariat of the International Telecommunication Union and for the time being in force;

“disabled person” means a person who is blind, deaf or dumb, or who is substantially and permanently handicapped by illness, injury or congenital deformity;

“hotel” means any establishment which incorporates units of accommodation let or available for letting to guests or boarders and includes an inn, boarding-house, guest-house, holiday camp, caravan site and camp site;

“let” means let by way either of a tenancy or a licence, and either with or without board or other services or facilities;

“mentally disordered person” has the meaning given to it in Schedule 2;

“pensionable age” has the meaning given to it in Schedule 2;

“resident”, in relation to accommodation for residential care, means a disabled person, a mentally disordered person or a retired person of pensionable age who is ordinarily resident in accommodation for residential care, but does not include a person in charge thereof or otherwise employed therein or a member of the family of either of them;

“television receiving licence” means a licence to instal and use apparatus for wireless telegraphy for the primary purpose of receiving visual images (with or without sound) sent by television by authorised broadcasting stations for general reception not being a licence in respect of which the fee is prescribed by the Wireless Telegraphy (General Licence Charges) Regulations 1968(a).

#### *Exemption for Sound*

3.— (1) There is hereby exempted from the requirement of a licence under section 1(1) of the Act the installation and use of wireless telegraphy apparatus used only for the reception of messages sent by telephony from authorised broadcasting stations for general reception or messages sent by telephony or telegraphy from licensed amateur stations.

(2) It is a condition of this exemption that the use of the apparatus to which it relates does not cause undue interference with any wireless telegraphy.

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(a) S.I. 1968/1314, as amended by S.I. 1976/2031, 1980/1850, 1981/1432, 1983/670.

*Exemption for Broadcast Relay Apparatus*

4.— (1) There is hereby exempted from the requirement of a licence under section 1(1) of the Act the installation and use of wireless telegraphy apparatus intended solely for the purpose of receiving programmes broadcast by authorised broadcasting stations for general reception and relaying them by wire or any other material substance to the users of the service provided by means of the apparatus.

(2) It is a condition of this exemption that the use of the apparatus to which it relates does not cause undue interference with any wireless telegraphy.

*Licence Fees*

5.— (1) On the issue of a television receiving licence of a type and description specified in Schedule 3 the licensee shall pay (irrespective of the duration of the licence) an issue fee of the amount specified in that Schedule in relation to that type and description of licence.

(2) On the issue of a television receiving licence of a type and description specified in Schedule 4 the licensee shall pay (irrespective of the duration of the licence) an issue fee of the amount specified in that Schedule.

(3) On the issue of any other television receiving licence the licensee shall pay an issue fee of such amount as may in the particular case appear to the Secretary of State to be proper.

*Duplicate Licences*

6. On the issue of a duplicate of a television receiving licence to which Regulation 5(1) or (2) apply and which has been lost or destroyed the licensee shall pay a fee of £1.50.

Home Office.  
24th July 1984.

*Leon Brittan,*  
One of Her Majesty's Principal  
Secretaries of State.

We consent to these Regulations.

*Donald Thompson,*  
*Ian B. Lang,*  
Two of the Commissioners of  
Her Majesty's Treasury.

23rd July 1984.

SCHEDULE 1  
Regulation 1

## SCHEDULE 1

## REVOCATIONS

## PART I

## REGULATIONS REVOKED ON 1ST AUGUST 1984

Regulations	References	Extent of revocations
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) Regulations 1970	S.I. 1970/548	In Regulation 2(1) in the definition of "broadcast receiving licence", the words "either a broadcast relay apparatus licence or" and the definitions of "broadcast relay apparatus", "broadcast relay apparatus licence" and "cable".
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment) Regulations 1979	S.I. 1979/841	Regulations 6 and 7. Schedule 4.
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment) Regulations 1981	S.I. 1981/882	The whole Regulations.

**PART II**  
**REGULATIONS REVOKED ON 1ST SEPTEMBER 1984**

Regulations	References	Extent of revocations
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) Regulations 1970	S.I. 1970/548	The whole Regulations, except those parts specified in Part I of this Schedule.
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment) (No. 1) Regulations 1971	S.I. 1971/13	The whole Regulations.
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment) (No. 2) Regulations 1971	S.I. 1971/295	The whole Regulations.
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment) Regulations 1980	S.I. 1980/798	The whole Regulations.
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment) (No. 2) Regulations 1981	S.I. 1981/1706	The whole Regulations.

## SCHEDULE 2

## Regulation 2

*Meaning of “accommodation for residential care”, “mentally disordered person” and “pensionable age”*

*England and Wales*

1. In relation to England and Wales—

“accommodation for residential care” means either—

- (a) any establishment the sole or main object of which is, or is held out to be, the provision of accommodation, whether for reward or not, for disabled persons, mentally disordered persons or retired persons of pensionable age and which—
  - (i) is provided by a local authority under section 21(1)(a) of the National Assistance Act 1948(a); or
  - (ii) is provided by a local social services authority under paragraph 2(1) of Schedule 8 to the National Health Service Act 1977(b); or
  - (iii) is carried out by a person who is duly registered in respect thereof under section 2 of the Residential Homes Act 1980(c); or
  - (iv) is managed by any such department, authority or body as is mentioned in paragraph (d) of section 1(2) of that Act; or
  - (v) is an establishment referred to in paragraph (e) of section 1(2) (and this paragraph shall continue to have effect notwithstanding the repeal of the Act of 1980); or
- (b) a group of dwellings provided specially for disabled persons, mentally disordered persons or retired persons of pensionable age in association with other accommodation or facilities intended for the common use of all the occupants of the dwellings and which is provided or managed—
  - (i) under Part V of the Housing Act 1957(d); or
  - (ii) by a housing association within the meaning of section 189(1) of that Act; or
  - (iii) by a development corporation within the meaning of the New Towns Act 1981(e) or by the Development Board for Rural Wales in accordance with section 3(2) of the Development of Rural Wales Act 1976(f); or

“mentally disordered person” means a person who is suffering from any mental disorder within the meaning of the Mental Health Act 1983(g);

“pensionable age” has the same meaning as in the Social Security Act 1975(h).

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- (a) 1948 c.29.
  - (b) 1977 c.49.
  - (c) 1980 c.7.
  - (d) 1957 c.56.
  - (e) 1981 c.68.
  - (f) 1976 c.75.
  - (g) 1983 c.20.
  - (h) 1975 c.14.

*Scotland*

## 2. In relation to Scotland—

“accommodation for residential care” means either—

- (a) any establishment the sole or main object of which is, or is held out to be, the provision of accommodation, whether for reward or not, for disabled persons, mentally disordered persons or retired persons of pensionable age and which—
  - (i) is provided by a local authority under sections 12 and 59 of the Social Work (Scotland) Act 1968(a); or
  - (ii) is carried on by a person who is duly registered in respect thereof under section 62 or 63 of that Act; or
  - (iii) is, or in respect of which the person carrying on the establishment is, exempt from registration under section 62 or 63 of the Act by virtue of section 61; or
- (b) a group of dwellings provided specially for disabled persons, mentally disordered persons or retired persons of pensionable age in association with other accommodation or facilities intended for the common use of all the occupants of the dwellings and which is provided or managed—
  - (i) under Part VII of the Housing (Scotland) Act 1966(b); or
  - (ii) by a housing association within the meaning of section 208 of that Act; or
  - (iii) by a development corporation within the meaning of the New Towns (Scotland) Act 1968(c); or
  - (iv) by the Scottish Special Housing Association under their memorandum and articles of association;

“mentally disordered person” means a person who is suffering from any mental disorder within the meaning of the Mental Health (Scotland) Act 1960(d);

“pensionable age” has the same meaning as in the Social Security Act 1975.

*Northern Ireland*

## 3. In relation to Northern Ireland—

“accommodation for residential care” means either—

- (a) any establishment the sole or main object of which is, or is held out to be, the provision of accommodation, whether for reward or not, for disabled persons, mentally disordered persons or retired persons of pensionable age and which—
  - (i) is provided by the Department of Health and Social Services

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(a) 1968 c.49.

(b) 1966 c.49.

(c) 1968 c.16.

(d) 1960 c.61, which has been amended by the Mental Health (Amendment) (Scotland) Act 1983 (c.39).

- for Northern Ireland under Article 7 or 15 of the Health and Personal Social Services (Northern Ireland) Order 1972(a); or
- (ii) is carried on by a person who is duly registered in respect thereof under Schedule 5 to that Order; or
  - (iii) is managed or controlled by a Government department or a public body constituted especially by Act of Parliament or incorporated by Royal Charter; or
- (b) a group of dwellings provided specially for disabled persons, mentally disordered persons or retired persons of pensionable age in association with other accommodation or facilities intended for the common use of all the occupants of the dwellings and which is provided or managed—
- (i) under the Housing (Northern Ireland) Order 1983(b); or
  - (ii) by a housing association within the meaning of Article 114 of the Housing (Northern Ireland) Order 1981(c);

“mentally disordered person” means a person who is suffering from any mental disorder within the meaning of the Mental Health Act (Northern Ireland) 1961(d);

“pensionable age” has the same meaning as in the Social Security (Northern Ireland) Act 1975(e).

#### *Jersey*

4. In relation to the Bailiwick of Jersey—

“accommodation for residential care” means any establishment the sole or main object of which is the provision of accommodation, whether for reward or not, for disabled persons, mentally disordered persons or retired persons of pensionable age, not being an establishment mentioned in paragraphs (a), (b) or (c) of Article 1(1) of the Old Persons Homes (Registration) (Jersey) Law 1964;

“mentally disordered person” means a person who is suffering from mental disorder within the meaning of the Mental Health (Jersey) Law 1969;

“pensionable age” has the same meaning as in the Social Security (Jersey) Law 1974.

#### *Guernsey*

5. In relation to the Bailiwick of Guernsey—

“accommodation for residential care” means either—

- (a) any establishment the sole or main object of which is, or is held out to be, the provision of accommodation, whether for reward or not, for disabled persons, mentally disordered persons or retired persons of pensionable age and which—

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(a) S.I. 1972/1265 (N.I. 14).  
 (b) S.I. 1983/1118 (N.I. 15).  
 (c) S.I. 1981/156 (N.I. 3).  
 (d) 1961 c.15. (N.I.).  
 (e) 1975 c.15. (N.I.).



- (i) is carried on by a person duly registered in respect thereof under the Nursing Homes and Residential Homes (Guernsey) Law 1976; or
- (ii) is exempt from registration under section 6 of that law; or
- (b) a group of dwellings provided specially for disabled persons, mentally disordered persons or retired persons of pensionable age in association with other accommodation or facilities intended for the common use of all the occupants of the dwellings and which is provided or managed—
  - (i) by any Committee of the States of Guernsey; or
  - (ii) by a body approved in writing for the purposes of these Regulations by the President or the Acting President of the States of Guernsey Board of Health;

“mentally disordered person” means a person suffering from any mental ailment within the meaning of the Mental Treatment Law (Guernsey) 1939; “pensionable age” has the same meaning as in the Social Insurance (Guernsey) Law 1978.

*Isle of Man*

6. In relation to the Isle of Man—

“accommodation for residential care” means either—

- (a) any establishment the sole or main object of which is, or is held out to be, the provision of accommodation, whether for reward or not, for disabled persons, mentally disordered persons or retired persons of pensionable age and which—
  - (i) is provided under section 22 of the National Health Service (Isle of Man) Act 1948; or
  - (ii) is provided under section 22(1) of the National Assistance (Isle of Man) Act 1951; or
  - (iii) is carried on by a person who is duly registered in respect thereof under section 29 of that Act; or
- (b) a group of dwellings provided specially for disabled persons, mentally disordered persons or retired persons of pensionable age in association with other accommodation or facilities intended for the common use of all the occupants of the dwellings and which is provided or managed—
  - (i) under section 1 of the Housing (Isle of Man) Act 1965; or
  - (ii) by a housing association under Part II of the Housing (Miscellaneous Provisions) (Isle of Man) Act 1976;

“mentally disordered person” means any person who is suffering from any mental disorder within the meaning of the Mental Health (Isle of Man) Act 1974;

“pensionable age” has the same meaning as in the Social Security Act 1975.

## Regulation 5(1)

## SCHEDULE 3

## ISSUE FEES FOR TELEVISION RECEIVING LICENCES

Type of Licence	Description of Licence	Issue fee
1. Television Licence (monochrome only) General Form	A licence to instal and use black and white television receiving apparatus at the single place specified in the licence, or (as the case may be) in the single vehicle or vessel specified in the licence.	£15
2. Television Licence (including colour) General Form	A licence to instal and use black and white or colour television receiving apparatus at the single place specified in the licence, or (as the case may be) in the single vehicle or vessel specified in the licence.	£46
3. Television Licence (monochrome only) Multiple Form	A licence to instal and use black and white television receiving apparatus at each of the places specified in the licence, or (as the case may be) in each of the vehicles or vessels specified in the licence.	£15 for each place vehicle or vessel specified in the licence.
4. Television Licence (including colour) Multiple Form	A licence to instal and use black and white or colour television receiving apparatus at each of the places specified in the licence, or (as the case may be) in each of the vehicles or vessels specified in the licence.	£46 for each place, vehicle or vessel specified in the licence.
5. Television Licence (including colour) Demonstration General Form	A licence to instal and use black and white or colour television receiving apparatus at the single place specified in the licence solely for the purpose of demonstrating, testing or repairing such apparatus in the course of the licensee's business as a dealer in such apparatus.	£1.50
6. Television Licence (including colour) Demonstration Multiple Form	A licence to instal and use black and white or colour television receiving apparatus at each of the places specified in the licence solely for the purpose of demonstrating, testing or repairing such apparatus in the course of the licensee's business as a dealer in such apparatus.	£1.50 for each place specified in the licence.
7. Television Licence (including colour) Accommodation for Residential Care Composite Form	A licence to each of the persons named therein to instal and use black and white or colour television receiving apparatus at such parts of accommodation for residential care described therein as consist of living rooms or bedrooms provided for the private occupation of residents in that accommodation.	5p for each person licenced.

## Regulation 5(2)

## SCHEDULE 4

## ISSUE FEES FOR HOTELS

1. *Type of Licence:* Television Receiving Licence Hotels—Comprehensive Form.
  
2. *Description of Licence:* A licence to instal and use black and white or colour television receiving apparatus in a hotel.

*Issue Fee*

3.—(1) In the case of a hotel in which television receiving apparatus is only installed or used otherwise than in units of accommodation let or available for letting to guests or boarders, the fee is the relevant amount.

(2) In the case of a hotel in which television receiving apparatus is installed or used in units of accommodation let or available for letting to guests or boarders, the fee is determined in accordance with paragraph 4 below.

*Determination of Issue Fee for purposes of paragraph 3(2) above*

- 4.—(1) The issue fee under paragraph 3(2) above is determined as follows:—
- (a) for a number of units of accommodation not exceeding 15, the fee is the relevant amount;
  - (b) for a number of units of accommodation exceeding 15 and forming a multiple of 5, the fee is the relevant amount plus the relevant amount for each multiple of 5 in excess of 15;
  - (c) for a number of units of accommodation exceeding 15 and not forming a multiple of 5, the fee is the fee applicable under paragraph (b) for the multiple next above that number.
- (2) For the purpose of determining the fee under paragraph 3(2) above—
- (a) units of accommodation in which colour television receiving apparatus is installed or used shall be counted first; and
  - (b) if in any group of 5 units of accommodation in excess of 15 there is installed or used both black and white and colour television receiving apparatus, all the television receiving apparatus in that group shall be treated as if it were colour.

*The “relevant amount”*

5. In this Schedule the “relevant amount” means—
- (a) in the case of black and white television receiving apparatus only, £15;
  - (b) in the case of black and white or colour television receiving apparatus, £46.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations consolidate, with amendments, the Regulations specified in Schedule 1. The Regulations prescribe the fees payable on the issue of the television licences described in Schedules 3 and 4 and, in Regulations 3 and 4, make provision for the installation and use of certain apparatus to be exempt from the requirement of a licence. The changes of substance are as follows.

Firstly, Regulation 4 provides that the use of apparatus intended solely for the purpose of receiving programmes broadcast by authorised broadcasting stations and relaying them by wire or any other material substance to the users of a service provided by means of the apparatus is to be exempt from the requirement of a licence provided the use of the apparatus does not cause undue interference with any other wireless telegraphy apparatus.

Secondly, Regulation 5(1) and Schedule 3 extend the 5p concessionary licence scheme, which previously applied to television sets in certain accommodation specially provided for the elderly, to similar accommodation specially provided for physically disabled and mentally disordered people.

Thirdly, Regulation 5(2) and Schedule 4 make fresh provision for the fee payable on the issue of a licence to instal and use television receiving apparatus in hotels in substitution for the provisions in the revoked Regulations which required an additional fee to be paid in respect of each bedroom in which a television set was used. The general effect of these provisions is to require an additional amount, the "relevant amount", to be paid in respect of each group of 5 bedrooms over 15. Where the number of bedrooms is not a multiple of 5 it is rounded up to the next multiple. The "relevant amount" is £15 in respect of black and white television sets and £46 in respect of colour television sets. By virtue of Regulation 2 "hotel" means any establishment which incorporates units of accommodation let or available for letting on hire to guests or boarders including an inn, boarding house, guest house, holiday camp, caravan site and camp site.

The Regulations do not affect the amount of fee payable on the issue of a licence to instal and use a television set in a private dwelling house.

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