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STATUTORY INSTRUMENTS

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**1991 No. 436**

**TELEGRAPHS**

**The Wireless Telegraphy (Television  
Licence Fees) Regulations 1991**

<i>Made</i>	- - - -	<i>4th March 1991</i>
<i>Laid before Parliament</i>		<i>11th March 1991</i>
<i>Coming into force</i>	- -	<i>1st April 1991</i>

In exercise of the powers conferred by sections 1 and 2 of the Wireless Telegraphy Act 1949(1), as they have effect in the United Kingdom and as extended by the Wireless Telegraphy (Channel Islands) Order 1952(2) and the Wireless Telegraphy (Isle of Man) Order 1952(3), and now vested in me(4), I hereby, with the consent of the Treasury as respects regulations 1 to 4 (and Schedules 1 to 3), make the following Regulations:

**Citation, commencement, revocation and extent**

1.—(1) These Regulations may be cited as the Wireless Telegraphy (Television Licence Fees) Regulations 1991 and shall come into force on 1st April 1991.

(2) The Regulations specified in Schedule 1 to these Regulations are hereby revoked.

(3) These Regulations extend to the United Kingdom, the Channel Islands and the Isle of Man.

**Meaning of “television receiver”**

2. The following class or description of television receiving apparatus is hereby specified for the purposes of the definition of “television receiver” in the Wireless Telegraphy Act 1949(5), namely such apparatus installed or used for the purpose of receiving television programme services, as defined by section 2(4) of the Broadcasting Act 1990, whether or not the apparatus is installed or used for other purposes.

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- (1) 1949 c. 54; these sections are amended by Part I of Schedule 18 to the Broadcasting Act 1990 (c. 42), which Part comes into force on 1st April 1991 by virtue of article 6 of S.I. 1990/2347. The said Part I was extended to Guernsey by the Broadcasting Act 1990 (Guernsey) Order 1991 (S.I. 1991/191), to Jersey by the Broadcasting Act 1990 (Jersey) Order 1991 (S.I. 1991/193) and to the Isle of Man by the Broadcasting Act 1990 (Isle of Man) Order 1991 (S.I. 1991/192).
- (2) S.I. 1952/1900.
- (3) S.I. 1952/1899.
- (4) Post Office Act 1969 (c. 48); S.I. 1969/1369,1371,1974/691.
- (5) In section 1(7) of that Act (as added by Part I of Schedule 18 to the Broadcasting Act 1990 (c. 42)).

### Television licence fees

3.—(1) On the issue of a television licence (as defined by section 1(7) of the Wireless Telegraphy Act 1949<sup>(6)</sup>) of a type specified in an entry in column 1 of Part I of Schedule 2 to these Regulations and of the description specified in column 2 of that Part in relation to that entry, there shall be paid (irrespective of the duration of the licence) as the issue fee for a licence of that type and description the sum or, as the case may be, multiples of sums prescribed in column 3 of that Part or, in the case of entry 8 in column 1 of that Part, paragraphs 2 to 4 of Part III of the said Schedule.

(2) On the issue of a television licence of a type specified in an entry in column I of Schedule 3 to these Regulations and of the description specified in column 2 of that Schedule in relation to that entry, there shall be paid (irrespective of the duration of the licence) as the issue fee for a licence of that type and description the sum which is prescribed in column 3 of that Schedule in respect of that entry and thereafter as instalment payments such sums as are so prescribed.

(3) On the issue of any other television licence, there shall be paid (irrespective of the duration of the licence) as the issue ~fee for that licence such sum as may in the particular case appear to the Secretary of State to be proper.

### Duplicate licences

4. Where a television licence has been lost or destroyed, there shall be paid on the issue of a duplicate of such a licence the sum of £2.50.

### Amendment of Wireless Telegraphy Apparatus (Receivers) (Exemption) Regulations 1989

5.—(1) The Wireless Telegraphy Apparatus (Receivers) (Exemption) Regulations 1989<sup>(7)</sup> shall be amended as follows.

(2) For paragraph (a) of regulation 5 (exceptions) there shall be substituted:

“(a) which is a television receiver within the meaning of section 1(7) of the Act (as added by paragraph 1(6) of Part I of Schedule 18 to the Broadcasting Act 1990);”.

(3) Paragraph (b) of regulation 6 and the word “or” immediately preceding it shall be omitted.

Home Office  
27th February 1991

*Kenneth Baker*  
One of Her Majesty's Principal Secretaries of  
State

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<sup>(6)</sup> Section 1(7) was added by paragraph 1(6) of Part I of Schedule 18 to the Broadcasting Act 1990 (c. 42).

<sup>(7)</sup> S.I. 1989/123.

We consent to regulations I to 4 of, and Schedules 1 to 3 to, these Regulations.

4th March 1991

*Sydney Chapman*  
*Grey Knight*  
Two of the Commissioners of Her Majesty's  
Treasury

## SCHEDULE 1

Regulation 1(2)

## REVOCATIONS

Regulations	References
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) Regulations 1984	S.I.1984/1053
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment No.2) Regulations 1988	S.I. 1988/899
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment) Regulations 1989	S.I. 1989/96
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment No. 2) Regulations 1989	S.I. 1989/325
The Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment) Regulations 1990	S.I. 1990/460

## SCHEDULE 2

Regulation 3(1)

## ISSUE FEES FOR TELEVISION LICENCES

## PART I

## FEES

1 Type of licence	2 Description of licence	3 Issue fee
1. Television licence (monochrome only) General Form	A licence to instal and use black and white television receivers at the single place specified in the licence, or (as the case may be) in the Single vehicle or vessel specified in the licence.	£25.50
2. Television licence (including colour) General Form	A licence to instal and use black and white or colour television receivers at the single place specified in the licence, or (as the case may be) in the single vehicle or vessel specified in the licence.	£77

1 Type of licence	2 Description of licence	3 Issue fee
3. Television licensee (monochrome only) Multiple Form	A licence to instal and use black and white television receivers 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.	£25.50 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 receivers 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.	£77 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 receivers at the single place specified in the licence solely for the purpose of demonstrating, testing or repairing such receivers in the course of the licensee's business as a dealer in such receivers.	£3
6. Television licence (including colour) Demonstration Multiple Form	A licence to instal and use black and white or colour television receivers at each of the places specified in the licence solely for the purpose of demonstrating, testing or repairing such receivers in the course of the licensee's business as a dealer in such receivers.	£3 for each place specified in the licence.
7. Television licence (including colour) Accommodation for Residential Care Composite Form	A licence to instal and use black and white or colour television receivers at such parts of accommodation for residential care, as defined in Part II of this Schedule, as consist of living rooms or bedrooms provided for the private occupation of residents in that accommodation and as specified in the licence.	In the case of the accommodation described in sub-paragraph (a) of the definition of "accommodation for residential care" in paragraphs 2 to 7 of Part II of this in Schedule, £5 for each unit of accommodation occupied by a resident, as defined in Part II of this Schedule; and in the case of the accommodation described in sub-paragraph (b) of that definition in paragraphs 2 to 7

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1	2	3
Type of licence	Description of licence	Issue fee
8. Television licence: Hotels – Comprehensive Form	A licence to instal and use black and white or colour television receivers in a hotel, as defined by paragraph I of Part III of this Schedule.	of Part II of this Schedule, £5 for each dwelling.  To be determined in accordance with paragraphs 2 to 4 of Part III of this Schedule.

## PART II

### DEFINITIONS FOR PURPOSES OF ENTRY 7 IN PART I OF THIS SCHEDULE

#### General

1. In this Schedule–

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

“a group of specially provided dwellings” means a group of at least four dwellings–

- (a) which are provided for occupation by disabled persons, mentally disordered persons or retired persons of pensionable age;
- (b) which have been erected or converted for the purposes of such occupation;
- (c) for which there is a person whose function is to care for the needs of the persons referred to in sub-paragraph (a) above and who either lives in one of the dwellings within the group or works in that group for at least 30 hours per week; and
- (d) which fall within a common and exclusive boundary:

Provided that the condition in sub-paragraph (a) above does not cease to be satisfied if any dwelling is–

- (i) also occupied by any member of the family of any person referred to in that sub-paragraph; or
- (ii) occupied by the person referred to in sub-paragraph (c) above-or a member of his family;

“a resident” 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.

#### England and Wales

2. In this Schedule in relation to England and Wales–

“accommodation for residential care” means, subject to paragraph 8 below, 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<sup>(8)</sup>; or
  - (ii) is provided by a local social services authority under paragraph 2(1) of Schedule 8 to the National Health Service Act 1977<sup>(9)</sup>; or
  - (iii) is carried on by a person who is duly registered in respect thereof under Part I of the Registered Homes Act 1984<sup>(10)</sup> or who would be so registered but for section 1(4) or 1(5)(j) of that Act; or
  - (iv) is carried on by a person who is duly registered in respect thereof under Part II of the Registered Homes Act 1984 or who would be so registered but for section 21(3)(a) of that Act; or
  - (v) is an almshouse established as such before 1st November 1949; or
  - (b) a group of specially provided dwellings which are provided or managed—
    - (i) under Part II of the Housing Act 1976<sup>(11)</sup>; or
    - (ii) by a housing association within the meaning of the Housing Associations Act 1985<sup>(12)</sup>; or
    - (iii) by a development corporation within the meaning of the New Towns Act 1981<sup>(13)</sup> or by the Development Board for Rural Wales in accordance with section 3(2) of the Development of Rural Wales Act 1987<sup>(14)</sup>;
- “mentally disordered person” means a person who is suffering from any mental disorder within the meaning of the Mental Health Act 1983<sup>(15)</sup>;
- “pensionable age” has the same meaning as in the Social Security Act 1975<sup>(16)</sup>.

## Scotland

### 3. In this Schedule in relation to Scotland—

- “accommodation for residential care” means, subject to paragraph 8 below, either—
- (a) any establishment the sole or substantial function 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<sup>(17)</sup>; 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 that Act by virtue of section 61; or
    - (iv) is carried on by a person who is duly registered in respect thereof under the Nursing Homes Registration (Scotland) Act 1938<sup>(18)</sup> or who would be so registered but for section 10(3)(a) of that Act; or

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<sup>(8)</sup> 1948 c. 29.

<sup>(9)</sup> 1977 c. 49.

<sup>(10)</sup> 1984 c. 23.

<sup>(11)</sup> 1985 c. 68.

<sup>(12)</sup> 1985 c. 69.

<sup>(13)</sup> 1981 c. 64.

<sup>(14)</sup> 1976 c. 75.

<sup>(15)</sup> 1983 c. 20.

<sup>(16)</sup> 1975 c. 14.

<sup>(17)</sup> 1968 c. 49.

<sup>(18)</sup> 1938 c. 73, which has been amended by Schedule 4 to the Health Services Act 1980 (c. 53).

- (b) a group of specially provided dwellings which are provided or managed–
    - (i) under Part I of the Housing (Scotland) Act 1987<sup>(19)</sup>; or
    - (ii) by a housing association within the meaning of the Housing Associations Act 1985; or
    - (iii) by a development corporation within the meaning of the New Towns (Scotland) Act 1968<sup>(20)</sup>; or
    - (iv) by Scottish Homes within the meaning of the Housing (Scotland) Act 1988<sup>(21)</sup>;
- “mentally disordered person” means a person who is suffering from any mental disorder within the meaning of the Mental Health (Scotland) Act 1984<sup>(22)</sup>;
- “pensionable age” has the same meaning as in the Social Security Act 1975.

### Northern Ireland

#### 4. In this Schedule in relation to Northern Ireland–

- “accommodation for residential care” means, subject to paragraph 8 below, 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 for Northern Ireland under article 15 of the Health and Personal Social Services (Northern Ireland) Order 1972<sup>(23)</sup>; or
    - (ii) is carried on by a person who is duly registered in respect thereof under Schedule 5 to that Order; or
    - (iii) is carried on by a person who is duly registered in respect thereof under Part I of the Nursing Homes and Nursing Agencies Act (Northern Ireland) 1971<sup>(24)</sup>; or
    - (iv) is managed or controlled by a Government department or a public body constituted by special Act of Parliament or incorporated by Royal Charter; or
  - (b) a group of specially provided dwellings which are provided or managed–
    - (i) under the Housing (Northern Ireland) Order 1981<sup>(25)</sup>; or
    - (ii) by a housing association within the meaning of article 114 of that Order;
- “mentally disordered person” means a person who is suffering from any mental disorder within the meaning of the Mental Health (Northern Ireland) Order 1986<sup>(26)</sup>;
- “pensionable age” has the same meaning as in the Social Security (Northern Ireland) Act 1975<sup>(27)</sup>.

### Jersey

#### 5. In this Schedule in relation to the Bailiwick of Jersey–

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(19) 1987 c. 26.  
 (20) 1968 c. 16.  
 (21) 1988 c. 43.  
 (22) 1984 c. 36.  
 (23) S.I. 1972/1265 (N.I. 14).  
 (24) 1971 c. 32 (N.I.), which has been amended by the Nursing Homes and Nursing Agencies (Northern Ireland) Order 1985 (S.I. 1985/1775 (N.I. 19)).  
 (25) S.I. 1981/156 (N.I. 3).  
 (26) S.I. 1986/595 (N.I. 4).  
 (27) 1975 c. 15.

“accommodation for residential care” means–

- (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 carried on by a person who is duly registered in respect thereof under the Nursing Homes (Registration) (Jersey) Law 1950, the Mental Health (Jersey) Law 1969 or the Old Persons Homes (Registration) (Jersey) Law 1964, as the case may be; or
  - (ii) is exempt from registration under one of those Laws; or
- (b) a group of specially provided dwellings which are provided or managed–
  - (i) by a Committee of the States;
  - (ii) by a body approved in writing for the purposes of these Regulations by the President or Vice-President of the Public Health Committee;

“mentally disordered persons” means a person who is suffering from mental disorder, as defined in the Mental Health (Jersey) Law 1969;

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

### **Guernsey**

#### **6. In this Schedule in relation to the Bailiwick of Guernsey–**

“accommodation for residential care” means, subject to paragraph 8 below, 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 carried on by a person who is 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 specially provided dwellings which are 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**

#### **7. In this Schedule in relation to the Isle of Man–**

“accommodation for residential care” means, subject to paragraph 8 below, 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(28); or

- (ii) is provided under section 22(1) of the National Assistance (Isle of Man) Act 1951(28); or
- (iii) is carried on by a person who is duly registered in respect thereof under the Nursing and Residential Homes Act 1988(28) or who would be so registered but for section 1(2), (3) or (5) of that Act; or
- (b) a group of specially provided dwellings which are provided or managed–
  - (i) under Part IV of the Housing Act 1955(28); or
  - (ii) by a housing association under Part II of the Housing (Miscellaneous Provisions) Act 1976(28);

“mentally disordered person” means a person who is suffering from any mental disorder within the meaning of the Mental Health Act 1974(28);

“pensionable age” has the same meaning as in the Social Security Act 1975(29).

### Savings

8. In paragraphs 2 to 4 and 6 and 7 above the expression “accommodation for residential care” shall include a dwelling which, before the coming into force on 19th May 1988 of the Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment No.2) Regulations 1988(30), would have qualified as accommodation for residential care under the Wireless Telegraphy (Broadcast Licence Charges and Exemption) Regulations 1984(31) provided that such a dwelling is occupied by a person who, immediately before 19th May 1988, was licensed by a television licence for accommodation for residential care.

## PART III

### DEFINITION OF “HOTEL” AND TELEVISION LICENCE ISSUE FEES FOR HOTELS

#### Definition of “hotel”

1. In this Schedule, “hotel” means any establishment within the same premises or, as the case may be, on the same site offering units of overnight accommodation (whether or not used at other times) to guests and includes an inn, guest-house, holiday camp, caravan site and camp site.

#### Issue fee

2.—(1) In the case of a hotel in which television receivers are only installed or used otherwise than in units of accommodation used or available for use by guests, the fee is the relevant amount.

(2) In the case of a hotel in which television receivers are installed or used in units of accommodation used or available for use by guests, the fee is determined in accordance with paragraph 3 below.

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(28) An Act of Tynwald.

(29) Applied to the Isle of Man under the Social Security Act 1982 (an Act of Tynwald).

(30) S.I. 1988/899.

(31) S.I. 1984/1053.

### Determination of issue fee for purposes of paragraph 2(2) above

- 3.—(1) The issue fee under paragraph 2(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
  - (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) above for the multiple next above that number.
- (2) For the purposes of determining the fee under paragraph 2(2) above—
- (a) units of accommodation in which colour television receivers are installed or used shall be counted first; and
  - (b) if in any group of 5 units of accommodation in excess of 15 there are installed or used both black and white television receivers and colour television receivers, all the television receivers in that group shall be treated as if they were colour television receivers.

### The “relevant amount”

4. In this Part of this Schedule the “relevant amount” means—
- (a) in the case of black and white television receivers only, £25.50;
  - (b) in the case of black and white or colour television receivers, £77.

## SCHEDULE 3

Regulation 3(2)

### FEES FOR TELEVISION LICENCES PAYABLE BY INSTALMENTS

1 Type of Licence	2 Description of licence	3 Fees
<p><b>1.</b> Standard television licence (including colour)</p>	<p>instalment (including colour) A licence to instal and use black and white or colour television receivers at the single place specified in the licence or (as the case may be) in the single vehicle or vessel so specified</p>	<p>An issue fee of £38.50, and thereafter two instalment payments of £19.25, the first payable within the period of one month beginning immediately after the issue of the licence, the second within the period of three months beginning immediately after that issue.</p>
<p><b>2.</b> Premium television licence (including colour)</p>	<p>instalment (including colour) A licence to instal and use black and white or colour television receivers at the single place specified in the licence or (as the case may be) in the single vehicle or vessel so specified.</p>	<p>An issue fee of £20.50, and thereafter three instalment payments of £20.50, the first payable within the period of three months beginning immediately after the issue of the licence, the second within the period of six months beginning immediately after that issue and the third within the period of nine months</p>

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1 Type of Licence	2 Description of licence	3 Fees beginning immediately after that issue.

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### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations consolidate the Regulations specified in Schedule 1. In addition to minor drafting amendments, these Regulations increase the fees payable on the issue of the television licences described in Schedules 2 and 3 and regulation 4, except the fees referred to in entry 7 of Part I of Schedule 2. There is also a re-organisation of the content of the Regulations.

The fees formerly payable under the provisions corresponding to the following provisions of these Regulations are as follows: regulation 4, £2; entry 1 in Part I of Schedule 2, £24; entry 2, £71, entry 3, multiples of £24; entry 4, multiples of £71; entry 5, £2.50; entry 6, multiples of £2.50; paragraph 4(a) of Part III of Schedule 2, £24; paragraph 4(b), £71; entry 1 of Schedule 3, £35.50 issue fee plus instalments of £17.75; and entry 2, £19 issue fee plus instalments of £19.

Regulation 2 of these Regulations specifies the class or description of television receiving apparatus for the purposes of the definition of “television receiver” in the Wireless Telegraphy Act 1949. The provision of that definition was amongst the amendments made by Schedule 18 to the Broadcasting Act 1990 (which amendments come into force on 1st April 1991 by virtue of the Broadcasting Act 1990 (Commencement No. 1 and Transitional Provisions) Order 1990 (S.I. 1990/2347)). The amendments made by that Schedule also provide a definition of “television licence” and provide for the fees for such licences to be payable to the British Broadcasting Corporation instead of the Secretary of State.

The effect of regulation 5(3) of these Regulations is to extend the effect of the exemption from the provisions of section 1 of the Wireless Telegraphy Act 1949 made by regulation 3 of the Regulations referred to in regulation 5(1) of these Regulations. Accordingly, there is no longer a need for the exemptions made by regulations 3 and 4 of the Wireless Telegraphy (Broadcasting Licence Charges and Exemptions) Regulations 1984 (which are revoked by Schedule 1 to these Regulations) and no provisions corresponding to the said regulations 3 and 4 are included in these Regulations.