STATUTORY INSTRUMENTS

# 2016 No. 704

# ELECTRONIC COMMUNICATIONS BROADCASTING

## The Communications (Television Licensing) (Amendment) Regulations 2016

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| *Made - - - -* | *6th July 2016* |
| *Laid before Parliament* | *7th July 2016* |
| *Coming into force - -* | *1st September 2016* |

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 365(1) and (4), 368 and 402 of the Communications Act 2003(**1**), as extended by the Communications (Jersey) Order 2003(**2**), the Broadcasting and Communications (Jersey) Order 2004(**3**), the Communications (Bailiwick of Guernsey) Order 2003(**4**), the Communications (Bailiwick of Guernsey) Order 2004(**5**) and the Communications (Isle of Man) Order 2003(**6**).

To the extent that these Regulations are made under section 365 of the Communications Act 2003, they are made with the consent of the Treasury in accordance with subsection (6) of that section.

### Citation, commencement and extent

**1.**—(1) These Regulations may be cited as the Communications (Television Licensing) (Amendment) Regulations 2016 and shall come into force on 1st September 2016.

(2) These Regulations extend to the Channel Islands and the Isle of Man.

(**1**) 2003 c.21.
(**2**) S.I. 2003/3197. Article 6 of the Order extends section 402 of the Communications Act 2003 to Jersey. There are amendments to the Order not relevant to these Regulations.
(**3**) S.I. 2004/308. Article 4 of the Order extends sections 365 and 368 of the Communications Act 2003 to Jersey.
(**4**) S.I. 2003/3195. Article 6 of the Order extends 402 of the Communications Act 2003 to Guernsey. There are amendments to the Order not relevant to these Regulations.
(**5**) S.I. 2004/307. Article 4 of the Order extends sections 365 and 368 of the Communications Act 2003 to Guernsey.
(**6**) S.I. 2003/3198, amended by S.I. 2004/309. Article 6 of the Order extends, with modifications, sections 365, 368 and 402 of the Communications Act 2003 to the Isle of Man. There are other amendments to the Order not relevant to these Regulations.

### Amendment of the Communications (Television Licensing) Regulations 2004

**2.** The Communications (Television Licensing) Regulations 2004(**7**) are amended as set out in regulations 3 to 8 of these Regulations.

### Amendment of regulation 5

**3.** In regulation 5(2)(a)(iii) (concessions for blind persons)(**8**), for "Social Security" substitute "Social Care".

### Amendment of regulation 6

**4.**—(1) Regulation 6 (concessions for persons aged 75 years or more) is amended as follows.

(2) In paragraph (2) omit ", the Isle of Man or the Bailiwick of Guernsey (but excluding Sark)".

(3) After paragraph (2) insert—

"(2A) No fee shall be payable for a TV licence of a type referred to in the first or second entry in column 1 of the table in Schedule 1 where—

(a) a residence is in the Bailiwick of Guernsey (but excluding Sark);

(b) the licence is issued to a person who has attained the age of 75 before 1st September 2016; and

(c) the single place, vehicle, vessel or caravan specified in the licence is the sole or main residence of that person.".

### Amendment of regulation 8

**5.**—(1) In regulation 8 (interpretation of Part 3)(**9**), in the appropriate place insert—

""on-demand programme service", and references to the provision of such a service by the BBC, have the same meanings as in the Communications Act 2003 (and, in the application of this Part to the Channel Islands and the Isle of Man, they are to have the meanings which they have in the United Kingdom). If an amendment of the Communications Act 2003 changes the meaning in the United Kingdom of "on-demand programme service" or the meaning of any reference to the provision of such a service by the BBC, the change to the meaning is also to have effect in the Channel Islands and the Isle of Man for the purposes of this Part;".

### Amendment of regulation 9

**6.**—(1) In regulation 9 (meaning of "television receiver")(**10**), for paragraph (1) substitute—

"(1) Subject to paragraph (2), in Part 4 of the Act (licensing of TV reception), "television receiver" means any apparatus installed or used for the purpose of receiving (whether by means of wireless telegraphy or otherwise)—

(a) any television programme service, or

(b) an on-demand programme service which is provided by the BBC,

whether or not the apparatus is installed or used for any other purpose.".

(**7**) S.I. 2004/692, amended by S.I. 2005/606, S.I. 2007/718, S.I. 2008/643, S.I. 2009/505 and S.I. 2010/640. There are other amendments to S.I. 2004/692 not relevant to these Regulations.
(**8**) Regulation 5(2)(a) was substituted by S.I. 2007/718. There are other amendments to regulation 5 not relevant to these Regulations.
(**9**) Regulation 8 was amended by S.I. 2007/718.
(**10**) Regulation 9 was amended by S.I. 2007/718.