



# Restricted Service Licences: Notes for Applicants

Notes of guidance for applicants for  
long-term RSLs and ADSRSLs

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# Introduction

Restricted service licences (RSLs) are available for a range of uses, broadly falling under three headings: short-term RSLs, long-term RSLs and Audio Distribution Systems RSLs. A short definition of each is given below. These notes include information on applying for LRSLs and ADSRSLs.<sup>1</sup>

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| <p><b>Short-term RSLs (SRSLs)</b></p>                   | <p>Are granted for:</p> <ul style="list-style-type: none"> <li>• coverage of events</li> <li>• trial services (e.g. in preparation for applying for a community radio licence)</li> </ul> <p>Licensees are limited to :</p> <ul style="list-style-type: none"> <li>• a small coverage area</li> <li>• a usual maximum of 28 consecutive days</li> <li>• a maximum of two licences per year, with a minimum four-month gap between the end of the first and the start of the second (but only one per year within the M25)</li> </ul> <p>If you wish to apply for a Short-term RSL, please see our SRSL application form: <a href="http://licensing.ofcom.org.uk/binaries/radio/rsIs/short_term.rtf">http://licensing.ofcom.org.uk/binaries/radio/rsIs/short_term.rtf</a> and our Guidance notes for licence applicants and licensees: <a href="http://licensing.ofcom.org.uk/binaries/radio/rsIs/RSL_notes.pdf">http://licensing.ofcom.org.uk/binaries/radio/rsIs/RSL_notes.pdf</a>.</p> |
| <p><b>Long-term RSLs (LRSLs)</b></p>                    | <p>Are granted for:</p> <ul style="list-style-type: none"> <li>• a service provided within a clearly-defined single site occupied by an establishment such as a university, hospital, military barracks, marina or shopping centre</li> <li>• broadcasting usually on AM only (FM is available in some locations)</li> <li>• up to five years (renewable)</li> </ul>   |
| <p><b>Audio Distribution Systems RSLs (ADSRSLs)</b></p> | <p>Are granted for:</p> <ul style="list-style-type: none"> <li>• services provided within a site, such as a sports stadium or conference centre</li> <li>• coverage of events or other temporary purposes (e.g. commentary, translation services)</li> <li>• services provided at the same site, or at a number of different locations</li> <li>• low power services broadcasting on spectrum other than FM or AM, the access to which has been secured separately</li> <li>• a five-year period</li> </ul>  |

<sup>1</sup> If you wish to apply for a Short-term RSL, please see our SRSL application form: [http://licensing.ofcom.org.uk/binaries/radio/rsIs/short\\_term.rtf](http://licensing.ofcom.org.uk/binaries/radio/rsIs/short_term.rtf) and Guidance notes for licence applicants and licensees [http://licensing.ofcom.org.uk/binaries/radio/rsIs/RSL\\_notes.pdf](http://licensing.ofcom.org.uk/binaries/radio/rsIs/RSL_notes.pdf)

# General Disclaimer

Information is supplied on a wide range of matters in these documents, many of which depend on interpretation of the law. The information given is not an exhaustive account of the statutory and licensing requirements and should not be regarded as a complete and authoritative statement of the law. Nor does any information issued by Ofcom, whether in Guidance Notes or elsewhere, imply any judgement by Ofcom as to commercial prospects for the licences, or that licensed services will be profitable.

Persons to whom these Guidance Notes are made available must make their own independent assessment after taking their own professional advice and making such further investigations as they deem necessary on all relevant matters. Ofcom makes no representation or warranty, express or implied, with respect to information contained in these Guidance Notes (together with the draft licence and other documents referred to in this document and the Annexes) or with respect to any written or oral information made or to be made available to any potential applicant or its professional advisers. Any liability therefore is expressly disclaimed. Ofcom reserves the right to alter or correct any part of this document.

Applicants should be aware that certain key features of the licensing process, such as fees, sanctions procedures and the drafting of the relevant content codes, may change in the future as various public consultations are carried out and their results assessed. For the time being, pending resolution of those issues, the current position will continue to apply.

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## Section 1: Long-term RSLs

# General rules for long-term RSLs

- 1.1 Long-term restricted service licences (LRSLs) are for broadcasting within a defined site or location only and not for the wider surrounding community. The broadcaster must operate within a clearly definable single site, i.e. where an unbroken boundary line can be drawn, within which all property is part of the host establishment, and there is no permanent resident population. Both commercial and non-commercial sites are eligible for LRSLs. Examples of establishments eligible to be served by a long-term restricted service might include hospitals, campuses, schools, marinas, army barracks or shopping centres. Services can also be provided to penal establishments, for which there is a separate licensing procedure (see paragraph 1.11).
- 1.2 There are three types of long term restricted service licence.
- Low-powered AM (LPAM) licences are available throughout the UK, except within the area enclosed by the M25 London orbital motorway, and allow for freely-radiating transmission on the AM waveband at a usual maximum radiated power of up to 1 watt.
  - Low-powered FM (LPFM) licences are generally available in pre-defined, sparsely populated, areas of England, Wales and Scotland (see map at Annex 1). At Ofcom's discretion FM may also be available in areas where there has been no short-term RSL (SRSL) activity over a long period (normally three years or more). LPFMs allow for freely-radiating transmission on the FM (VHF) waveband at a usual maximum radiated power of 50 mW, however up to 500 mW of radiated power may be available depending on the coverage required. (This will be considered on a case by case basis. See paragraphs 1.5 and 5.2 for further information.)
  - Induction loop (IL) licences are available throughout the UK, and allow for limited coverage, usually within selected buildings only, on the AM waveband.
- 1.3 For both AM and FM licences, there is likely to be some overspill of the signal into areas beyond the licensed site during daylight hours. However, it is a condition of the licence that this overspill area is not acknowledged, either on-air or in off-air promotion and publicity. No service should be directed at listeners living outside the licensed site.
- 1.4 LRSLs are generally issued on demand on a first come, first served basis at the discretion of Ofcom, subject to the conditions for their issue being met (as set out in these notes for applicants), and to the availability of a suitable frequency.

## Availability of FM frequencies for LRSLs

- 1.5 The map attached as Annex 1 to these notes shows, in green, the regions of the UK where FM frequencies are more likely to be available for LRSLs. In addition Ofcom will consider applications for LPFMs in other locations if the area has had no SRSL activity over a long period (normally three years or more). As a guide, 'area' means a radius of around 10-12 km from the location of the proposed LPFM in urban locations and 15-20 km in rural areas. The area we need to take into account may vary depending on local topography, and our purpose is to ensure that the licensing

of an LPFM will not inhibit our ability to license SRSLs in adjacent areas for which we continue to receive applications. If you wish to investigate the feasibility of an LPFM please contact the RSL team for further information, or alternatively complete and return the short form on our website <http://www.ofcom.org.uk/radio/ifi/rbl/rsls/rslapps/> regarding availability of FM in your area. If you are currently broadcasting on a LPAM licence and wish to consider a move to FM, please see paragraph 3.20.

### **Duration of licences**

- 1.6 LRSs may be issued for a minimum of one year and a maximum period of five years (if necessary, the term can be measured in increments of six months to allow flexibility for operators). LRSs are normally renewable at the end of the licence period, subject to the payment of a £200 renewal fee, which is payable in addition to the annual licence fees.

### **Availability of licences**

- 1.7 No establishment may be served by more than one long-term restricted service, with the exception of an IL licence, which may be operated in tandem with either an LPAM or LPFM licence at the same establishment, subject to Ofcom approval. No operator may hold more than one LPAM or LPFM licence to serve the same establishment.

### **Special dispensation for sites in close proximity and in common ownership**

- 1.8 Generally, no more than one LPAM or LPFM licence will be issued to any applicant within a given area (where an area is defined as a circle of 13km radius). However, Ofcom recognises that, in some circumstances, an operator may wish to serve two or more sites in close proximity (but nonetheless separate) that are in common ownership and form different parts of the same institution. (For example, a university may have both a 'main campus' and a smaller 'satellite campus', and an aspirant LRS operator may be keen to serve both). This is usually permissible, but requires the applicant to install a separate transmitter at each site and (since we will only issue one LPAM or LPFM frequency per operator in any area) the use of the same frequency at each site.
- 1.9 If the sites to be served are within 6 km of each other, they may be served by the same Broadcasting Act licence but separate WT Act licences will be required for each transmitter. At this distance, the requirement to use the same frequency at each site implies the need for synchronous working, whereby each transmitter broadcasts the same programme service, with appropriate controls in place to limit differences in the exact frequency transmitted and the relative delay in the modulating audio between the transmitters on this network.
- 1.10 If the sites are more than 6km apart (but less than 13km), then a separate Broadcasting Act licence must be sought for each site (with separate WT Act licences also to be issued). At this distance, different programme services may be broadcast by the transmitters at each site, but a power reduction will be required at least one, and possibly all, of the sites concerned in order to prevent the services from interfering with one another.

## **Penal Establishments**

- 1.11 Anyone wishing to serve a penal establishment must submit an application in the usual way (see paragraphs 2.1 and 2.2), but due to the Crown Exempt status of some such establishments they will not be required to hold a Broadcasting Act licence or a Wireless Telegraphy Act licence, or to pay the accompanying licence fees. Instead, such stations are issued with two notices of authorisation, one in lieu of a Broadcasting Act licence and the other in lieu of a WT Act licence. An application fee of £200 is payable.

## Section 2: Long-term RSLs

# Cost of licences

2.1 You will need to pay a fee when you submit an application (see paragraph 2.2 below). You will also need to pay two further fees when licences are granted. These are the first year's licence fees (see paragraphs 2.3-2.8 below), and will become payable each subsequent year for the 5-year licence period. VAT is not payable on either application or licence fees. Please refer to Annex 2 for a tariff table of RSL fees.

### Application fee

2.2 Each application must be accompanied by an application fee of £200 (cheques should be made payable to Ofcom). This is normally non-refundable. If we are unable to grant a licence for reasons beyond an applicant's control (e.g. due to the lack of a suitable frequency) this fee may be refunded. However, we reserve the right to retain the application fee under other circumstances if we feel this course of action is justified (for example, if we have spent time processing an application and liaising with an applicant prior to rejection.)

### Licence fees

2.3 Two licences are required to broadcast, a licence under the Broadcasting Act 1990 and a licence under the Wireless Telegraphy Act 2006. Both are issued by Ofcom. Fees for each are collected separately, and you will therefore be sent two invoices (this is because fees collected for Broadcasting Act licences are used to directly pay Ofcom's costs in administering this particular type of licence, whereas the fees for Wireless Telegraphy Act licences are handled under different legal powers and arrangements with the government).

2.4 Licence fees are charged in accordance with a published tariff, reviewed periodically. The annual cost of a long-term RSL licence varies depending upon whether the licences are for a service on freely-radiating AM, FM or induction loop (please see the tariff in Annex 2 to this document.)

- Annual Broadcasting Act licence fee for services on freely-radiating AM is £275
- Annual Broadcasting Act licence fee for services on FM is £140
- Annual Broadcasting Act licence fee for services on induction loop is £140
- In addition the annual Wireless Telegraphy Act licence fee is £100 per transmitter

2.5 Licence fees are payable in advance each year. The first year's licence fees become payable after a frequency has been cleared for your use, and invoices will be sent to you around six weeks before your intended launch date. (Sometimes invoices will be sent prior to frequency clearance to allow sufficient time for your payment to be received and processed before the date you wish to commence broadcasting.)

2.6 Licences will only be issued (i.e. sent to you) after the payment for all licence fees due has been cleared through our bank. Two invoices will be sent to you, and each needs to be settled separately. We ask for seven working days for cheque clearance;



if this is not possible, we must ask for a banker's draft or credit transfer, which must be received no later than 24 hours prior to the commencement of the broadcast. If payment is made by a credit transfer, licences will not be issued until after a letter of confirmation has been received by fax (fax number 020 7783 4589) from your bank confirming the transfer of funds. Credit card payments can only be accepted up to a maximum limit of £2,000. Please see Ofcom's bank details in paragraphs 2.10 and 2.11 below.

- 2.7 Broadcasts must not commence until we have confirmed receipt of licence fees and that licences have been issued
- 2.8 Once the first year's fees have been paid, you will be asked to set up direct debits for both Broadcasting Act and Wireless Telegraphy Act licence fees. These will be collected annually around the anniversary date of the commencement of your service.

### Application amendment fee

- 2.9 After an LRSL application has been accepted by us, and sufficient work carried out; any requests to amend details of an application will incur a non-refundable fee of £200. This charge covers the cost of re-clearance of frequencies and associated administration. It includes, for instance, proposed changes to transmission site, call-sign, licensee, etc. Proposed changes will still require our approval. Any changes requested by Ofcom will not incur a charge. Changes (e.g. transmission site, dates of broadcast) cannot be made to the Wireless Telegraphy Act Licence after it has been issued (i.e. sent to you) without incurring the cost of a new WT Act licence (see tariff table for fees).

### Ofcom's bank details

- 2.10 Application fees, Broadcasting Act licence fees, amendment and postponement fees should all be made payable to Ofcom. For electronic payments, our bank details are as follows:

Lloyds Bank – London Bridge Branch  
69-73 Borough High Street  
London  
SE1 1NQ

Account Number: 00782415  
Sort Code: 30-97-90

- 2.11 For Wireless Telegraphy Act licence fees, cheques should be made payable to Ofcom. However, for electronic payments, a different bank account is used for these fees. The details are as follows:

Lloyds Bank – London Bridge Branch  
69-73 Borough High Street  
London  
SE1 1NQ

Account Number: 00740372  
Sort Code: 30-97-90

Please ensure that your customer account reference number (which is given on your invoices) and/or your invoice number is/are stated when making your payment either electronically or by cheque.

## Section 3: Long-term RSLs

# Licensing conditions and procedures

## Submission of applications

- 3.1 Applications must be submitted on the LRSL application form, which can be downloaded from the Ofcom website at <http://licensing.ofcom.org.uk/radio-broadcast-licensing/restricted-service-licences/apply/>
- 3.2 Please send the completed application form plus any additional relevant information as well as the non-refundable application fee (£200). Applications should be sent to: Broadcast Radio Licensing Team, 5<sup>th</sup> Floor, Ofcom, Riverside House, 2a Southwark Bridge Road, London SE1 9HA and accompanied by the application fee, to be valid.
- An application must be submitted **AT LEAST EIGHT WEEKS** before the first date for which the licence is required, to allow sufficient time for the application to be checked and, if approved, an appropriate frequency to be identified and be submitted through the formal clearance procedures, and licences granted. Applications received after the eight-week deadline will need to adjust their commencement date accordingly.
  - On receipt of the application, an acknowledgement email will be sent.
- 3.3 In addition to the completed application form we require:
- A map of the establishment site with the location of the transmitter, the studio and the site boundary all clearly marked;
  - A letter from a senior employee of the host establishment giving permission for the transmission equipment to be installed on the site.
- 3.4 Details of your broadcast (dates, location, call-sign, frequency and public contact details) will be published on Ofcom's website after your application has been approved (that is we have agreed to grant the licence), and a frequency has been cleared.
- 3.5 Successful applicants will be granted two licences: a Broadcasting Act licence which, inter alia, authorises the provision of the licensed service and necessitates compliance with all relevant Codes; and a Wireless Telegraphy Act licence, which authorises the operation of a transmitter on a specified frequency. (A separate WT Act licence is required for each transmitter for this type of use.) Both Broadcasting Act and Wireless Telegraphy Act licences will be issued by Ofcom.

## The role and identity of the licensee

- 3.6 A licensee must be appointed for each LRSL station, in whose name the licence documentation will be issued. Ofcom considers it important that a formal link is maintained at all times between the radio station and the establishment that it serves, and for this reason, the licensee for an LRSL must be a permanent, senior member of staff of the establishment being served. (For example, in the case of a hospital this might be the chief executive or estates manager; in the case of a university, the registrar or students' union manager).

- 3.7 The licensee is legally responsible for ensuring that all of the duties and obligations contained in the licence are met, including compliance with content requirements and the payment of fees. It is not expected that the licensee will necessarily be someone who is directly involved in running the station, and we will deal on a day-to-day basis with anyone we are asked to deal with (usually the station manager, or equivalent). The licensee must sign the declaration in section 5 of the application form.

### Change of licensee

- 3.8 In the event that a licensee is no longer willing, able or qualified (perhaps due to a change in employment status) to perform the role on behalf of the host establishment, a new licensee must be appointed. Ofcom will need to be satisfied that the person to whom it is proposed to transfer a licence would be in a position to comply with the licence conditions, is not disqualified from holding a Broadcasting Act licence, and is a 'fit and proper' person. The proposed new licensee will be required to sign a declaration to this effect. Ofcom must agree to the transfer, and operators should notify us as soon as possible in the event of a proposed change of licensee.

### Eligibility to hold a licence

- 3.9 Restricted service licences cannot be issued to applicants who are 'disqualified persons' as defined in the Broadcasting Act 1990 and amended by the Communications Act 2003. 'Disqualified' categories include local authorities, the BBC, and the Welsh Authority. Local authorities are disqualified from holding a Broadcasting Act Licence, including Restricted Service Licences unless the broadcast service is provided exclusively for the purposes of carrying out functions set out in section 142 of the Local Government Act 1972. Under that section, local authorities are permitted to make arrangements for the broadcasting or distribution of information concerning the services of a local authority and assist voluntary organisations to provide information and advice in certain circumstances. Ofcom cannot therefore grant a Broadcasting Act Licence to a local authority unless the information to be broadcast falls within the functions set out above. Other disqualified categories include advertising agencies, and persons convicted for unlicensed broadcasting ('pirate') offences in the previous five years. If you wish to involve interests falling into any of these categories, you should contact us for further advice. Ofcom may require an applicant to provide any information we may need in determining whether an applicant is a disqualified person as described above. Please note that undischarged bankruptcy will make an applicant ineligible to hold a licence.
- 3.10 A political organisation (i.e. a body whose objects are wholly or mainly of a political nature) or any affiliated body cannot hold a licence. An officer of a political organisation is restricted from involvement in a radio licence (staff employed by these organisations are not disqualified). However, funding from a political body may be acceptable if Ofcom is satisfied that it would not be against the public interest.
- 3.11 A religious body can hold a licence provided that Ofcom is satisfied that it, or those broadcasting on its behalf, would be able to adhere to the Ofcom Broadcasting Code. If an application is submitted by a religious body we need to carry out a 'religious determination' to in accordance with Part 4 of Schedule 14 of the Communications Act 2003. For further information, please see the guidance published on our website at: [www.ofcom.org.uk/tv/ifi/tvlicensing/guidance\\_notes\\_and\\_apps/guide\\_rel\\_bod/](http://www.ofcom.org.uk/tv/ifi/tvlicensing/guidance_notes_and_apps/guide_rel_bod/)
- 3.12 Any award of a licence may be revoked before its grant if there is any change to the applicant (such as a change in its control).

## Fit and proper persons

- 3.13 Ofcom is required to satisfy itself that proposed licensees are 'fit and proper persons' before it may grant a licence. The application form includes questions and a declaration designed to enable Ofcom to achieve these objectives (see question 18 of the LRSL application form). Applicants and licensees should be aware that if they withhold any information with the intention of causing Ofcom to be misled, they will be in breach of the Broadcasting Act 1996 (Section 144), if the information would be relevant in determining whether they are a disqualified person. In such circumstances, the licence may be revoked and the applicant could be subject to additional sanctions (see paragraph 4.6).
- 3.14 LRSL applicants and licensees are required to certify their qualification to hold a licence by signing and dating section 5 of their LRSL application form (unsigned applications will be returned). If during the licence period we become aware of any information to suggest that a licensee is no longer a 'fit and proper' person, the licensee will no longer be allowed to hold the licence.

## Issuing of licences

- 3.15 Licences are usually posted to a licensee. However, licences can be sent by email. In the application form please supply the email address of the licensee where requested and indicate that you are content to receive an electronic copy of your licences (section 1.3). Where a licence is sent by email a hard copy will not be sent.

## Sources of funding

- 3.16 Under the terms of the Broadcasting Act 1990 as amended by the Communications Act 2003, funding from political bodies (i.e. a body whose objects are wholly or mainly of a political nature) or publicly-funded bodies may be acceptable, provided that by such funding, the funder is not, in Ofcom's opinion, exerting influence over the licensee's activities and that influence has led, is leading or is likely to lead to results adverse to the public interest (activities would include, for instance, the management of the station and/or the content of its programming but would extend to its other activities). We require information on any funding from, or on behalf of, a political organisation or a religious body (please see section 1.5 of the application form).
- 3.17 You may sell airtime for advertising and carry sponsored programming, or station sponsorship, provided that you follow all requirements of the Ofcom Broadcasting Code (<http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/>) and the Broadcast Advertising Code (<http://www.cap.org.uk/Advertising-Codes/Broadcast-HTML.aspx>) enforced by the Advertising Standard Authority. It is important that you are familiar with the provisions of these Codes.
- 3.18 In all dealings with potential advertisers, you should make it clear that you are operating under a restricted service licence, and that you are licensed to provide a service targeted only at listeners within the boundaries of a single establishment. Exaggerated claims of coverage area and potential audience should be avoided, and may be grounds for withdrawal of the licence.

## Convicted 'pirate' broadcasters

- 3.19 Anyone convicted of an unlicensed broadcasting offence within the last five years is prohibited, under the Broadcasting Act 1990, from holding a licence. An applicant

who is granted a licence is also required to ensure that such a convicted person is not involved in the operation of the service or station or in making its programmes.

### **Transferring from AM to FM broadcasting (existing licensees)**

- 3.20 Ofcom will consider requests from existing LPAM licensees who wish to transfer to FM. A transfer will only be considered in areas which have had no SRSL activity over a significant period (normally three years or more). For guidance, 'area' refers to a radius of around 10-12 km from the location of the proposed LPFM in urban locations and 15-20 km in rural areas (this may vary depending on local topography). Our purpose is to ensure that the licensing of an LPFM will not inhibit our ability to license SRSLs in adjacent areas for which we continue to receive applications. If you wish to investigate the feasibility of transferring from AM to FM and the availability of FM in your area, please contact us for further information (email [RSL.Enquiries@ofcom.org.uk](mailto:RSL.Enquiries@ofcom.org.uk)). Approved transfers will be subject to a licence amendment fee of £200.

### **Appeals procedure**

- 3.21 Any challenge to a licensing decision should be addressed in the first instance to Ofcom's Radio Licensing Manager. If no resolution is forthcoming, the matter may be presented for adjudication to Ofcom's Director of Content Standards and Licensing.

## Section 4: Long-term RSLs

# Content

### Programme content of service

- 4.1 We require outline details of your proposed programme service in your application. This should include details of what speech material is proposed (including any programming of a political or religious nature), what kind(s) of music will be played, and the proportion of speech to music. A summary of station output will be included in the licence.
- 4.2 All broadcast output must comply with the Ofcom Broadcasting Code and the Broadcast Advertising Code enforced by the Advertising Standard Authority.. Ofcom's Broadcasting Code and the accompanying guidance can be found on our website at: <http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/>. The Broadcast Advertising Code can be found at [www.cap.org.uk/Advertising-Codes/Broadcast](http://www.cap.org.uk/Advertising-Codes/Broadcast)

### Sustaining service

- 4.3 If you propose to broadcast a sustaining service or other non-locally produced material, we will need details of what is to be broadcast, the source, and timings. The use of a sustaining service (usually for overnight periods) should not normally exceed ten hours in any twenty-four hour period. The use of any programming from a source other than the applicant is subject to Ofcom approval, and will be referred to in the summary of the programme content which forms part of the licence.

### Broadcasting of BBC programme material

- 4.4 An LRSL operator may carry some programme material from the BBC, provided it is only a minor part of the output. Ofcom is prevented, under the Broadcasting Acts 1990 and 1996, from issuing restricted service licences to the BBC. We believe it is important that we do not compromise the legislation, or confuse listeners; therefore, any programme material from the BBC should not normally be identified on-air, or in promotional material, as having been provided by the BBC, and should not form a substantial part of the output.

### Recording of output

- 4.5 The licensee is required to ensure that a recording is made of all broadcast output, including advertisements and sustaining services. The licensee must retain these recordings for a period of 42 days after broadcast, and make them readily available to Ofcom or to any other body authorised to deal with complaints about broadcast programmes and/or advertisements. Failure to provide a recording on request will be treated seriously, and may result in a sanction being imposed.

### Sanctions

- 4.6 In investigating any complaint to Ofcom against a station or its programme output, there will be an opportunity for the licensee to respond. Ofcom's powers to impose statutory sanctions come from the Communications Act 2003 and the Broadcasting Acts 1990 and 1996 (as amended). In the event of a complaint against a station being upheld, the range of sanctions Ofcom may impose on its licensees include:

- Issue a direction to broadcast a correction or a statement of Ofcom's findings which may be required to be in such form, and to be included programmes at such times as Ofcom may determine;
  - Financial penalty;
  - Shorten a licence;
  - Suspend a licence; or
  - Revoke a licence.
- 4.7 In the event of a complaint against a licensee in respect of programme content being upheld by Ofcom, any costs we incur, including the translation of material broadcast in any language other than English, will be charged to the licensee.

### **Call-sign or station name**

- 4.8 A station must adopt an on-air name (a call-sign), which clearly identifies the name and frequency of the service. This should be broadcast at regular and frequent intervals. The call-sign should be specified at the time of application and will be included in the terms of the licence. If you subsequently wish to change the call-sign, you should seek permission from Ofcom before doing so, as licence documentation, and our records, will need to be amended. Call-signs will not be permitted if they are likely to cause offence or confusion to listeners, or if they are likely to mislead listeners as to the nature of the service. They are agreed on the understanding that you will have cleared all necessary rights and trademarking issues. Ofcom cannot, and will not, act as an arbitrator in the event of a dispute regarding the use of a particular name.

### **Copyright**

- 4.9 The licensee is responsible for reaching agreement with those owning copyright or performing rights to any of the material which it is proposed to broadcast or record. We cannot advise on copyright or performing rights requirements, and you should contact the relevant bodies directly for such information.

Phonographic Performance Ltd. (PPL) [www.ppluk.com](http://www.ppluk.com) 1 Upper James Street, London W1R 3HG (tel. 020 7534 1000); and

PRS for Music: [www.prsformusic.com](http://www.prsformusic.com) 29/33 Berners Street, London W1P 4AA (tel. 0845 309 3090).



## Section 5: Long-term RSLs

# Technical matters

### Coverage area

5.1 LRSs are issued to serve an area within the boundaries of a single, contiguous site only. For both AM and FM licences, there is likely to be some overspill of the signal into areas beyond the licensed site during daylight hours. However, it is a condition of the licence that this overspill area is not acknowledged, either on-air or in off-air promotion and publicity.

### Power levels

5.2 For each type of LRSL, Ofcom has the right to change both the frequency and/or power level, and accepts no liability for any expense incurred by any such change.

- For LPAM licences: A single frequency on the AM waveband will be allocated. A maximum effective monopole radiated power (e.m.r.p) will be specified, the usual maximum for these services is 1 watt.
- For LPAM licences: To alleviate signal problems with modern structures e.g. some steel and concrete buildings, or in the case of a large site, Ofcom will consider allocating a higher power level, up to a maximum of 5 watts e.(m).r.p. This will be considered on a case-by-case basis. For services already licensed, such requests must be accompanied by full details of the site, the reason for a request for an increased power level, and a £200 amendment fee.
- For LPFM licences, a single frequency (usually 87.7 MHz) on the FM waveband will be allocated. The usual maximum radiated power is 50 mW e.r.p., using a vertically polarised antenna. However, Ofcom may consider allocating a higher power level, up to a usual maximum of 500 mW e.r.p. if this is considered necessary to provide coverage to the boundary of the establishment. Requests will be considered on a case-by-case basis. (For services already licensed, a request for an increased power level must be accompanied by full details of the site, the reason for a request, and a £200 amendment fee. Such licensees may be asked to supply a coverage map and/or evidence to support a request for a higher power allocation. These must show the building/establishment boundary.)
- For induction loop (IL) licences, a single frequency on the AM waveband will be allocated. In general, the total output carrier power of the transmitter should not exceed 50 watts.

5.3 The limits on radiated power are necessary to limit the extent of the overspill beyond the boundary of the site, and to allow us the opportunity to license similar services on the same frequency for a similar purpose at a given distance away. Applicants for LRSs should be aware that these licences are secondary users of the radio spectrum. This means that interference may occur to the restricted service after it has become established, from sources which come on-air at a subsequent date. The restricted service shall have no right to protection from such interference. In the planning and approval of other services, Ofcom will endeavour to minimise significant increases in interference to LPFM and LPAM services within the area of the sites to



which they relate. For LPFM services, there may be some impairments to reception within the site area (see paragraph 5.5 below), although this is not expected to be a common situation.

- 5.4 The frequencies used for services on AM will tend to be subject to higher levels of interference from distant (usually continental) transmitters during darkness hours than are experienced by commercial local and national services. The effect of this will typically be to reduce significantly the coverage of the service, especially beyond the site boundary (i.e. in the overspill area), during the hours of darkness. LPAM services may also be subject to interference from other LPAM services.
- 5.5 For FM services possible sources of interference are:
- Private Mobile Radio (PMR): uses frequencies up to and including 87.475 MHz; base station powers up to 25 watts are typical.
  - BBC Radio 2: uses frequencies down to, and including, 88.1 MHz (different frequencies in different areas). The recommended protection ratio for a 400 kHz separation (i.e. 88.1 MHz to 87.7 MHz) is -20 dB. Applicants may be able to establish the situation for themselves, but it should be noted that a Radio 2 relay transmitter on 88.1 MHz may cause problems if it is close to an FM LRSL.
  - BBC Radio 1: where this service covers the FM LRSL site with a reasonably strong signal on a frequency of 98.4 MHz, this may cause interference to receivers tuned to 87.7 MHz.

### **Transmitter site**

- 5.6 Your transmitter (i.e. your radiating antenna) must be located within the site you are seeking to serve. It is important that full and accurate information is given about your chosen site, including a six-figure National Grid Reference (NGR), an address and the postcode. Failure to provide this information may result in a delay in the processing of your application.

### **Antenna height restrictions**

- 5.7 For LRSLs operating on AM, the highest point of the radiating antenna must not be more than 20 metres above ground level. For LRSLs on FM, the highest point of the radiating antenna must not be more than 10 metres above ground level.

### **Field strength**

- 5.8 IL: The maximum permissible field strength at the boundaries of the licensee's premises shall not exceed 1 millivolt per metre (60 dB ( $\mu\text{V}/\text{m}$ )). The maximum permissible field strength at and beyond a locus of points 100m outside the boundaries of the licensee's premises shall not exceed 250 microvolts per metre (48 dB ( $\mu\text{V}/\text{m}$ )). The boundary is defined as the perimeter of the site on which the premises are located.
- 5.9 LPFM: The maximum field strength which the licensee is permitted to generate (at any height above ground) at or outwith the boundary of the establishment to which the licence relates, is 64 dB( $\mu\text{V}/\text{m}$ ).

## Frequencies

- 5.10 The frequency sub-band of 87.7-87.9 MHz (FM) has been reserved by Ofcom for use by short and long-term restricted services. FM frequencies from other parts of VHF Band II are not usually available for LRSL use. The coverage obtained on a given frequency for a given power and aerial height varies according to the levels of interference present, and, generally speaking, restricted services are likely to experience higher levels of interference than commercial radio and BBC stations.
- 5.11 AM services are licensed on a frequency in the medium waveband. It is Ofcom's policy that the following frequencies will be available for LRSL use: 1134 kHz, 1251 kHz, 1278 kHz, 1287 kHz, 1350 kHz, 1386 kHz, 1431 kHz and 1449 kHz.

## Frequency clearance

- 5.12 Each approved application will have a suitable frequency identified and cleared through a formal process involving outside bodies. Applications should be submitted as early as possible to enable prompt frequency clearance. If applications are received early enough, we aim to get official clearance confirmed up to two months in advance of the proposed on-air date. We cannot accept applications within eight weeks of the requested on-air date. Confirmation of frequency clearance will be provided via email and/or letter. At this stage your application is no longer treated as confidential and dates, call-sign and contact information will be placed on our website. We reserve the right to change an allocated frequency, if this proves to be necessary.

## Encrypted services

- 5.13 We are unwilling to license a long-term restricted service with an encrypted radio signal. Given the limitations on the availability of analogue radio spectrum, Ofcom regards it as its duty to make all licensed services as widely available to potential listeners as possible, and the encryption of signals - which restricts their availability - runs contrary to this principle.

## Studio site

- 5.14 The programme service for a long-term restricted service should normally originate from a studio within the site being served. However, if, with Ofcom's agreement your studio and transmitter are going to be at different locations you will need to connect them by a leased landline, ISDN, or radio link. If you want to use a radio link you will need to apply to JFMG Ltd. for a licence. Please contact JFMG for details. JFMG Ltd., 33-34 Alfred Place, London WC1E 7DP, telephone 020 7299 8660, [www.jfmq.co.uk](http://www.jfmq.co.uk)

## RDS

- 5.15 If you intend to transmit RDS data (LPFM services only), you must indicate this on your application form to allow for us to allocate a PI code. All RDS data must be accurate, and in accordance with IEC62106. Dynamic alteration of the Programme Service Name is not permitted, nor is transmission of the Traffic Programme (TP) flag, unless dynamic control of the Traffic Announcement (TA) flag is available.

## Engineering Code

- 5.16 Transmissions will be required to conform to Ofcom's Engineering Code (site engineering code for analogue radio broadcast transmission systems), which is available on the Ofcom website:  
[http://stakeholders.ofcom.org.uk/broadcasting/guidance/tech-guidance/eng\\_code/](http://stakeholders.ofcom.org.uk/broadcasting/guidance/tech-guidance/eng_code/)  
For more information about coverage, applicants may also find it useful to read the Ofcom engineering document entitled 'Coverage: Planning Policy, Definitions and Assessment'. This can be found on the Ofcom website at: <http://stakeholders.ofcom.org.uk/binaries/broadcast/radio-ops/coverage/analogue-coverage-policy.pdf>

## Technical characteristics

- 5.17 Please note that equipment may be inspected and transmissions monitored, which may result in the modification of the WT Act licence parameters originally specified, to which the licensee must adhere. Any significant interference caused to other users of the radio spectrum, or any breach of licence conditions, may result in the immediate suspension of broadcasts.
- 5.18 As part of the application, we require information about the proposed transmission site (including the permission of the owner) and studio location, and an undertaking that transmission equipment, including aerials, complies with the technical conditions set out in this document and the Ofcom Engineering Code. We will also require details about your proposed transmission provider (also see paragraph 5.21 below). A predictive coverage map maybe requested.
- 5.19 Without prejudice to any of the technical conditions of the licence, nor to the absolute responsibility of the licensee to ensure that they are all respected, it is required at or before the time of bringing transmissions into service to furnish Ofcom with the following information in paper form, or by e-mail:
- i) a photograph of the complete radiating aerial installation 'in situ';
  - ii) a list of the following data/calculations: the height above ground level (in metres) of the radiating antenna at its highest point; a calculation of aerial system efficiency and effective electrical height;
  - iii) a sketch/block diagram of the feeder/aerial and matching system, showing the key characteristics of each element to support the calculation of (ii) above, and the source of that information, i.e. measurement or manufacturer's specification;
  - iv) the measured transmitter output power, as installed;
  - v) the measured aerial current at the base of the radiating aerial.

This information is required **within ten working** days of bringing the transmitter on-air (failure to supply them may result in a direction to cease transmission).

## Technical competence

- 5.20 It is important that you have reliable technical assistance. Failure to do so can lead inadvertently to interference to other authorised spectrum users (such as the emergency services) and closure of the station until the problem is resolved. Licence conditions must be strictly adhered to. Any unauthorised action to increase the power

level beyond the maximum permitted, or otherwise to alter the characteristics specified in the licence, will be treated very seriously, and may result in the revocation of the licence and disqualification from the holding of licences in future, at the discretion of Ofcom. The licensee will be held responsible if any terms of the Wireless Telegraphy Act licence and the Broadcasting Act licence are not adhered to.

## Interference

- 5.21 The station should be so designed, constructed, maintained and operated that its use does not cause any interference with any wireless telegraphy or other services. No protection for the LRSL can be given from conducted or radiated interference from authorised radio services.

## Interference with sensitive electronic equipment – disclaimer

- 5.22 There is a theoretical risk that the use of some transmission equipment may cause interference to sensitive electronic equipment, such as patient monitoring equipment in a hospital, or laboratory equipment in a university. This risk can be minimised by ensuring that transmission equipment is installed and maintained by competent engineers, and that the transmitter is located at a sensible distance from such equipment. However, we cannot determine the risk involved in all possible circumstances. Ofcom, therefore, will accept no responsibility or liability whatsoever for any interference that may be caused to electronic equipment by the equipment being used by the radio station. The issuing of a licence does not indicate that we guarantee or endorse the safety of a station's transmitter installation. This is a matter for consideration by the licensee, the host site and the engineer(s) installing the equipment. By signing the application form for the licence, the licensee indicates that he/she is content that this risk has been minimised.

## Further information

Further information on any aspect of the licensing of **long term RSLs** may be obtained from:

Broadcast Licensing team, 5<sup>th</sup> Floor  
Ofcom  
Riverside House  
2a Southwark Bridge Road  
London SE1 9HA

Tel: 020 7981 3886 or Email [RSL.Enquiries@ofcom.org.uk](mailto:RSL.Enquiries@ofcom.org.uk)

Specific information regarding technical matters relating to RSLs can be obtained from:

Broadcast Radio Engineering, 3<sup>rd</sup> Floor  
Riverside House  
2a Southwark Bridge Road  
London SE1 9HA

Email [BroadcastRadioEng@ofcom.org.uk](mailto:BroadcastRadioEng@ofcom.org.uk)

## Section 6: ADSRSLs

# General rules for Audio Distribution Systems (ADSRSLs)

- 6.1 Audio Distribution Systems (ADSRSLs) are for the transmission of audio content for direct reception within a small defined area, typically a sports stadium or conference hall. A licence permits a radio service to be broadcast to closed user groups. Services might typically be for attendees at an event and include material such as a referee's comments, sports commentary, conference translations, or audio descriptions for the visually impaired; in situations where other means are not suitable. The broadcasting of advertising and sponsorship messages on these services is allowed. ADSRSLs are not licensed for operation on the FM or AM wavebands, but within other parts of the spectrum, and typically operators will sell or loan tailor-made receivers to enable spectators or attendees to hear the service.
- 6.2 Ofcom will issue five-year radio restricted service licences under the Broadcasting Act legislation that will permit rather than oblige ADS services to be broadcast via Wireless Telegraphy. An ADS provider will need to secure access to spectrum (via a Wireless Telegraphy Act licence) in order to make use of this type of radio restricted service licence. Each operator will need to hold only a single Broadcasting Act licence, regardless of the number of ADS services he or she runs.
- 6.3 Ofcom's ADSRSL application form asks for information on the events or purposes which are to be included in the licence, and it is incumbent on the licence-holder to inform Ofcom of any subsequent changes of use to which the licence will be put, so that we can vary the licence and update our records. A simple downloadable form to request these variations is available on our website and can be emailed to us (no charge will be made for varying a licence).
- 6.4 A Broadcasting Act licence will not relieve the licence holder of the requirement to hold a Wireless Telegraphy Act licence, nor does it confer any rights over particular spectrum. It is up to the operator to secure access to spectrum. JFMG is responsible for the issue of Wireless Telegraphy Act licences for ADS services on PMSE spectrum. Please contact JFMG for further information ([www.jfmq.co.uk](http://www.jfmq.co.uk)) and see section 10 of these notes, regarding technical matters.

## Section 7: ADSRSLs

# Cost of licences

- 7.1 You will need to pay an application fee when you submit an application for an ADSRSL Broadcasting Act licence. You will also need to pay an annual licence fee. The first year's licence fee is payable on application. Therefore an application should be accompanied by a payment of £475 (£200 application fee plus one year's licence fee). VAT is not payable on either application or licence fees.

### Application fee

- 7.2 Each application must be accompanied by an application fee of £200 (cheques should be made payable to Ofcom). This is normally non-refundable.

### Licence fees

- 7.3 An annual licence fee of £275 is required for an ADSRSL issued under the Broadcasting Act 1990. Licence fees are charged in accordance with a published tariff, reviewed periodically.
- 7.4 Licence fees are payable in advance each year. The first year's licence fee is payable on application. Once the first year's fees have been paid, you will be asked to set up a direct debit for the Broadcasting Act licence fee for each subsequent year for the five-year licence period. This will be collected annually around the anniversary date of the commencement of your service.
- 7.5 Licences will only be issued (i.e. sent to you) after the payment of the application fee and first year's licence fee has cleared through our bank. We need seven working days for cheque clearance; payment may also be made by a banker's draft or credit transfer. If payment is made by a credit transfer, licences will not be issued until after a letter of confirmation has been received by fax (fax number 020 7783 4589) from your bank confirming the transfer of funds. Credit card payments can be accepted (up to a maximum limit of £2,000). (Please see Ofcom's bank details in paragraph 7.6 below). Broadcasts must not commence until we have confirmed receipt of the licence fee and that licences have been issued.

### Ofcom's bank details

- 7.6 The application fee and first year's Broadcasting Act licence fee should both be made payable to Ofcom: a single cheque for the total amount of £475 is fine. For electronic payments, our bank details are as follows:

Lloyds Bank – London Bridge Branch  
69-73 Borough High Street  
London  
SE1 1NQ

Account Number: 00782415  
Sort Code: 30-97-90

If you know your Ofcom customer account reference number (which is given on Ofcom invoices) please state it when making your payment either electronically or by cheque.

## Section 8: ADSRSLs

# Licensing conditions and procedures

### Submission of applications

- 8.1 Applications must be submitted on the ADSRSL application form, which can be downloaded from the Ofcom website at [www.ofcom.org.uk/radio/ifi/rbl/rsls/rslapps/](http://www.ofcom.org.uk/radio/ifi/rbl/rsls/rslapps/). Please email [RSL.Enquiries@ofcom.org.uk](mailto:RSL.Enquiries@ofcom.org.uk) if you require assistance with the form.
- 8.2 Please provide one completed copy plus any additional relevant information as well as the non-refundable application fee and first year's licence fee (£475 in total). Applications should be sent to: Broadcast Radio Licensing Team, 5th Floor, Ofcom, Riverside House, 2a Southwark Bridge Road, London SE1 9HA. We need a signed copy of the application, with the application fee and first year's licence fee, for an application to be valid.
- An application must be submitted **AT LEAST TWO WEEKS** before the first date for which the licence is required, to allow sufficient time for the application to be checked and, if approved, for licences to be prepared and granted. Applications received after the two-week deadline will need to adjust their commencement date accordingly.
  - On receipt of your application, an acknowledgement email will be sent. In the event that an application is either delayed in transit or fails to arrive at least two weeks before the first date for which the licence is required, your commencement date will need to be adjusted.
- 8.3 Brief details of your licence (dates, call-signs and public contact details) will be published on Ofcom's website after your application has been approved (that is, we have agreed to grant the licence).
- 8.4 Successful applicants will be granted a Broadcasting Act licence which allows the provision of the licensed service and necessitates compliance with all relevant Codes. This will be issued by Ofcom. Spectrum access for ADSRSLs and related Wireless Telegraphy Act licences will normally be granted by JFMG, not Ofcom (see section 10 of these notes, regarding technical matters).

### The role and identity of the licensee

- 8.5 A licensee must be appointed for each ADSRSL station, in whose name the licence documentation will be issued. The licensee is legally responsible for ensuring that all of the duties and obligations contained in the licence are met, including compliance with content requirements and the payment of fees. The licensee must sign the declaration at section 3 of the application form.
- 8.6 An ADSRSL is not transferable except with the prior consent in writing of Ofcom. Ofcom needs to be satisfied that the person to whom it is proposed to transfer a licence would be in a position to comply with the licence conditions, is not disqualified from holding a Broadcasting Act licence, and is a 'fit and proper' person. If Ofcom agrees to such a transfer the licence will need to be varied accordingly.



## Eligibility to hold a licence

- 8.7 Restricted service licences cannot be issued to applicants who are ‘disqualified persons’ as defined in the Broadcasting Act 1990 and amended by the Communications Act 2003. ‘Disqualified’ categories include local authorities, the BBC, and the Welsh Authority. Local authorities are disqualified from holding a Broadcasting Act Licence, including Restricted Service Licences unless the broadcast service is provided exclusively for the purposes of carrying out functions set out in section 142 of the Local Government Act 1972. Under that section, local authorities are permitted to make arrangements for the broadcasting or distribution of information concerning the services of a local authority and assist voluntary organisations to provide information and advice in certain circumstances. Ofcom cannot therefore grant a Broadcasting Act Licence to a local authority unless the information to be broadcast falls within the functions set out above. Other disqualified categories include advertising agencies, and persons convicted for unlicensed broadcasting (‘pirate’) offences in the previous five years. If you wish to involve interests falling into any of these categories, you should contact us for further advice. Ofcom may require an applicant to provide any information we may need in determining whether an applicant is a disqualified person as described above. Please note that undischarged bankruptcy will make an applicant ineligible to hold a licence.
- 8.8 A political organisation (i.e. a body whose objects are wholly or mainly of a political nature) or any affiliated body cannot hold a licence. An officer of a political organisation is restricted from involvement in a radio licence (staff employed by these organisations are not disqualified). However, funding from a political body may be acceptable if Ofcom is satisfied that it would not be against the public interest.
- 8.9 A religious body can hold a licence provided that Ofcom is satisfied that it, or those broadcasting on its behalf, would be able to adhere to the Ofcom Broadcasting Code. If an application is submitted by a religious body we need to carry out a ‘religious determination’ to in accordance with Part 4 of Schedule 14 of the Communications Act 2003. For further information, please see the guidance published on our website at: [www.ofcom.org.uk/tv/ifi/tvlicensing/guidance\\_notes\\_and\\_apps/guide\\_rel\\_bod/](http://www.ofcom.org.uk/tv/ifi/tvlicensing/guidance_notes_and_apps/guide_rel_bod/)
- 8.10 Any award of a licence may be revoked before its grant if there is any change to the applicant (such as a change in its control).

## Fit and proper persons

- 8.11 Ofcom is required to satisfy itself that proposed licensees are ‘fit and proper persons’ before it may grant a licence. The application form includes questions and a declaration designed to enable Ofcom to achieve these objectives (see section 2 of the ADSRSL application form). Applicants and licensees should be aware that if they withhold any information with the intention of causing Ofcom to be misled, they will be in breach of the Broadcasting Act 1996 (Section 144), if the information would be relevant in determining whether they are a disqualified person. In such circumstances, the licence may be revoked and the applicant could be subject to additional sanctions (see paragraph 9.5).
- 8.12 ADSRSL applicants and licensees are required to certify their qualification to hold a licence by signing and dating section 3 of their ADSRSL application form (unsigned applications will be returned). If during the licence period we become aware of any information to suggest that a licensee is no longer a ‘fit and proper’ person, the licensee will no longer be allowed to hold the licence.



## Sources of funding

- 8.13 Under the terms of the Broadcasting Act 1990, as amended by the Communications Act 2003, funding from political bodies (i.e. a body whose objects are wholly or mainly of a political nature) or publicly-funded bodies may be acceptable, provided that by such funding, the funder is not, in Ofcom's opinion, exerting influence over the licensee's activities and that influence has led, is leading or is likely to lead, to results adverse to the public interest (activities would include, for instance, the management of the station and/or the content of its programming but would extend to its other activities). We require information on any funding from, or on behalf of, a political organisation or a religious body.
- 8.14 You may sell airtime for advertising and carry sponsored programming, or station sponsorship, provided that you follow all requirements of the Ofcom Broadcasting Code (<http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/>) and the Broadcast Advertising Code enforced by the Advertising Standard Authority ([www.cap.org.uk/Advertising-Codes/Broadcast](http://www.cap.org.uk/Advertising-Codes/Broadcast)). It is important that you are familiar with the provisions of these Codes.

## Appeals procedure

- 8.15 Any challenge to a licensing decision should be addressed in the first instance to Ofcom's Radio Licensing Manager. If no resolution is forthcoming, the matter may be presented for adjudication to Ofcom's Head of Broadcast Licensing and its Director of Content Standards and Licensing.

## Section 9: ADSRSLs

# Content

### Programme content of service

- 9.1 We require very brief details of your proposed programme service in your application. This should set out a short general description of what the service will include, such as match commentary, referee's comments, translation services (and the languages to be used). If any programming of a political or religious nature is to be featured, details of this should be included. This summary of station output will be included in the licence.
- 9.2 All broadcast output must comply with the Ofcom Broadcasting Code and the Broadcast Advertising Code enforced by the Advertising Standards Authority. Ofcom's Broadcasting Code and the accompanying guidance can be found on our website at: <http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/> The Broadcast Advertising Code can be found at [www.cap.org.uk/Advertising-Codes/Broadcast](http://www.cap.org.uk/Advertising-Codes/Broadcast)

### Broadcasting of BBC programme material

- 9.3 An ADSRSL operator may carry some programme material from the BBC, provided it is only a minor part of the output. Ofcom is prevented, under the Broadcasting Acts 1990 and 1996, from issuing restricted service licences to the BBC. We believe it is important that we do not compromise the legislation, or confuse listeners; therefore, any programme material from the BBC should not normally be identified on-air, or in promotional material, as having been provided by the BBC, and should not form a substantial part of the output.

### Recording of output

- 9.4 The licensee is required to ensure that a recording is made of all broadcast output, including advertisements and sustaining services. The licensee must retain these recordings for a period of 42 days after broadcast, and make them readily available to us or to any other body authorised to deal with complaints about broadcast programmes and/or advertisements. Failure to provide a recording on request will be treated seriously, and may result in a sanction being imposed.

### Sanctions

- 9.5 In investigating any complaint to Ofcom against a station or its programme output, there will be an opportunity for the licensee to respond. Ofcom's powers to impose statutory sanctions come from the Communications Act 2003 and the Broadcasting Acts 1990 and 1996 (as amended). In the event of a complaint being upheld, the range of sanctions Ofcom may impose on its licensees include:
- Issue a direction to broadcast a correction or a statement of Ofcom's findings which may be required to be in such form, and to be included programmes at such times as Ofcom may determine;
  - A financial penalty;
  - Shorten a licence;

- Suspend a licence; or
- Revoke a licence.

9.6 In the event of a complaint against a licensee in respect of programme content being upheld by Ofcom, any costs we incur, including the translation of material broadcast in any language other than English, will be charged to the licensee.

### **Call-sign or station name**

9.7 The station must adopt an on-air name (a call-sign), which clearly identifies the name of the service. This should be broadcast at regular intervals. The call-sign should be specified at the time of application and will be included in the terms of the licence. If you subsequently wish to change your call-sign, you should inform Ofcom before doing so, as licence documentation, and our records, will need to be amended. Call-signs will not be permitted if they are likely to cause offence or confusion to listeners, or if they are likely to mislead listeners as to the nature of the service. They are agreed on the understanding that you will have cleared all necessary rights and trademarking issues. Ofcom cannot, and will not, act as an arbitrator in the event of a dispute regarding the use of a particular name.

### **Copyright**

9.8 The licensee is responsible for reaching agreement with those owning copyright or performing rights to any of the material which it is proposed to broadcast or record. We cannot advise on copyright or performing rights requirements, and you should contact the relevant bodies directly for such information.

- Phonographic Performance Ltd. (PPL) [www.ppluk.com](http://www.ppluk.com) 1 Upper James Street, London W1R 3HG (tel. 020 7534 1000); and
- PRS for Music: [www.prsformusic.com](http://www.prsformusic.com) 29/33 Berners Street, London W1P 4AA (tel. 0845 309 3090).

## Section 10: ADSRSLs

# Technical matters

- 10.1 It is expected that ADSRSLs generally will use frequencies within spectrum currently used for programme making and special events (PMSE). JFMG Ltd currently manages the radio spectrum which is used for programme making, entertainment and related activities (including PMSE) on behalf of Ofcom, and issues Wireless Telegraphy Act (WT Act) licences accordingly.
- 10.2 The existing PMSE band to which this document refers is 60.75-62.75 MHz, and within this spectrum ADSRSLs are licensed on a secondary basis to PMSE users. In particular, ADSRSL use of this spectrum may be excluded from major events where PMSE requires unrestricted use of the band, and JFMG will maintain a public list of such events where ADSRSLs will not be available. WT Act licences for up to one year, and or/site based WT Act licences, will be issued where circumstances permit.
- 10.3 For further information and a WT Act licence application form please contact JFMG (see contact details below), or see its website at: [www.jfmq.co.uk/jfmqecom/jfmq\\_content/pages/equipment/ads/pin85\\_1.aspx](http://www.jfmq.co.uk/jfmqecom/jfmq_content/pages/equipment/ads/pin85_1.aspx)
- 10.4 Even if you are in receipt of a Wireless Telegraphy Act spectrum licence, you may not broadcast a service without an accompanying Broadcasting Act licence.

### ADSRSLs on other spectrum

- 10.5 In principle ADSRSLs are available in spectrum other than 60.75-62.75 MHz should the operator in question have secured access to suitable spectrum. It should be noted that this policy does not amount to an allocation of additional spectrum for ADSRSL use. Further, this may only come to fruition if an operator has been able to secure access to suitable spectrum usage rights, for example by purchasing those rights at auction or by the leasing or hiring of those rights from the relevant licensee and deciding to use them for this purpose.

### Unused spectrum between 55 and 68 MHz

- 10.6 Ofcom will consider any request for use of the currently unused spectrum between 55 and 68 MHz on a case-by-case basis. It should be understood that there will be no guarantee regarding the length of time for which this spectrum will be available on this basis, and that Ofcom reserves the right to change the use of this spectrum with no more than one year's notice to any existing users. Requests from either PMSE or ADSRSL providers for use of the currently unused spectrum between 55 and 68 MHz will need to be directed to JFMG; all requests for other types of spectrum use should come to Ofcom directly.

## Further information

Specific information regarding technical matters and spectrum availability relating to ADSRSLs can be obtained from:

JFMG Ltd  
33-34 Alfred Place London  
WC1E 7DP

Tel: 020 7299 8660; Fax: 020 7299 8661 Out of hours: 07050 177335

Email: [info@jfmfg.co.uk](mailto:info@jfmfg.co.uk)

Further information on any aspect of ADSRSL Broadcasting Act licensing may be obtained from:

Broadcast Radio Licensing Team, 5th Floor  
Ofcom  
Riverside House  
2a Southwark Bridge Road London  
SE1 9HA

Tel: 020 7981 3886 or Email [RSL.Enquiries@ofcom.org.uk](mailto:RSL.Enquiries@ofcom.org.uk)

## Annex 1

# Long term RSL map

This map shows, in green, the parts of the UK where FM frequencies may be available for long-term RSLs. FM may be available in some other locations, see paragraph 1.5 above. Elsewhere frequencies on AM are available, with the exception of Greater London (within the M25) where neither FM nor AM frequencies are available for long-term RSL use on a freely-radiating basis.



# Tariff tables

## Extended duration short-term RSL tariff table:

|                 | Duration      | B Act fee* | WT Act fee** | Total |
|-----------------|---------------|------------|--------------|-------|
| 1W AM           | 29 – 140 days | £675       | £420         | £1095 |
| 1W AM           | 140 days +    | £1250      | £420         | £1670 |
| 300mW to 25W FM | 29 – 140 days | £1000      | £700         | £1700 |
| 300mW to 25W FM | 140 days +    | £1550      | £700         | £2250 |
| Application fee |               |            |              | £400  |
| Amendment fee   |               |            |              | £200  |

## Long-term RSL tariff table:

|                 | Duration | B Act fee* | WT Act fee** | Total |
|-----------------|----------|------------|--------------|-------|
| LPAM            | per year | £275       | £100         | £375  |
| LPFM            | per year | £140       | £100         | £240  |
| Induction Loop  | per year | £140       | £100         | £240  |
| Application fee |          |            |              | £200  |
| Amendment fee   |          |            |              | £200  |

## Audio Distribution Systems (ADSRSL) tariff table:

|        | Application fee | B Act fee* per year | WT Act fee** |
|--------|-----------------|---------------------|--------------|
| ADSRSL | £200            | £275                | Contact JFMG |

\* B Act fee: Broadcasting Act licence fee

\*\* WT Act fee: Wireless Telegraphy Act licence fee