

Business Impact Target: Ofcom list of qualifying regulatory provisions, May 2015-March 2017

Under the Small Business, Enterprise and Employment Act 2015 ('the SBEE Act'), we have a statutory obligation to produce an assessment of the economic impact on business of every qualifying regulatory provision we make during the relevant period. A qualifying regulatory provision is one that does not fall under any of the exclusions prescribed in the SBEE Act.¹

This document sets out our qualifying regulatory provisions for the first reporting period (May 2015-March 2017). It summarises the provisions that were in scope for the purpose of meeting our statutory obligation under the SBEE Act and sets out the Business Impact Target score ('the BIT score'). The BIT score which is validated by the Regulatory Policy Committee, is an assessment of the impact on business that is carried out solely for the purposes of the SBEE Act, under which we are required to assess the specific net economic impact on business. As such, the BIT score reflects only the costs and benefits to business and does not include the associated benefits or costs of the measure to consumers. Impact assessments that include the associated benefits or costs to consumers can be found in the consultation or statement document associated with each regulatory provision.

Under the SBEE Act, we are also required to publish a list of 'non-qualifying regulatory provisions', which are those that fall under one of the exclusions set out in the SBEE Act. This document can be found on our website here:

https://www.ofcom.org.uk/__data/assets/pdf_file/0020/102737/bit-nqrps-2017.pdf

Table 1: Qualifying Regulatory Provisions that came into force during the first Business Impact Target reporting period (i.e. 8 May 2015–26 May 2016)		
Title of measure and RPC reference number	Description of measure and link to statement	BIT score (£ millions)
Revising the penalty guidelines RPC-3912(1)-DCMS-OFCOM	Revision to our guidelines on how we apply penalties for breaches of licence conditions. https://www.ofcom.org.uk/consultations-and-statements/category-2/penalty-guidelines-15	£0.0 million
Exception to Royal Mail's USO RPC-3833(1)-DCMS-OFCOM	Designated Boxing Day as an exemption to Royal Mail's Universal Service Obligation whenever it falls on a Saturday.	£0.0 million

¹ Department for Business, Energy and Industrial Strategy, (2016). *Business impact target: statutory and administrative exclusions guide*. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/608836/business-impact-target-exclusions.pdf

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	https://www.ofcom.org.uk/consultations-and-statements/category-2/royal-mail-uso	
Persistent misuse RPC-3909(1)-DCMS-OFCOM	Updating of our general policy on the exercise of our enforcement powers. https://www.ofcom.org.uk/_data/assets/pdf_file/0024/96135/Persistent-Misuse-Policy-Statement.pdf	£0.0 million
Decision to remove whole must-offer regulation RPC-3913(1)-DCMS-OFCOM	Decision to remove 'wholesale must-offer' regulation for Sky Sports 1 and 2. https://www.ofcom.org.uk/_data/assets/pdf_file/0022/76081/Review-of-the-pay-TV-wholesale-must-offer-obligation-.pdf	£0.0 million
Review of Royal Mail Regulation RPC-3924(1)-DCMS-OFCOM	Made 5 regulatory amendments that will primarily affect Royal Mail. Other postal operators may also be affected, both directly and indirectly. https://www.ofcom.org.uk/_data/assets/pdf_file/0033/97863/Review-of-the-Regulation-of-Royal-Mail.pdf	£0.0 million
Modification to Consumer Protection Condition 1 RPC-3836(1)-DCMS-OFCOM	We modified Consumer Protection Condition 1 to rectify an error in the drafting of the condition with regard to the calculation of the contributions of postal operators to the qualifying consumer expenses of the Consumer Advocacy Bodies. https://www.ofcom.org.uk/_data/assets/pdf_file/0024/84165/cp1_statement_04dec2015.pdf	£0.0 million
Amended the Wireless Telegraphy Act (Licensing Charges for MCWSDs and SOAM) RPC-3921(1)-DCMS-OFCOM	Introduced fees for manually configurable white space devices and spectrum access offshore mobile products. https://www.ofcom.org.uk/consultations-and-statements/category-3/wireless-telegraphy-fees-notice-2016	£0.0 million

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<p>Amended the Wireless Telegraphy Act (Licensing Charges for high duty cycle)</p> <p>RPC-3922(1)-DCMS-OFCOM</p>	<p>Introduced fees for high duty cycles.</p> <p>https://www.ofcom.org.uk/consultations-and-statements/category-3/wta-licence-charges-2015</p>	<p>£0.0 million</p>
<p>Amendments to the Wireless Telegraphy Act (Exemptions Regulations) – a number of decisions</p> <p>RPC-3908(1)-DCMS-OFCOM</p>	<p>Made several products licence exempt.</p>	<p>£0.0 million</p>
<p>Variation of the Spectrum Access licence for 1452-1492 MHz and changes to fixed link use in the paired bands 1350-1375 MHz and 1492-1517 MHz</p> <p>RPC-3905(1)-DCMS-OFCOM</p>	<p>Changes to fixed link use in the paired bands 1350-1375 MHz and 1492-1517 MHz.</p> <p>https://www.ofcom.org.uk/consultations-and-statements/category-1/licence-variation-1.4ghz</p>	<p>-£7 million</p>
<p>New Spectrum for Audio PMSE</p> <p>RPC-3838(1)-DCMS-OFCOM</p>	<p>Allowed PMSE equipment users to access spectrum in the band 960-1164 MHz on a shared basis with civil aviation, in order to compensate for spectrum set to be lost due to change of use of the 700 MHz band.</p> <p>https://www.ofcom.org.uk/_data/assets/pdf_file/0021/62481/New-Spectrum-for-Audio-PMSE-statement.pdf</p>	<p>£0.0 million</p>

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<p>700MHz Clearance – Management of transitional coverage issues</p> <p>RPC-3906(1)-DCMS-OFCOM</p>	<p>Amended the code of practice providing guidance to broadcasters on minimising disruption during the 700 MHz clearance programme.</p> <p>https://www.ofcom.org.uk/_data/assets/pdf_file/0027/78363/700mhz-clearance-cop-statement.pdf</p>	<p>£0.0 million</p>
<p>VHF spectrum for the Internet of Things</p> <p>RPC-3839(1)-DCMS-OFCOM</p>	<p>Made available additional spectrum in the WHF band for IoT applications, and developed a new Business Radio licence to make stakeholders aware that these can be used for IoT spectrum usage</p> <p>https://www.ofcom.org.uk/_data/assets/pdf_file/0029/78563/vhf-iot-statement.pdf</p>	<p>£0.0 million</p>
<p>Decision to introduce licensing regime for Manually Configurable White Space Devices</p> <p>RPC-3839(1)-DCMS-OFCOM</p>	<p>Introduced licensing regime for Manually Configurable White Space Devices.</p> <p>https://www.ofcom.org.uk/consultations-and-statements/category-2/manually-configurable-wsds</p>	<p>£0.0 million</p>
<p>Mobile Trading Regulations</p> <p>RPC-3907(1)-DCMS-OFCOM</p>	<p>Inclusion of the 1452 – 1492 MHz, 2350-2390 MHz and 3410-3600 MHz bands in the Mobile Trading Regulations.</p> <p>https://www.ofcom.org.uk/_data/assets/pdf_file/0026/83942/statement_making_of_trading_regs_1.4-2.3-3.4_ghz.pdf</p>	<p>£0.0 million</p>
<p>Broadcast TV Technical Codes</p> <p>RPC-3834(1)-DCMS-OFCOM</p>	<p>Broadcast TV Technical Codes updates and amendments.</p> <p>https://www.ofcom.org.uk/consultations-and-statements/category-2/broadcast-tv-technical-codes</p>	<p>£0.0 million</p>

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Extension of Recognised Spectrum Access (RSA) for Receive-only Earth Stations (ROES) RPC-3911(1)-DCMS-OFCOM	Extended existing regulations to make RSA for ROES available in two additional frequency bands, namely 7850 – 7900 MHz and 25.5 – 26.5 GHz. https://www.ofcom.org.uk/consultations-and-statements/category-3/rsa-earth-stations-statement	£0.0 million
Procedures for the Management of Satellite Filings RPC-3910(1)-DCMS-OFCOM	Updated the guidance set out in our Procedures to take into account changes to the international regulations that govern the process for satellite filings since 2007. https://www.ofcom.org.uk/consultations-and-statements/category-1/satellite-filings-15	£0.0 million
Review of the approach to community radio Key Commitments RPC-3835(1)-DCMS-OFCOM	Streamlined and simplified how Key Commitments are recorded in community radio licences. https://www.ofcom.org.uk/consultations-and-statements/category-1/key-commitments	£0.0 million