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## **Notice of proposals to make the Wireless Telegraphy (Licence Charges) Regulations 2020**

Consultation on regulations to consolidate and update  
the fees for Wireless Telegraphy Act licences.

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### **CONSULTATION:**

Publication Date: 25 June 2020

Closing Date for Responses: 31 July 2020

# Contents

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## Section

1. Overview	1
2. Notice	3
3. Proposals	4
4. General Effect of the Proposed Regulations	9

## Annexes

A1. Responding to this consultation	13
A2. Ofcom's consultation principles	16
A3. Consultation coversheet	17
A4. Consultation questions	18
A5. Draft Proposed Regulations	19

# 1. Overview

- 1.1 This document consults on our proposals to consolidate and update the existing regulations that set out the sums and fees payable for Wireless Telegraphy Act 2006 (the WT Act) licences. In accordance with the requirements of section 122(4) and (5) of the WT Act, this document gives notice of our intention to make the Wireless Telegraphy (Licence Charges) Regulations 2020 (the Proposed Regulations).
- 1.2 Section 8(1) of the WT Act confers on Ofcom a power to grant a wireless telegraphy licence in respect of a “wireless telegraphy station” or “wireless telegraphy apparatus”. It is unlawful and an offence to install or use wireless telegraphy apparatus without holding a licence granted by Ofcom, unless the use of such equipment is exempted.
- 1.3 When setting spectrum management fees, we must act in accordance with the provisions of the WT Act. The WT Act gives Ofcom powers to set licence fees at a level necessary to recover our costs or above this level where we consider it is appropriate to do so in light, in particular, of our statutory duties.
- 1.4 The Proposed Regulations would update the fee regulations to include three new licences that Ofcom has introduced since the fees regulations were last changed in 2016. These are the Local Access, Shared Access and Network 2 GHz licences. In the period since these licences were introduced, their licence fees have been levied by Ofcom using a general charging power.<sup>1</sup>
- 1.5 The Local Access and Shared Access licences were introduced as part of Ofcom’s July 2019 Statement: *Enabling wireless innovation through local licensing*.<sup>2</sup> They are part of a framework for enabling shared use of spectrum, aiming to make it easier for people and businesses to access spectrum for a wide range of local wireless connectivity applications.
- 1.6 The Network 2 GHz licence was introduced in November 2017.<sup>3</sup> The licence permits networks of terrestrial base stations used in the provision of mobile satellite services and are used to provide broadband services to passengers on aircraft.
- 1.7 The fees associated with these three licences have been subject to earlier public consultations. The purpose of this consultation is to see whether the Proposed Regulations correctly implement the fees as set out in our earlier policy statements and is not to reconsider the level of any fee charged.
- 1.8 In addition to the inclusion of three new licence classes, as part of the Proposed Regulations, we are consolidating the regulations and amendments made since 2011 as well as taking the opportunity to make some administrative updates to the instrument. These include:

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<sup>1</sup> This is Regulation 6 of the 2011 Regulations which allows Ofcom to charge such sums as we may determine in the particular case where those sums are not prescribed by regulations.

<sup>2</sup> [Statement: Enabling wireless innovation through local licensing](#)

<sup>3</sup> [Statement: Authorisation of terrestrial mobile networks complementary to 2 GHz Mobile Satellite Service \(MSS\)](#)

- updating the names of the trial and innovation licences;
- updating the meaning of charity for persons subject to the laws of the Isle of Man or Jersey and of the term ‘designated website’;
- removing the fees for Fixed Links in the 65 GHz band (which are no longer needed following their licence exemption in 2018);
- updating references to the Wireless Telegraphy (Spectrum Trading) Regulations 2004,<sup>4</sup> which have been revoked and replaced by the Wireless Telegraphy (Spectrum Trading) Regulations 2012;<sup>5</sup> and
- making other minor editorial changes as part of consolidating and remaking the Proposed Regulations.

### What we are proposing – in brief

**We are consulting on draft regulations, the Wireless Telegraphy (Licence Charges) Regulations 2020** (the Proposed Regulations). These new regulations would add in fees for three WT Act licence classes not currently included in the charging regulations, these are:

- Local Access;<sup>6</sup>
- Shared Access;<sup>7</sup> and
- Network 2 GHz.<sup>8</sup>

In order to simplify the legislation, improve understanding of the charging environment and reduce the regulatory burden on stakeholders, **we are also consolidating** the various licence charges regulations made since 2011.

Comments on the Proposed Regulations are invited by 5pm on Friday, 31 July 2020. Subject to consideration of responses we intend to bring the new Regulations into force in September 2020.

The overview section in this document is a summary only. The proposals we are consulting on and our reasoning are set out in the full document.

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<sup>4</sup> S.I. 2004/3154

<sup>5</sup> S.I. 2012/2187

<sup>6</sup> A guide to the [Local Access Licence](#).

<sup>7</sup> A guide to the [Shared Access Licence](#).

<sup>8</sup> An example of the [Network 2 GHz licence](#).

## 2. Notice

- 2.1 In accordance with the requirements of section 122(4) and (5) of the WT Act, this document gives notice of our intention to make the Proposed Regulations.
- 2.2 We must give that notice to those we think representative of the persons likely to be affected by the implementation of the proposal and publish notice of our proposal in the way we think appropriate for bringing it to the attention of those persons who we think are likely to be affected by it.
- 2.3 The notice must state that Ofcom proposes to make the regulations in question, set out their general effect, specify an address from which a copy of the Proposed may be obtained, and specify a time before which any representations with respect to the proposal must be made to Ofcom. The time must be at least one month from the day after the notice is given or published.
- 2.4 The Proposed Regulations would revoke and replace the Wireless Telegraphy (Licence Charges) Regulations 2011 (the 2011 Regulations) and instruments amending those regulations since 2011.<sup>9</sup>
- 2.5 The Proposed Regulations would also include the fees for three licence products that Ofcom has introduced since the 2011 Regulations were last amended in June 2016. As noted in the Overview, these products are the Local Access, Shared Access and Network 2 GHz licences. All other fees remain unchanged from the 2011 Regulations.
- 2.6 The Proposed Regulations referenced at Annex 5 are available on [Ofcom's website](#). A paper copy of the Proposed Regulations would ordinarily be available from Ofcom's offices. However, our offices are closed until further notice in line with Government advice due to the coronavirus pandemic. In order to establish alternative arrangements, please contact [elizabeth.press@ofcom.org.uk](mailto:elizabeth.press@ofcom.org.uk) for assistance.
- 2.7 A Regulatory Impact Assessment of the proposals will accompany the making of the regulations.

## Document Structure

- 2.8 The document is structured as follows:
- Section 3 explains the proposals to be implemented by the Proposed Regulations;
  - Section 4 sets out the general effects of the Proposed Regulations;
  - Annexes 1 to 3 provide information on our approach to consultation;
  - Annex 4 contains the consultation question; and
  - Annex 5 provides [Ofcom's website](#) link to a copy of the Proposed Regulations.

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<sup>9</sup> The Wireless Telegraphy (Licence Charges) Regulations 2011 (S.I. 2011/1128) have been amended six times in the past eight years by S.I. 2012/1075, S.I. 2013/917, S.I. 2014/1295, S.I. 2015/1334, S.I. 2015/1995 and S.I. 2016/643.

## 3. Proposals

3.1 The Proposed Regulations would:

- a) include in the regulations, fees for the following licences:
  - the Shared Access licence, which gives licensees access to four spectrum bands which support mobile technology (in the 1800 MHz, 2300 MHz, 3.8-4.2 GHz and 24.25-26.5 GHz frequency bands);
  - the Local Access licence, which provides a way for licensees to access spectrum which has already been licensed to the UK's Mobile Network Operators (MNOs), in locations where an MNO is not using that spectrum or does not have any immediate plans to deploy in the area; and
  - the Network 2 GHz licence, which is a wireless telegraphy licence for Complementary Ground Components (CGCs) used in the provision of mobile satellite services (MSS).
- b) revoke and replace the 2011 Regulations, updating:
  - the names of the licences formerly known as non-operational temporary use and non-operational development licences to Demonstration and Trial and Innovation and Research respectively (but making no change to the fees);<sup>10</sup>
  - the meaning of "charity" as part of the arrangements for concessionary licence charging so it reflects legislation in Jersey and the Isle of Man; and
  - the meaning of "designated website" to reflect that certain facilities are now being managed through Ofcom's website rather than by former agents of Ofcom.
- c) other minor editorial amendments including removing the fees for Fixed Links in the 65 GHz band (which are no longer needed following their licence exemption in 2018) and updating references to the Wireless Telegraphy (Spectrum Trading) Regulations 2004,<sup>11</sup> which have been revoked and replaced by the Wireless Telegraphy (Spectrum Trading) Regulations 2012.<sup>12</sup>

### New licences – policy background

3.2 When setting spectrum management fees Ofcom must act in accordance with the provisions of the WT Act. The WT Act gives Ofcom powers to set licence fees at a level necessary to recover our costs or above this level where we consider it is appropriate to do so in light, in particular, of our statutory duties.<sup>13</sup>

3.3 The fees for Shared Access and Local Access licences reflect administrative cost and are set above this for the Network 2 GHz licence.

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<sup>10</sup> [Innovation and Trial licensing: Guidance notes for applicants](#)

<sup>11</sup> S.I. 2004/3154

<sup>12</sup> S.I. 2012/2187

<sup>13</sup> Section 13 of the WT Act.

## Shared Access licence fees

- 3.4 The Shared Access licence policy and fees were determined in Ofcom's July 2019 Statement: *Enabling wireless innovation through local licensing*.<sup>14</sup> We decided that it was appropriate to set cost-based fees given the prospect of limited excess demand and our desire to encourage new and innovative uses of underutilised spectrum.
- 3.5 The fees in Table 1 seek to fully recover our spectrum management costs and are charged annually. The fee is based on the amount of bandwidth the licensee has access to (unless the access is in the 26 GHz band where the fee is fixed).
- 3.6 There is a low power and medium power licence. For a low power licence, the fee is charged per area. For a medium power licence, the fee is charged per base station.

**Table 1 - Shared Access fees**

Band	Low Power licence charge	Medium Power licence charge
1800 MHz	2 x 3.3 MHz minimum fee £80 per 12 months	2 x 3.3 MHz minimum fee £80 per 12 months
2390-2400 MHz	£80 per 10 MHz per 12 months	£80 per 10 MHz per 12 months
3.8-4.2 GHz	£80 per 10 MHz per 12 months	£80 per 10 MHz per 12 months
26 GHz	£320 annual fee (no charge by bandwidth) per 12 months	Not available

- 3.7 The Shared Access licence fee can also be set on a pro rata basis, subject to a minimum fee of £32 per licence.
- 3.8 We consider these arrangements are appropriate and provide a simple pricing structure that helps to keep licences affordable, incentivises innovation and provides the opportunity for efficient use of spectrum.<sup>15</sup>

## Local Access Licences

- 3.9 The Local Access licence policy and fees were determined in Ofcom's July 2019 Statement: *Enabling wireless innovation through local licensing*.<sup>16</sup> We decided that the licence fee should ensure that we recovered our costs but kept the fee as low as possible. The licence is therefore subject to a single one-off cost-based fee of £950.

<sup>14</sup> [Statement: Enabling wireless innovation through local licensing](#)

<sup>15</sup> See paragraph 3.166 – 3.170 of the [Statement: Enabling wireless innovation through local licensing](#)

<sup>16</sup> [Statement: Enabling wireless innovation through local licensing](#)

## Network 2 GHz Licence

- 3.10 The policy and fees for the Network 2 GHz Licence were determined in November 2017<sup>17</sup> and, up until now, the fees have been levied under Regulation 6 of the 2011 Regulations.<sup>18</sup> They are now proposed to be included in Schedule 2.
- 3.11 The fee for the Network 2 GHz Licence is derived from the UK-wide fee applicable to the Spectrum Access 2 GHz Licence (£554k per 2 x 1 MHz per annum).<sup>19</sup> For the Network 2 GHz licence, the fee is a charge per individual base station, dependent on the population density at the location of the base station.

**Table 2: Fees per base station, based on location**

Location category	Fee per base station per 2 x 1 MHz	Fee per base station per 2 x 15 MHz
<b>A – High population</b>	£64,000	£960,000
<b>B – Medium population</b>	£8,025	£120,375
<b>C – Low population</b>	£825	£12,375

- 3.12 The map in Figure 1, overleaf, identifies the specific geographic locations of these different location categories. Please note that all areas not listed as Category A or B will be charged as Category C including any offshore deployments.

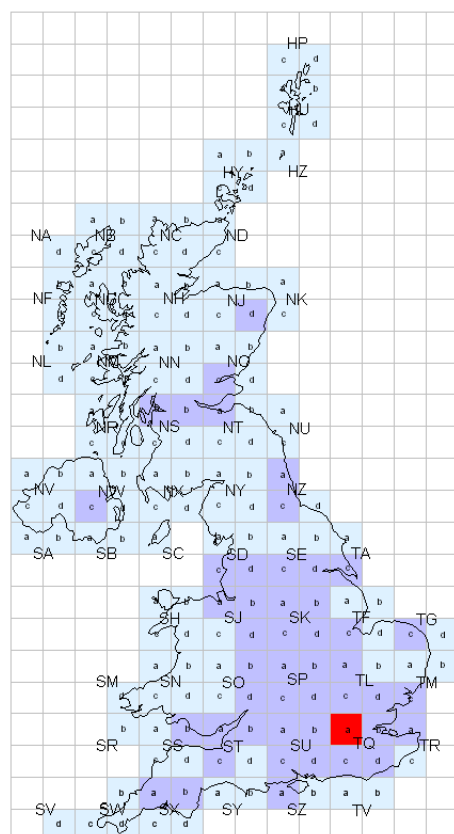
<sup>17</sup> [Statement: Authorisation of terrestrial mobile networks complementary to 2 GHz Mobile Satellite Service \(MSS\)](#)

<sup>18</sup> Regulation 6 of the 2011 Regulations allows Ofcom to charge such sums as we may determine in the particular case where those sums are not prescribed by regulations.

<sup>19</sup> The National Licence fee was determined in 2009 on an AIP basis meaning it was set to reflect the value of the spectrum in order to promote efficient use of the spectrum. It was reviewed, without change, in 2015.



**Figure 1: Map of population density categories used for the Network 2 GHz Licence fees**



	<b>Location Category A - population 3 million plus</b>
	<b>Location Category B - population 300 thousand to 3 million</b>
	<b>Location Category C - population &lt; 300 thousand</b>

## Consolidation into a new statutory instrument

- 3.13 We believe that the proposed revocation and replacement of the 2011 Regulations and the amendments would simplify the legislation, improve understanding of the charging environment and reduce the regulatory burden on stakeholders. Rather than amending the 2011 Regulations for a seventh time, we consider it appropriate to consolidate all the fees – new and unchanged – in a single set of regulations.
- 3.14 The Proposed Regulations would therefore revoke and replace the following Statutory Instruments:
- The 2011 Regulations;
  - The Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2012 (SI 2012/1075);
  - The Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2013 (SI 2013/917);

- d) The Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2014 (SI 2014/1295);
- e) The Wireless Telegraphy (Licence Charges) (Amendment) (No2) Regulations 2015 (SI 2015/1334);
- f) The Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2015 (SI 2015/1995); and
- g) The Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2016 (SI 2016/643).

3.15 As part of the consolidation process, we also propose taking the opportunity to make some administrative changes by updating:

- the names of the licences formerly known as the non-operational temporary use licence and the non-operational development licence to the *Demonstration and Trial Licence* and the *Innovation and Research Licence* respectively. In 2018, these licences were renamed in order to better promote their use for the development and trialling of innovative uses of the radio spectrum in the UK.
- the meaning of “charity” as it appears in the regulations. In Regulation 5 of the 2011 Regulations (Concessionary licence charges), for persons subject to the laws of the Isle of Man, charity is defined by reference to registration as a charity under the Charities Registration Act 1989. For persons subject to the laws of Jersey, it is defined by reference to membership of the Association of Jersey Charities.<sup>20</sup> There have been recent changes to the regulation of charities in those islands and these references should now be replaced by:
  - the Charities Registration and Regulation Act 2019 for the Isle of Man; and
  - registration as a charity under the Charities (Jersey) Law 2014 for Jersey.
- the meaning of “designated website” as it appears in the regulations as part of the charging arrangements for Programme Making and Special Events licences. In the 2011 Regulations reference is made to [www.jfmg.co.uk](http://www.jfmg.co.uk) and Ofcom’s agents. These references have been removed as the designated website facility is now being managed through OFCOM's website, [www.ofcom.org.uk](http://www.ofcom.org.uk), rather than by any agents of Ofcom.

## Other minor editorial amendments

3.16 On reviewing the Proposed Regulations, we may also make minor editorial changes. None of these changes will alter any of fees for any new or existing licence products in the 2011 Regulations.

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<sup>20</sup> Information about the Association of Jersey Charities is available at <https://www.jerseycharities.org/>

## 4. General Effect of the Proposed Regulations

### The legislative framework

- 4.1 Section 8(1) of the WT Act confers on Ofcom a power to grant a wireless telegraphy licence in respect of a “wireless telegraphy station” or “wireless telegraphy apparatus”. It is unlawful and an offence to install or use wireless telegraphy apparatus without holding a licence granted by Ofcom, unless the use of such equipment is exempted.
- 4.2 Ofcom’s statutory powers and duties in relation to spectrum management are set out primarily in the Communications Act 2003 (the 2003 Act) and the WT Act. Amongst our functions are the making available of frequencies for use for particular purposes and the granting of rights of use of spectrum through wireless telegraphy licences and licence exemptions.
- 4.3 Our principal duties under the 2003 Act, when carrying out our functions and exercising our powers, are to further the interests of citizens and consumers, where appropriate by promoting competition. In doing so, we are also required (among other things) to secure the optimal use of spectrum and the availability throughout the United Kingdom of a wide range of electronic communications services. We interpret “optimal use” to mean that the spectrum is used in a way that maximises the value that citizens and consumers derive from it, including the wider social value of spectrum use, and taking into account the specific consumer and citizen interests, including the interests of particular groups within society.
- 4.4 We must also have regard to: (i) the desirability of promoting competition in relevant markets; (ii) the desirability of encouraging investment and innovation in relevant markets; (iii) the different needs and interests, so far as the use of the electro-magnetic spectrum for wireless telegraphy is concerned, of all persons who may wish to make use of it; and (iv) the different interests of persons in the different parts of the United Kingdom, of the different ethnic communities within the United Kingdom and of persons living in rural and in urban areas.
- 4.5 Additionally, in carrying out our spectrum functions we have a duty under section 3 of the WT Act to have regard in particular to: (i) the extent to which the spectrum is available for use, or further use, for wireless telegraphy; (ii) the demand for use of that spectrum for wireless telegraphy; and (iii) the demand that is likely to arise in future for such use.
- 4.6 We also have a duty to have regard to the desirability of promoting: (i) the efficient management and use of the spectrum for wireless telegraphy; (ii) the economic and other benefits that may arise from the use of wireless telegraphy; (iii) the development of innovative services; and (iv) competition in the provision of electronic communications services.
- 4.7 Under section 12 of the WT Act, Ofcom may prescribe in regulations the sums payable in respect of wireless telegraphy licences other than those awarded by auction. This power enables us to recover the cost of administering and managing WT Act licences.

- 4.8 Section 13 of the WT Act permits us to recover sums greater than those we incur in performing our spectrum management functions (this is termed Administrative Incentive Pricing and abbreviated to AIP), to reflect a range of spectrum management objectives.
- 4.9 Ofcom's fee setting and charging powers allow us to provide incentives for licensees to use their spectrum more efficiently. This goes to discharging our duties under section 3 of the WT Act.

## Extent of application

- 4.10 The Proposed Regulations will apply in the United Kingdom, the Channel Islands and the Isle of Man, subject to formal adoption by the Island Authorities.

## The Proposed Regulations

- 4.11 Regulation 1 proposes a citation – indicating the way the Regulations may be referred to – and once made, their commencement date.
- 4.12 Regulation 2 proposes provisions concerning the interpretation of terms in the Statutory Instrument – in particular:
- it proposes the definition of key terms and removes reference to the Wireless Telegraphy (Spectrum Trading) Regulations 2004 which have been revoked and replaced by the Wireless Telegraphy (Spectrum Trading) Regulations 2012.
  - it amends the definition of the term “designated website” as part of the charging arrangements for Programme Making and Special Events licences to indicate that the designated website facility is managed through OFCOM's website, [www.ofcom.org.uk](http://www.ofcom.org.uk), rather than by any agents of Ofcom.
- 4.13 Regulation 3 proposes the revocation of the 2011 Regulations and regulations that have amended the 2011 Regulations.
- 4.14 Regulation 4 proposes the mechanism for prescribing fees. It is the substantive provision which works alongside the proposed detail in Schedule 2 and other Schedules. The proposed regulation determines for each licence the fees or the method of their calculation. The effect of this regulation is substantially the same as under the 2011 Regulations. It provides for the payment for each licence on the issue, variation and/or prescribed payment interval of a licence of the fixed and/or variable sums set out in Schedule 2 and subsequent Schedules. Like the 2011 Regulations, the proposed provisions would also allow certain licence fees to be paid in instalments if the licence charge is over £100,000.
- 4.15 Regulation 5 proposes concessionary fees for certain wireless telegraphy licences granted to charities concerned with emergency safety of human life. The meaning of charity in that regulation is proposed to be updated from the 2011 Regulations to align with recent changes to the regulation of charities in Jersey and the Isle of Man.

- 4.16 Regulation 6 sets out that, in cases where a fee for a licence is not prescribed by the Regulations, Ofcom may determine the fee payable.
- 4.17 Regulation 7 proposes the fees for the Spectrum Access 28 GHz licences according to the Regions in which those licences were auctioned in 2000.
- 4.18 Schedule 1 specifies the regulations that are revoked by the Regulations, covering the 2011 Regulations and amending regulations made by Ofcom in 2012, 2013, 2014, 2015 (twice) and 2016.
- 4.19 Schedule 2 details the licence fees and payment intervals for individual licence classes and includes the new Shared Access, Local Access and Network 2 GHz licence fees. Other changes include the renaming of the Non-Operational Temporary Use licence and Non-Operational Development licence to be known as the Demonstration and Trial licence and the Innovation and Research licence, respectively. The charges for Fixed Links in the 65 GHz band have also been removed from the schedule following their licence exemption in 2018.
- 4.20 Schedule 3 provides the formula for calculating fees for Point to Point Fixed Links licences.
- 4.21 Schedule 4 outlines the fees payable for Satellite (Permanent Earth Station) and (Transportable Earth Station) licences.
- 4.22 Schedule 5 contains the population area classifications used in the calculation of fees for certain Business Radio and Maritime licence classes and the Network 2 GHz licence.
- 4.23 Schedule 6 sets out the fees for Business Radio (Area Defined) licences.
- 4.24 Schedule 7 details the fees for Business Radio (Technically Assigned) licences.
- 4.25 Schedule 8 sets out the congestion areas used in the calculation of fees for Coastal Station Radio (International) simplex licences.
- 4.26 Schedule 9 sets out the licence fees for Coastal Station Radio (International) simplex licences.
- 4.27 Schedule 10 sets out the licence fees for Coastal Station Radio (International) Area Defined licences for certain internationally recognised simplex channels.
- 4.28 Schedule 11 sets out the licence fees for Coastal Station Radio (International) Area Defined licences for internationally recognised simplex channels 87 and 88.
- 4.29 Schedule 12 sets out the licence fees for Coastal Station Radio (International) Area Defined licences for internationally recognised duplex channels.
- 4.30 Schedule 13 sets out the licence fees for Coastal Station Radio (UK) licences.
- 4.31 Schedule 14 sets out the licence fees for Coastal Station Radio (UK) Area Defined licences.
- 4.32 Schedule 15 sets out the formulae for calculating fees for Aeronautical Station licences.

## Comments and representations

- 4.33 We are inviting comments on the proposal to make the Wireless Telegraphy (Licence Charges) Regulations 2020. This consultation is to see whether the Proposed Regulations correctly implement the fees as set out in our policy statements and is not to reconsider the level of any fee charged.

Question 1: Do you have any comments on the Proposed Regulations?

Please provide the evidence that would support your comments on the proposals.

- 4.34 Comments on the Proposed Regulations are invited by 5pm on Friday, 31 July 2020. Subject to consideration of responses we intend to bring the new Regulations into force in September 2020.

# A1. Responding to this consultation

## How to respond

- A1.1 Ofcom would like to receive views and comments on the issues raised in this document, by 5pm on Friday, 31 July 2020.
- A1.2 You can download a response form from <https://www.ofcom.org.uk/consultations-and-statements/category-3/wireless-telegraphy-regulations-2020>.
- A1.3 You can return this by email provided in the response form.
- A1.4 If your response is a large file, or has supporting charts, tables or other data, please email it to [elizabeth.press@ofcom.org.uk](mailto:elizabeth.press@ofcom.org.uk), as an attachment in Microsoft Word format, together with the [cover sheet](#).
- A1.5 Responses may alternatively be posted to the address below, marked with the title of the consultation:
- Elizabeth Press  
Spectrum Management and Authorisation  
Ofcom  
Riverside House  
2A Southwark Bridge Road  
London SE1 9HA
- A1.6 At the date of publication, Ofcom offices are closed until further notice in line with Government advice due to the coronavirus pandemic. As this status may change please contact [elizabeth.press@ofcom.org.uk](mailto:elizabeth.press@ofcom.org.uk) for assistance if you would have ordinarily posted a response to this consultation.
- A1.7 We welcome responses in formats other than print, for example an audio recording or a British Sign Language video. To respond in BSL:
- Send us a recording of you signing your response. This should be no longer than 5 minutes. Or
  - Upload a video of you signing your response directly to YouTube (or another hosting site) and send us the link.
- A1.8 We will publish a transcript of any audio or video responses we receive (unless your response is confidential)
- A1.9 We do not need a paper copy of your response as well as an electronic version. We will acknowledge receipt if your response is submitted via the online web form, but not otherwise.
- A1.10 You do not have to answer all the questions in the consultation if you do not have a view; a short response on just one point is fine. We also welcome joint responses.

- A1.11 It would be helpful if your response could include direct answers to the question asked in the consultation document. The question is listed at Annex A4. It would also help if you could explain why you hold your views, and what you think the effect of Ofcom's proposals would be.
- A1.12 If you want to discuss the issues and questions raised in this consultation, please contact Elizabeth Press, Spectrum Management and Authorisation by email to [Elizabeth.Press@ofcom.org.uk](mailto:Elizabeth.Press@ofcom.org.uk).

## Confidentiality

- A1.13 Consultations are more effective if we publish the responses before the consultation period closes. In particular, this can help people and organisations with limited resources or familiarity with the issues to respond in a more informed way. So, in the interests of transparency and good regulatory practice, and because we believe it is important that everyone who is interested in an issue can see other respondents' views, we usually publish all responses on [the Ofcom website](#) as soon as we receive them.
- A1.14 If you think your response should be kept confidential, please specify which part(s) this applies to, and explain why. Please send any confidential sections as a separate annex. If you want your name, address, other contact details or job title to remain confidential, please provide them only in the cover sheet, so that we don't have to edit your response.
- A1.15 If someone asks us to keep part or all of a response confidential, we will treat this request seriously and try to respect it. But sometimes we will need to publish all responses, including those that are marked as confidential, in order to meet legal obligations.
- A1.16 Please also note that copyright and all other intellectual property in responses will be assumed to be licensed to Ofcom to use. Ofcom's intellectual property rights are explained further in our [Terms of Use](#).

## Next steps

- A1.17 Subject to consideration of responses we intend to bring the new Regulations into force by September 2020.
- A1.18 If you wish, you can [register to receive mail updates](#) alerting you to new Ofcom publications.

## Ofcom's consultation processes

- A1.19 Ofcom aims to make responding to a consultation as easy as possible. For more information, please see our consultation principles in Annex A2.
- A1.20 If you have any comments or suggestions on how we manage our consultations, please email us at [consult@ofcom.org.uk](mailto:consult@ofcom.org.uk). We particularly welcome ideas on how Ofcom could more effectively seek the views of groups or individuals, such as small businesses and



residential consumers, who are less likely to give their opinions through a formal consultation.

- A1.21 If you would like to discuss these issues, or Ofcom's consultation processes more generally, please contact the corporation secretary:

Corporation Secretary

Ofcom

Riverside House

2a Southwark Bridge Road

London SE1 9HA

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

- A1.22 At the date of publication, Ofcom offices are closed until further notice in line with Government advice due to the coronavirus pandemic. As this status may change please contact [corporationsecretary@ofcom.org.uk](mailto:corporationsecretary@ofcom.org.uk) for assistance if you would have ordinarily expressed your views about Ofcom's consultation processes via post.

## A2. Ofcom's consultation principles

### **Ofcom has seven principles that it follows for every public written consultation:**

#### **Before the consultation**

- A2.1 Wherever possible, we will hold informal talks with people and organisations before announcing a big consultation, to find out whether we are thinking along the right lines. If we do not have enough time to do this, we will hold an open meeting to explain our proposals, shortly after announcing the consultation.

#### **During the consultation**

- A2.2 We will be clear about whom we are consulting, why, on what questions and for how long.
- A2.3 We will make the consultation document as short and simple as possible, with a summary of no more than two pages. We will try to make it as easy as possible for people to give us a written response. If the consultation is complicated, we may provide a short Plain English / Cymraeg Clir guide, to help smaller organisations or individuals who would not otherwise be able to spare the time to share their views.
- A2.4 We will consult for up to ten weeks, depending on the potential impact of our proposals.
- A2.5 A person within Ofcom will be in charge of making sure we follow our own guidelines and aim to reach the largest possible number of people and organisations who may be interested in the outcome of our decisions. Ofcom's Consultation Champion is the main person to contact if you have views on the way we run our consultations.
- A2.6 If we are not able to follow any of these seven principles, we will explain why.

#### **After the consultation**

- A2.7 We think it is important that everyone who is interested in an issue can see other people's views, so we usually publish all the responses on our website as soon as we receive them. After the consultation we will make our decisions and publish a statement explaining what we are going to do, and why, showing how respondents' views helped to shape these decisions.

## A3. Consultation coversheet

### BASIC DETAILS

Consultation title:

To (Ofcom contact):

Name of respondent:

Representing (self or organisation/s):

Address (if not received by email):

### CONFIDENTIALITY

Please tick below what part of your response you consider is confidential, giving your reasons why

Nothing ☐

Name/contact details/job title ☐

Whole response ☐

Organisation ☐

Part of the response ☐

If there is no separate annex, which parts? \_\_\_\_\_

\_\_\_\_\_

If you want part of your response, your name or your organisation not to be published, can Ofcom still publish a reference to the contents of your response (including, for any confidential parts, a general summary that does not disclose the specific information or enable you to be identified)?

### DECLARATION

I confirm that the correspondence supplied with this cover sheet is a formal consultation response that Ofcom can publish. However, in supplying this response, I understand that Ofcom may need to publish all responses, including those which are marked as confidential, in order to meet legal obligations. If I have sent my response by email, Ofcom can disregard any standard e-mail text about not disclosing email contents and attachments.

Ofcom seeks to publish responses on receipt. If your response is non-confidential (in whole or in part), and you would prefer us to publish your response only once the consultation has ended, please tick here.

Name

Signed (if hard copy)

## A4. Consultation questions

- A4.1 We are inviting comments on the proposal to make the Wireless Telegraphy (Licence Charges) Regulations 2020.

Question 1: Do you have any comments on the Proposed Regulations?

Please provide the evidence that would support your comments on the proposals.

- A4.2 Comments on the Proposed Regulations are invited by 5pm on Friday 31, July 2020. Subject to consideration of responses we intend to bring the new Regulations into force in September 2020.

## A5. Draft Proposed Regulations

A5.1 The Proposed Regulations are available on [Ofcom's website](#).