

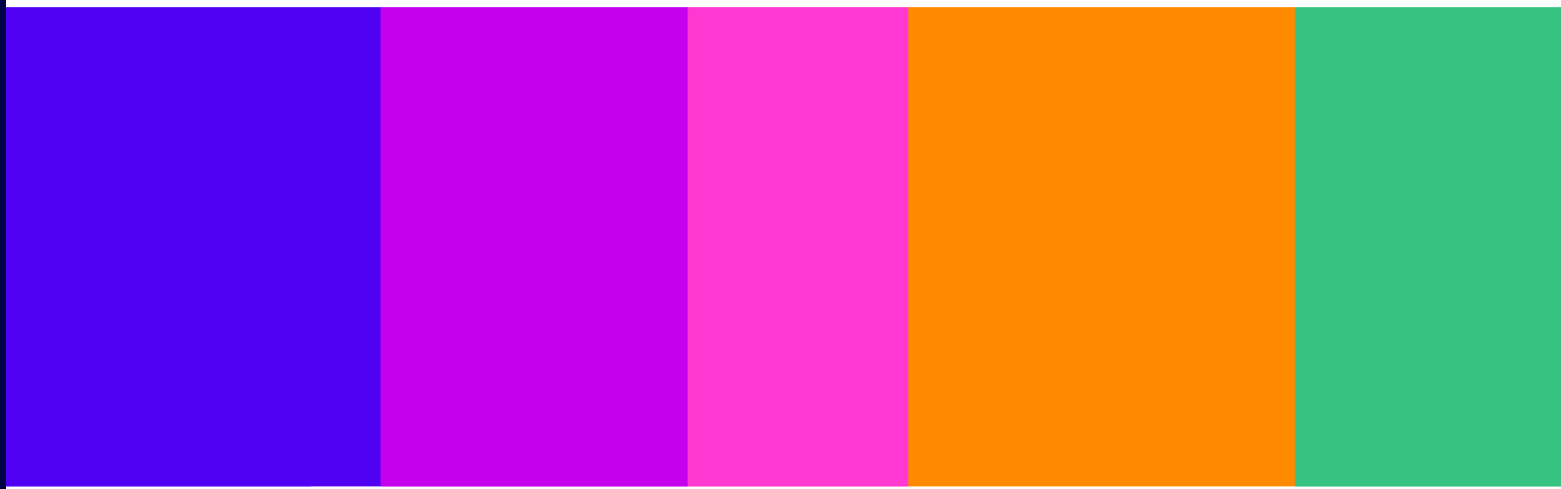
# Decision to make the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2024

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Implementing Ofcom's decision relating to fees for Wireless Telegraphy Act licences

**Statement**

Published 12 December 2024



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# 1. Overview

- 1.1 This document sets out Ofcom’s decision to make the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2024 (the “Regulations”). This decision follows our Statutory Notice entitled “[Notice of proposals to make the Wireless Telegraphy \(Licence Charges\) \(Amendment\) Regulations 2024](#)” published on 12 February 2024 (the “Notice”).
- 1.2 The Regulations come into force on **13 January 2025** and will amend the Wireless Telegraphy (Licence Charges) Regulations 2020 (the “2020 Regulations”) to reflect Ofcom policy decisions made following earlier consultations. The Regulations set out the changes to licence charges (fees) for some classes of Wireless Telegraphy Act 2006 (the “WT Act”) licences.
- 1.3 Unless stated in this document, all other licence charges in the 2020 Regulations remain unchanged.

## What we have decided – in brief

This statement confirms that, following publication of our [Notice](#), we have decided to make new regulations which will amend the existing 2020 Regulations in relation to certain classes of licence and their associated fees. The Regulations will come into force on 13 January 2025 and make the following changes:

**Introduce new fees for Shared Access licences in the 26 GHz and 40 GHz bands.** This follows Ofcom’s [decision](#) in September 2023 to extend our Shared Access framework, making low and medium power Shared Access licences available in the 26 GHz band (particularly 24.45-27.5 GHz) with effect from early 2025 and in the 40 GHz band (particularly 40.5-43.5 GHz) from 2028.

**Introduce a new licence product – Spectrum Access: (eLoran) licences.** This follows Ofcom’s [decision](#) in October 2023 to authorise use of the 90-110 kHz spectrum band for Enhanced Long-Range Navigation (eLoran) systems.

**Introduce a new licence product – Unmanned Aircraft Systems (UAS) Operator Radio Licence.** This follows Ofcom’s [decision](#) in December 2022 to introduce a new licence that will authorise the use of a range of radio equipment on drones.

**Remove the High Duty Cycle Network Relay Points licence product and associated fee.** This follows Ofcom’s [decision](#) in April 2021 to make equipment across the 870-874.4 MHz band exempt from the need to hold a licence.

- 1.4 Before deciding to make the Regulations, in accordance with the requirements of section 122(4) and (5) of the WT Act we published the Notice of our proposal to make them. The Notice also contained a draft of the Regulations (the “Proposed Regulations”) and we invited comments from stakeholders on whether the Proposed Regulations properly gave effect to the relevant policy decisions previously consulted upon.
- 1.5 Stakeholders had until Tuesday 12 March 2024 to make any comments. We received no stakeholder responses to the Notice. We have therefore decided to adopt the Regulations as proposed. An unofficial copy of the Regulations is set out in Annex 1 for indicative purposes, in the form submitted for registration and publication after they have been made by Ofcom. Copies of the Regulations can be obtained [here](#).

The overview section in this document is a simplified high-level summary only. The decisions we have taken and our reasoning are set out in the full document.

# 2. Background

## Introduction

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- 2.1 Ofcom is responsible for authorising use of the radio spectrum and achieves this by granting wireless telegraphy licences under the Wireless Telegraphy Act 2006 (the “WT Act”) and by making regulations exempting users of particular equipment from the requirement to hold such a licence. Under section 12 of the WT Act we must prescribe in regulations the sums payable in respect of wireless telegraphy licences other than those awarded by auction.
- 2.2 The power under section 12 of the WT Act enables us to recover the cost of administering and managing WT Act licences. However, section 13 of the WT Act permits us to recover sums greater than those which we incur in performing our spectrum management functions. This is termed Administered Incentive Pricing (“AIP”) and refers to prices for annual licence fees which are set above administrative costs to reflect a range of spectrum management objectives, in particular to provide incentives for licensees to use their spectrum more efficiently. This contributes to the discharge of our duties under section 3 of the WT Act which require us to efficiently manage the radio spectrum.

## Statutory Notice

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- 2.3 Before making any regulations, we are required by section 122(4) of the WT Act to give notice of our proposal to do so. Under section 122(5), 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 regulations or order may be obtained, and specify a time before which any representations with respect to the proposal must be made to Ofcom. That time must be at least one month beginning with the day after that on which the notice is given or published.
- 2.4 The Notice proposed the following changes to licence fees:
  - a) Introducing new fees for:
    - i) Shared Access licences in 26 GHz and 40 GHz. This follows Ofcom’s [decision](#) in September 2023 to make low and medium power Shared Access licences available in the 26 GHz band (particularly 24.45-27.5 GHz) with effect from 13 January 2025 and in the 40 GHz band (particularly 40.5-43.5 GHz) from 2028. Table 1 below sets out the fees that would be applied for licences in either band.

**Table 1: Fees per annum for Shared Access licences in 26 GHz and 40 GHz bands**

Bandwidth	Fee
Up to 100 MHz	£80
200 MHz	£160
400 MHz	£320

800 MHz	£640
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- ii) Spectrum Access: (eLoran) licences. This follows Ofcom’s [decision](#) in October 2023 to authorise use of the 90-110 kHz spectrum band for Enhanced Long-Range Navigation (eLoran) systems. The decision also confirmed that each licence would be subject to an annual licence fee of £200.
  - iii) Unmanned Aircraft Systems (UAS) Operator Radio Licence. This follows Ofcom’s [decision](#) in December 2022 to introduce a new licence that will authorise the use of a range of radio equipment on drones. The decision also confirmed that the licence would have an indefinite duration and would be subject to an annual fee of £75.
- b) The removal of the High Duty Cycle Network Relay Points licence product and associated fee. This follows Ofcom’s [decision](#) in April 2021 to make equipment across the 870-874.4 MHz band exempt from the need to hold a licence.

2.5 We published the Notice, meeting the statutory requirements on 12 February 2024. The Notice included a copy of the Proposed Regulations. The Notice gave any person or party who wished to do so until 12 March 2024 to make representations. In particular, we asked the following:

**Do you have any comments on the Proposed Regulations? Please provide evidence that would support your comments on the proposals.**

2.6 We received no stakeholder responses to the Notice, and therefore we have proceeded with making of the Regulations as set out in the proposed Notice.

# 3. Our decision to make the Regulations

## Scope of the Regulations

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### Ofcom's decision

- 3.1 On 10 December 2024 Ofcom decided to make the Regulations as proposed with minor amendments to clarify wording. This decision, based on the rationale set out in the Notice, will ensure that the Regulations will correctly implement Ofcom policy decisions and is not expected to negatively impact any groups sharing protected characteristics. We received no stakeholder responses to the Notice. The Regulations come into force on 13 January 2025. The general effect of the Regulations is summarised below.
- 3.2 In the February 2024 [consultation](#), we published a draft of the proposed regulation, along with our impact assessments (Annex 3) and explained its general effect, inviting stakeholders' views. We have not received any comments from stakeholders.

### Extent of application and entry into force of the Regulations

- 3.3 The Regulations will apply in the United Kingdom, the Channel Islands and the Isle of Man, subject to formal adoption by the Island Authorities.
- 3.4 The Regulations will come into force on 13 January 2025.
- 3.5 An unofficial copy of the Regulations is set out in Annex 1 for indicative purposes, in the form submitted for registration and publication as they have been made by Ofcom.

### Overall general effect

- 3.6 Regulation 2(2) sets out the fees payable in respect of Unmanned Aircraft Systems (UAS) Operator Radio Licences by adding a new entry under the heading 'Aircraft (Transportable)' in Schedule 2 (Licence Charges and Payment Intervals) of the 2020 Regulations. The fees for the licence will be £75, payable every 12 months.
- 3.7 Regulation 2(3)(a) removes the High Duty Cycle Network Relay Points licence, under Science and Technology, from the 2020 Regulations.
- 3.8 Regulation 2(3)(b) sets out the fees payable in respect of Enhanced Long Range Navigation (eLoran) licences by adding a new entry under the heading Science and Technology in Schedule 2 (Licence Charges and Payment Intervals) of the 2020 Regulations. For the purposes of the Regulations, the fees payable will be £200, payable every 12 months on the anniversary of the issue date.
- 3.9 Regulation 2(4) replaces the fees payable in respect of entry (d) under Shared Access (Low Power) licences under the heading Spectrum Access. For the purposes of the Regulations, the fees payable in respect of entry (d) will be £80 for each 100 MHz channel under a licence of use in the 26 GHz and 40GHz bands, payable every 12 months on the anniversary of the issue date.

- 3.10 Regulation 2(5) replaces the fees payable in respect of entry (d) under Shared Access (Medium Power) licences under the heading Spectrum Access. For the purposes of the Regulations, the fees payable in respect of entry (d) will be £80 for each authorisation under a licence of use up to a 100 MHz channel in the 24.45–27.5 GHz or 40.5-43.5 GHz bands, payable every 12 months on the anniversary of the issue date.



# A1. Final Draft of the Regulations

STATUTORY INSTRUMENTS

2024 No. 0000

## ELECTRONIC COMMUNICATIONS

### The Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2024

Made - - - - 10th December 2024

Coming into force 13th January 2024

The Office of Communications (“OFCOM”), in exercise of the powers conferred by sections 12, 13(2) and 122(7) of the Wireless Telegraphy Act 2006<sup>(1)</sup> (“the Act”), makes the following Regulations.

Before making these Regulations, OFCOM have given notice of their proposal to do so in accordance with section 122(4)(a) of the Act, published notice of their proposal in accordance with section 122(4)(b) of the Act, and have considered the representations made to them before the time specified in the notice in accordance with section 122(4)(c) of the Act.

#### Citation and commencement

1. These Regulations may be cited as the Wireless Telegraphy (Licence Charges) (Amendment) Regulations 2024 and shall come into force on 13th January 2025.

#### Amendments to the Wireless Telegraphy (Licence Charges) Regulations 2020

2.—(1) Schedule 2 (Licence Charges and Payment Intervals) to the Wireless Telegraphy (Licence Charges) Regulations 2020(2) shall be amended in accordance with paragraphs (2) to (5).

(2) Under the heading “Aeronautical”, after the licence class entry “Aircraft (Transportable)” insert the following entry—

Unmanned Aircraft Systems (UAS) Operator Radio Licence	£75		12 months
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(3) Under the heading “Science and Technology”—

(a) after the licence class “Ground Probing Radar” delete the following entry—

High Duty Cycle Network Relay Points	£75		12 months
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<sup>(1)</sup> 2006 c.36

<sup>(2)</sup> S.I. 2020/1068, as amended by S.I. 2021/1117, S.I. 2022/1310 and S.I. 2023/400

(b) after the licence class entry “Manually Configurable White Space Devices”, insert the following entry—

Enhanced Long Range Navigation (eLoran)	£200		12 months
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(4) Under the heading “Spectrum Access” in relation to the licence classes “Shared Access (Low Power)”, for paragraph (d), before the licence class entry “Shared Access (Medium Power)”, substitute the following entry—

		(d) £80 for each authorisation under a licence of use of a 100 MHz channel in the 24.45-27.5 GHz or 40.5-43.5 GHz bands.	12 months
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(5) Under the heading “Spectrum Access” in relation to the licence classes “Shared Access (Medium Power)”, before the licence class entry “Spectrum Access Offshore Mobile”, insert the following entry—

		(d) £80 for each authorisation under a licence of use of up to a 100 MHz channel in the 24.45-27.5 GHz or 40.5-43.5 GHz bands.	12 months
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10th December 2024

*Name*  
Group Director, Spectrum Group  
For and on behalf of the Office of Communications

### EXPLANATORY NOTE

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

These Regulations amend the Wireless Telegraphy (Licence Charges) Regulations 2020 (S.I. 2020/1068, as amended by SI 2021/1117, SI 2022/1310 and SI 2023/400) (“the 2020 Regulations”).

These Regulations introduce charges for wireless telegraphy licences within the Spectrum Access 26 GHz and 40 GHz licence class.

These Regulations also amend the 2020 Regulations to introduce charges for use of the 90-110 kHz spectrum band for Enhanced Long-Range Navigation (eLoran) systems, and the use of a range of radio equipment on drones also known as Unmanned Aircraft Systems (UAS).

A full regulatory impact assessment of the effect of these Regulations is available on OFCOM's website at [www.ofcom.org.uk](http://www.ofcom.org.uk). Hard copies of this assessment can be obtained free of charge by writing to OFCOM at Riverside House, 2a Southwark Bridge Road, London, SE1 9HA (tel. 020 7981 3000). Copies of this assessment have also been placed in the library of both Houses of Parliament.