



Government Circular No. 357/91

RADIO MASTS REGULATION ACT 1988

RADIO MASTS REGULATION ACT (FEES) ORDER 1991

In exercise of the powers conferred on the Communications Commission with the concurrence of the Treasury by section 4 of the Radio Masts Regulation Act 1988 (a), and of all other powers enabling it in that behalf, the following Order is hereby made:-

Citation commencement and interpretation

1. (1) This Order may be cited as the Radio Masts Regulation Act (Fees) Order 1991 and, subject to section 4(4) of the Act, shall come into operation on the 1st November 1991.

(2) In this Order; "the Act" means the Radio Masts Regulation Act 1988.

Fees

2. (1) Subject to the exceptions specified in article 3, -

- (a) the fee under section 4(2) of the Act in respect of an application for a licence, and
- (b) the further fee under section 4(3) of the Act,

shall be calculated in accordance with this article.

(2) Except where this article otherwise provides, no application fee or further fee shall be payable under the Act.

(3) In the case of a radio mast, if any charges are imposed in respect of the relevant period by the owner or operator of the mast for the use by a third party of that mast or an antenna on that mast for the purpose of transmitting or receiving radio waves, the application fee and further fee shall each be 15% of the aggregate amount of all such charges.

(4) In any case where the charge imposed on a third party by the owner or operator of a radio mast is less than £100 in any relevant period, that sum shall not be taken into account in calculating the licence fee payable in respect of the mast.

(a) 1988 c.11.

(5) If a radio mast owner has to pay to the landowner a site rental fee which is calculated by reference to the use of the radio mast by third parties, then for the purpose of calculating the application fee or further fee under subparagraph (3), the amount of the charges referred to in that subparagraph shall be treated as reduced by the amount of such relevant site rental.

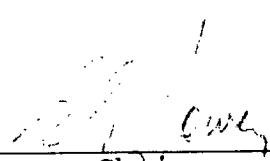
(6) In this article, the relevant period is -

- (a) in respect of a fee to be paid on an application for a licence, the 12 months following the grant of the licence;
- (b) in respect of a further annual fee, the year, or where the licence is valid for only part of a year, that part of the year, to which the licence applies.

#### Exceptions

3. Application fees and further fees under the Act shall not be payable in respect of the use of any radio mast and associated antennae for broadcasting terrestrial television services for general reception in the Island.

Made this 13th day of September 1991.

  
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Chairman of the  
Communications Commission

This Order was approved by Tynwald on 15th October 1991.

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order prescribes the application and annual fees for radio masts under the Radio Masts Regulation Act 1988. The fees are fixed by reference to the rental charges imposed by the owner on third parties using the mast.