



STATUTORY INSTRUMENTS

**S.I. No. 851 of 2007**



TELEVISION LICENCES REGULATIONS 2007

**(Prn. A7/2347)**

## TELEVISION LICENCES REGULATIONS 2007

I, EAMON RYAN, Minister for Communications, Energy and Natural Resources, in exercise of the powers conferred on me by sections 5 and 6(1) of the Wireless Telegraphy Act 1926 (No. 45 of 1926) and the Broadcasting (Transfer of Departmental Administration and Ministerial Functions) Order 2002 (S.I. No. 299 of 2002) (as adapted by the Communications, Marine and Natural Resources (Alteration of Name of Department and Title of Minister) Order 2007 (S.I. No. 706 of 2007)), and in so far as the following regulations relate to fees, with the consent of the Minister for Finance, hereby make the following regulations:

1. (1) These Regulations may be cited as the Television Licences Regulations 2007.

(2) These Regulations come into operation on 1 January 2008.

2. In these Regulations—

“direct debit” means payment to An Post by an arrangement between a licence holder and An Post through debiting an account held by the licence holder with a credit institution (within the meaning of the Consumer Credit Act 1995 (No. 24 of 1995));

“free licence” means a licence under the scheme administered by the Minister for Social and Family Affairs known as Household Benefits Package;

“licence” means a television licence;

“licence fee” means the fee prescribed under Regulation 6 for the grant or renewal of a licence;

“Minister” means Minister for Communications, Energy and Natural Resources;

“television licence” means a licence granted by the Minister under section 5 of the Wireless Telegraphy Act 1926 (No. 45 of 1926) to a person to keep and have possession of a television set (within the meaning of the Wireless Telegraphy Act 1972) in a specified place in the State or in a specified vehicle, ship or aircraft.

3. Licences shall be issued through An Post - The Post Office on behalf of the Minister and shall be attainable from An Post or any Post Office on application and payment of the fee (if any) prescribed by Regulation 6.

4. A licence shall be in the form set out in the Schedule and different forms may be used in respect of the different alternatives mentioned in the Schedule.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 4th January, 2008.*

5. A licence does not entitle the holder to receive broadcast matter from any relay service system or communal aerial system which had not been authorised to operate by the Minister.

6. (1) Subject to paragraph (3), a fee of €160 shall be paid on the grant or renewal of a licence.

(2) A fee payable under paragraph (1) shall be paid to An Post or, if obtained in a Post Office, in the Post Office in which the licence is obtained. The fee may be paid in cash or by cheque, postal money order, direct debit, by means of electronic mail or such other means as An Post decides.

(3) The fee prescribed in paragraph (1) shall not be charged to a person who is entitled to a free licence.

7. (1) Every licence (not being a licence granted by way of renewal) comes into force on the day on which it was granted and, unless sooner revoked by the Minister under Regulation 11, continues in force until the end of the eleventh month after the month in which it was granted.

(2) Every licence, granted by way of renewal of a previous licence, comes into force at whichever of the following times is the later, that is to say, the expiration of the previous licence or the grant of the renewal licence, and in every case, unless sooner revoked by the Minister under Regulation 11, continues in force from the time at which it so commences until the end of one year from the expiration of the previous licence.

(3) A licence is deemed to be granted by way of renewal of a previous licence where the licence—

(a) is granted to a person to whom the previous licence was granted,

(b) relates to the same specified place, ship or aircraft to which the previous licence related, and

(c) is granted within one month before or within 12 months after the expiration of the previous licence.

(4) A free licence expires—

(a) on the death of the licence holder, or

(b) where the holder is no longer entitled to a free licence.

8. The Minister, or An Post on behalf of the Minister, may amend any licence in such manner as appears to him or her or An Post to be proper in the circumstances and, in particular, may change the description of the place, vehicle, ship or aircraft to which it relates, or (for the purposes of correction) a date to which it relates.

9. A licence does not authorise the licence holder to—

- (a) keep or have possession of any apparatus for wireless telegraphy which is used or is capable of being used for sending or broadcasting sound or messages, or signals or visual images of any kind, or
- (b) charge a fee to the public in respect of the enjoyment of the use of the television set for which the licence is granted.

10. The holder of a licence shall observe the following conditions, and the licence is deemed to have been granted subject to those conditions, that is to say:

- (a) the holder shall—
  - (i) permit an officer of the Minister or An Post authorised in that behalf by the Minister or An Post, as the case may be, to enter at all reasonable hours the place, ship, vehicle or aircraft to which the licence relates and there to inspect all apparatus for wireless telegraphy then in such place, ship, vehicle or aircraft, and
  - (ii) produce the licence for inspection by the officer,
- (b) the holder, on being requested in writing by the Minister or An Post, shall forward the licence to such officer of the Minister or An Post, as the case may be, mentioned in the request,
- (c) the holder shall not work or use any television set kept under the licence in such manner that emission of electro-magnetic energy from it interferes with the working of or otherwise injuriously affects any apparatus for wireless telegraphy lawfully kept or worked by any other person,
- (d) whenever the holder changes permanently his or her postal address he or she shall, as soon as possible, give notice of the change (with full particulars of his or her new postal address) to the postmaster of the Post Office at which the licence was obtained or An Post, if it was obtained directly from An Post,
- (e) where the licence fee is being paid by the holder in instalment payments, the holder pays the amount of each instalment by the date due for payment.

11. (1) Whenever the Minister is satisfied that the holder of a licence has failed to observe any of the conditions subject to which the licence was granted or has done, in respect of a television set kept under the licence, any act (whether of commission or omission) which is a contravention of the Wireless Telegraphy Acts 1926 to 1988 or of these Regulations, the Minister may revoke the licence in whole or in part by notice in writing sent by post to the holder of the licence at the place to which the licence relates or the postal address of the holder or both.

(2) In addition to the power of revocation conferred by paragraph (1), the Minister may at any time—

- (a) revoke any particular licence in whole or in part by notice in writing sent by post to the holder of the licence—
  - (i) at the place (not being a vehicle or aircraft) to which the licence relates, or
  - (ii) at his or her postal address as stated in the licence or notified by him or her under Regulation 10(d), or
- (b) by notice published in the *Iris Oifigiúil*, revoke in whole or in part all licences for the time being in force or all such licences relating to places, vehicles, ships and aircraft within a specified district or area.

(3) The revocation of a licence under this Regulation does not operate to entitle the holder of the licence to a refund of the licence fee or any part of the fee paid by him or her on the grant of the licence.

12. The Television Licences Regulations 2006 (S.I. No. 404 of 2006) are revoked.

## SCHEDULE

Regulation 4

Wireless Telegraphy Act 1926

## Section 5

## Television Licence

Original

Renewal\*

Licence No. \_\_\_\_\_ Fee \_\_\_\_\_ \*\*

Name in full \_\_\_\_\_

Postal address

in full \_\_\_\_\_

The Minister for Communications, Energy and Natural Resources grants this licence to the above named person, subject to the holder observing the conditions contained in Regulation 10 of the Television Licences Regulations 2007 (S.I. No. \_\_\_\_\_ of 2007), to keep and have possession of a television set or television sets at the premises\* mentioned above\* in the vehicle bearing the vehicle registration number\* in the ship/ aircraft<sup>1</sup>\*mentioned below\*

Date — Stamp of

issuing office

from \_\_\_\_\_ to \_\_\_\_\_ \*\*\*

Issuing officer \_\_\_\_\_

Issued by An Post on behalf of the Minister for Communications, Energy and Natural Resources.

\*Delete inapplicable words

\*\*Insert amount standing prescribed under section 6(1) of the Wireless Telegraphy Act 1926.

\*\*\*e.g. from 1 January 2008 to 31 December 2008.

<sup>1</sup>In the case of a ship include the name of the ship and details of its registration and in the case of an aircraft include details of its type and identity.

The following note will appear on the back of the licence:

**Copyright:** *This licence does not authorise any infringement of copyright in the matter received.*

The following note should be included on the form if licence is paid by direct debit.

**Note:** *If you are paying for this licence by direct debit instalments, you must and it is a condition of this licence that you pay each instalment by the date due for the instalment.*

The Minister for Finance consents to the making of the foregoing Regulations in so far as they relate to fees.



GIVEN under my Official Seal,  
19 December 2007

BRIAN COWEN  
Minister for Finance.



GIVEN under my Official Seal,  
19 December 2007

EAMON RYAN  
Minister for Communications, Energy and Natural Resources.

EXPLANATORY NOTE

*(This note is not part of the instrument and does not purport to be a legal interpretation)*

The licence fee is increased from 1 January 2008 to €160 for a television licence. The Regulations set out the period for which a licence is in force and the terms and conditions to be observed by a licence holder. They also provide for methods of paying the licence fee.

They provide for one television licence for any television set, kept in a place specified in the licence.





IONSTRAIMÍ REACHTÚLA.

**I.R. Uimh. 851 de 2007**

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NA RIALACHÁIN UM CHEADÚNAIS TEILIFÍSE 2007

**(Prn. A7/2347)**

## NA RIALACHÁIN UM CHEADÚNAIS TEILIFÍSE 2007

I bhfeidhmiú na gcumhachtaí a thugtar dom le hait 5 agus 6(1) den Acht Radio-Thelegrafaíochta 1926 (Uimh. 45 de 1926) agus leis an Ordú Craolacháin (Riarachán Roinne agus Feidhmeanna Aire a Aistriú) 2002 (I. R. Uimh. 299 de 2002) (arna oiriúnú leis an Ordú Cumarsáide, Mara agus Acmhainní Nádúrtha (Ainm na Roinne agus Teideal an Aire a Athrú) 2007 (I. R. Uimh. 706 de 2007)), agus a mhéid a bhaineann na rialacháin seo a leanas le táillí, le toiliú an Aire Airgeadais, déanaimse, Éamon Ó Riain, Aire Cumarsáide, Fuinnimh agus Acmhainní Nádúrtha, leis seo na Rialacháin seo a leanas:

1. (1) Féadfar na Rialacháin um Cheadúnais Teilifíse 2007 a ghairm de na Rialacháin seo.

(2) Tiocfaidh na Rialacháin seo i ngníomh an 1 Eanáir 2008.

2. Sna Rialacháin seo—

ciallaíonn “dochar díreach” íocaíocht le An Post trí shocrú idir sealbhóir ceadúnais agus An Post chun cuntas shealbhóir ceadúnais le foras creidmheasa (de réir bhrí an Achta um Chreidmheas do Thomhaltóirí 1995 (Uimh. 24 de 1995)) a chur de dhochar;

ciallaíonn “ceadúnas saor in aisce” ceadúnas faoin scéim dá ngairtear Pacáiste Sochar Teaghlaigh arna riaradh ag an Aire Gnóthaí Sóisialta agus Teaghlaigh;

ciallaíonn “ceadúnas” ceadúnas teilifíse;

ciallaíonn “táille cheadúnais” an táille a fhorordaítear faoi Rialachán 6 le haghaidh ceadúnais a dheonú nó a athnuachan;

ciallaíonn “Aire” an tAire Cumarsáide, Fuinnimh agus Acmhainní Nádúrtha;

ciallaíonn “ceadúnas teilifíse” ceadúnas arna dheonú ag an Aire faoi alt 5 den Acht Radio-Thelegrafaíochta 1926 (Uimh. 45 de 1926) do dhuine chun teilifíseán (de réir bhrí an Achta Raidio-Theileagrafaíochta 1972) a choimeád agus a bheith ina sheilbh nó ina seilbh in áit shonraithe sa Stát nó i bhfeithicil shonraithe, long shonraithe nó aerárthach sonraithe.

3. Eiseofar ceadúnais trí An Post-Oifig an Phoist thar cheann an Aire agus beidh siad infhaighte ó An Post nó ó aon Oifig an Phoist ar iarratas a dhéanamh chuige sin agus tríd an táille (más ann) a fhorordaítear le Rialachán 6 a íoc.

4. Is san fhoirm atá leagtha amach sa Sceideal a bheidh ceadúnas agus is féidir foirmeacha éagsúla a úsáid maidir leis na malartuithe éagsúla a luaitear sa Sceideal.

*Foilsíodh fógra san “Iris Oifigiúil” an 4ú lá de d’ Eanáir, 2008 á rá go ndearnadh an Ionstraim Reachtuil seo.*

5. Ní thugann ceadúnas teideal don sealbhóir ábhar craolta a ghlacadh ó aon chóras seirbhíse leaschraolta nó ó aon chóras aeróige pobail nach raibh cead feidhmithe aige atá údaraithe ag an Aire.

6. (1) Faoi réir mhír (3), beidh táille €160 le híoc ar cheadúnas a dheonú nó a athnuachan.

(2) Déanfar táille atá iníoctha faoi mhír (1) a íoc le An Post nó, má fhaightear an cheadúnas in Oifig an Phoist, íocfar an táille san Oifig an Phoist ina bhfaightear é. Féadfar an táille a íoc in airgead tirim nó le seic, le hordú airgid poist, le dochar díreach, trí bhíthin poist leictreonaigh nó ar cibé modh eile a chinnfidh An Post.

(3) Ní dhéanfar an táille atá forordaithe i mír (1) a ghearradh ar dhuine atá i dteideal ceadúnais saor in aisce.

7. (1) Tagann gach ceadúnas (nach ceadúnas é a dheonaítear ar mhodh athnuachana) i bhfeidhm ar an lá a deonaíodh é agus, mura gcúlghaireann an tAire é níos luaithe faoi Rialachán 11, leanann sé i bhfeidhm go dtí deireadh an aonú mhí déag i ndiaidh na míosa inar deonaíodh é.

(2) Gach ceadúnas, a dheonaítear ar mhodh athnuachana ar cheadúnas roimhe, tagann sé i bhfeidhm ag cibé acu de na tráthanna seo a leanas is déanaí, is é sin le rá, tráth éagtha an cheadúnais roimhe nó tráth deonaithe an cheadúnais athnuaithe agus, i ngach cás, mura gcúlghaireann an tAire é níos luaithe faoi Rialachán 11, leanann sé i bhfeidhm ón tráth a thosaíonn sé amhlaidh go dtí deireadh bliana amháin ó thráth éagtha an cheadúnais roimhe.

(3) Meastar ceadúnas a bheith deonaithe ar mhodh athnuachana ceadúnais roimhe más rud é maidir leis an gceadúnas—

(a) go ndeonaítear é do dhuine dár deonaíodh an ceadúnas roimhe,

(b) go mbaineann sé leis an áit shonraithe chéanna, leis an long shonraithe chéanna nó leis an aerárthach sonraithe céanna ar bhain an ceadúnas roimhe, agus

(c) go ndeonaítear é laistigh de mhí roimh thráth éagtha an cheadúnais roimhe nó laistigh de 12 mhí i ndiaidh don cheadúnas roimhe dul in éag.

(4) Téann ceadúnas saor in aisce in éag—

(a) Ar bhás an shealbhóir ceadúnais, nó

(b) i gcás nach bhfuil an sealbhóir i dteideal ceadúnais saor in aisce a thuilleadh.

8. Féadfaidh an tAire, nó féadfaidh An Post thar ceann an Aire, aon cheadúnas a leasú i gcibé slí is cuí dar leis nó léi nó is cuí dar le An Post sna himthosca agus, go háirithe, féadfaidh sé nó sí nó an Post an tuairisc ar an áit,

ar an bhfeithicil, ar an long nó ar an aerárthach lena mbaineann sé a athrú, nó (ar mhaithe le ceartúchán) dáta lena mbaineann sé a athrú.

9. Ní thugann ceadúnas údarás don sealbhóir ceadúnais—

- (a) aon ghléas le haghaidh raidió-theileagrafaíochta, ar gléas é a úsáidtear nó atá inúsáidte chun fuaim nó teachtaireachtaí, nó comharthaí nó amharc-íomhánna d'aon chineál a sheoladh nó a chraoladh, a choiméad nó a bheith ina sheilbh nó ina seilbh, nó
- (b) táille a ghearradh ar an bpobal i dtaca le taitneamh a bhaint as úsáid an teilifíseáin dár deonaíodh an ceadúnas ina leith.

10. Déanfaidh sealbhóir ceadúnais de réir na gcoinníollacha seo a leanas agus meastar an ceadúnas a bheith deonaithe faoi réir na gcoinníollacha sin, is é sin le rá:

- (a) tabharfaidh an sealbhóir
  - (i) cead d'oifigeach de chuid an Aire nó de chuid An Post atá údaraithe chuige sin ag an Aire nó ag An Post, de réir mar a bheidh, dul isteach gach tráth réasúnach san áit, sa long, san fheithicil nó san aerárthach, lena mbaineann an ceadúnas agus iniúchadh a dhéanamh ansin ar gach gléas le haghaidh raidió-theileagrafaíochta atá san áit, sa long, san fheithicil nó san aerárthach sin an tráth sin, agus
  - (ii) an ceadúnas ar aird le scrúdú ag an oifigeach,
- (b) ar iarratas a fháil i scríbhinn ón Aire nó ó An Post, cuirfidh an sealbhóir an ceadúnas ar aghaidh chuig an oifigeach sin de chuid an Aire nó An Post, de réir mar a bheidh, a luaitear san iarratas.
- (c) ní oibreoidh ná ní úsáidfidh an sealbhóir aon teilifíseán a choimeádtar faoin gceadúnas ar shlí ina gcuireann astaíocht fuinnimh leictreamaighnéadaigh uaidh isteach ar oibriú aon ghléis le haghaidh raidió-theileagrafaíochta a choimeádann nó a oibríonn aon duine eile go dleathach, nó ar shlí ina ndéantar díobháil ar chaoi eile d'aon ghléas den sórt sin;
- (d) aon uair a athraíonn an sealbhóir a sheoladh poist nó a seoladh poist buan tabharfaidh sé nó sí fógra maidir leis an athrú, a luaithe is féidir (mar aon le sonraí iomlána faoina sheoladh poist nó faoina seoladh poist nua), do mháistir poist Oifig an Phoist ina bhfuarthas an ceadúnas nó do An Post, má fuarthas é go díreach ó An Post,

- (e) i gcás an táille cheadúnais a bheith á híoc ag an sealbhóir ina tráthchodanna, íocfaidh an sealbhóir suim gach tráthchoda faoin dáta atá an íocaíocht dlite.

11. (1) Aon uair a bhíonn an tAire sásta gur mhainnigh sealbhóir ceadúnais déanamh de réir aon cheann de na coinníollacha ar faoina réir a deonaíodh an ceadúnas nó go ndearna sé nó sí, maidir le teilifíseán a choimeádtar faoin gceadúnas, aon ghníomh (cibé acu tríd an ngníomh a dhéanamh nó gan a dhéanamh) ar gníomh é is sárú ar na hAchtanna Raidio-Thelegrafaíochta 1926 go 1988 nó ar na Rialacháin seo, féadfaidh an tAire an ceadúnas a chúlghairm go hiomlán nó go páirteach trí fhógra i scríbhinn a chur leis an bpost chuig an sealbhóir ceadúnais ag an áit lena mbaineann an ceadúnas nó ag seoladh poist an tsealbhóra nó ag an áit agus an seoladh araon.

(2) I dteannta na cumhachta chun cúlghairm a dhéanamh a thugtar le mír (1) féadfaidh an tAire aon tráth—

- (a) aon cheadúnas áirithe a chúlghairm go hiomlán nó go páirteach trí fhógra i scríbhinn a chur leis an bpost chuig sealbhóir an cheadúnais—

(i) ag an áit (nach feithicil nó aerárthach í) lena mbaineann an ceadúnas, nó

(ii) ag a sheoladh nó a seoladh poist mar a luaitear sa cheadúnas nó mar atá curtha in iúl aige nó aici faoi Rialachán 10(d), nó

- (b) trí fhógra arna fhoilsiú san Iris Oifigiúil, na ceadúnais go léir atá i bhfeidhm de thuras na huairé nó na ceadúnais go léir den sórt sin a bhaineann le háiteanna, feithiclí, longa agus aerárthaí laistigh de cheantar nó limistéar sonraithe a chúlghairm go hiomlán nó go páirteach.

(3) Ní oibríonn cúlghairm ceadúnais faoin Rialachán seo chun teideal a thabhairt don sealbhóir ceadúnais aisíoc a fháil den táille cheadúnais nó d'aon chuid den táille a d'íoc sé nó sí nuair a deonaíodh an ceadúnas.

12. Cúlghairtear na Rialacháin um Cheadúnais Teilifíse 2006 (I.R. Uimh.404 de 2006).

## AN SCEIDEAL

## AN tACHT RADIO-THELEGRAFAÍOCHTA 1926

## Alt 5

## Ceadúnas Teilifíse

Nua

Athnuachan\*

Uimh. an Cheadúnais: \_\_\_\_\_ Táille: \_\_\_\_\_ \*\*

Ainm go hIomlán \_\_\_\_\_

Seoladh Poist Iomlán: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Deonaíonn an tAire Cumarsáide, Fuinnimh agus Acmhainní Nádúrtha an ceadúnas seo don duine thuasluaite, faoi réir an sealbhóir do dhéanamh de réir na gcoinníollacha i Rialachán 10 de na Rialacháin um Cheadúnais Teilifíse 2007 (I.R. Uimh. xxx de 2007), chun teilifíseán nó teilifíseáin a choimeád agus a bheith ina sheilbh nó ina seilbh ag an áitreabh\* thuasluaite\* san fheithicil leis an uimhir chláráithe feithicle\* sa long/ san aerárthach<sup>1</sup>\* a luaitear thíos\*

ó-----go -----\*\*\*

Stampa Dáta an  
oifig eisiúna

<sup>1</sup>I gcás loinge tabhair ainm na loinge agus sonraí faoina clárú agus i gcás aerárthaigh tabhair sonraí faoina chineál agus a chéannacht.

Oifigeach eisiúna -----

Arna eisiúint ag An Post thar ceann an Aire Cumarsáide, Fuinnimh agus Acmhainní Nádurtha.

\* Scrios amach na focail nach n-oireann

\*\* Cuir isteach an tsuim atá forordaithe faoi alt 6 (1) den Acht Radio-Thelegrafaíochta 1926.

\*\*\* e.g. ó 1 Eanáir 2008 go 31 Nollaig 2008.

Taispeánfar an nóta seo a leanas ar chúl an cheadúnais:

**Cóipcheart:** *Ní údaraítear leis an gceadúnas seo aon sárú a dhéanamh ar chóipcheart san ábhar a ghlactar.*

Ba chóir an nóta seo a leanas a bheith ar an bhfoirm má íoctar as ceadúnas trí dhochar díreach.

**Nóta:** *Má tá tú ag íoc as an gceadúnas seo i dtráthchodanna trí dhochar díreach, ní foláir duit, agus is coinníoll é de chuid an cheadúnais seo, gach tráthchuid a íoc faoin dáta atá an tráthchuid iníoctha.*

<sup>1</sup>In the case of a ship include the name of the ship and details of its registration and in the case of an aircraft include details of its type and identity.

Toilíonn an tAire Airgeadais leis na Rialacháin sin roimhe seo a dhéanamh a mhéid a bhaineann siad le táillí.



ARNA THABHAIRT faoi mo Shéala Oifigiúil,  
An 19 lá de Nollaig 2007.

BRIAN COWEN.  
Aire Airgeadais.



ARNA THABHAIRT faoi mo Shéala Oifigiúil,  
An 19 lá de Nollaig 2007.

EAMON RYAN.  
Aire Cumarsáide, Fuinnimh agus. Acmhainní Nádúrtha.



## NÓTA MÍNIÚCHÁIN

*(Ní cuid den ionstraim é an nóta seo ná ní ceart a mheas gur míniú dlíthiúil uirthi é)*

Déantar an táille cheadúnais a mhéadú ón 1 Eanáir 2008 go €160 le haghaidh ceadúnais teilifíse. Leagtar amach sna Rialacháin an tréimhse a mbeidh feidhm ag an gceadúnas lena linn agus na téarmaí agus na coinníollacha atá le comhlíonadh ag sealbhóir ceadúnais. Déantar foráil leo freisin maidir le modhanna chun íoc as an táille cheadúnais.

Déantar foráil leo le haghaidh ceadúnais teilifíse amháin d'aon teilifíseán, a choimeádtar in áit a shonraítear sa cheadúnas.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2  
nó tríd an bpost ó  
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51 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
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