



Information Policy & Compliance

bbc.co.uk/foi

Ivana Taylor

Request-19553-f6594e1b@whatdotheyknow.com

2nd November 2009

Dear Ms Taylor,

Request for Information – RFI20091387

Thank you for your request of 6th October citing the Freedom of Information Act 2000. In your request you stated the following:

‘As a law abiding citizen, is it lawful for the BBC to extract a TV licence fee from me, when it is a well know fact that the BBC is in breach of its own charter, and therefore has no legal premise on which to demand this fee?’

The BBC has been taking funds from the EU and has become a propaganda machine for the EU and its agendas. In order to legally extract the licence fee the BBC must stick to its own charter and be independent I this not so?’

Please note that the Freedom of Information Act (‘the Act’) applies to *recorded information held by the BBC*. It therefore does not oblige the BBC to answer questions of policy unless the answer to the question is held in the form of recorded information.

We are not entirely clear what recorded information you are seeking. You refer to a breach of the BBC’s charter so it appears that you may wish to make a complaint, as opposed to asking for recorded information.

If you wish to make a complaint about TV Licensing, for example about issues you have experienced as a TV Licensing customer or concerns you have about the way in which the Licence Fee is collected, please outline the nature of your complaint and the reasons for your complaint clearly in writing and send it to:

Head of Revenue Management
Room 4436, White City 201



Wood Lane
London
W12 7TS

However if you have a complaint about an aspect of the management of the BBC, a specific programme, or an editorial matter, further details on the BBC's complaints process can be found at the following link:
<http://www.bbc.co.uk/complaints/homepage/>

In respect of EU funding, you may find the attached response to a previous FOI request useful. It explains the circumstances in which the BBC may receive funding from the EU.

With respect to the requirement to pay the licence fee, I can tell you that Section 363 of the Communications Act 2003 (the Act) makes it an offence to install or use a television receiver to watch or record any television programmes as they're being shown on television without a valid TV Licence. Section 365(5) sets out the statutory duty on the BBC to collect the licence fee.

Since 1991, collection and enforcement of the licence fee has been the responsibility of the BBC in its role as the Licensing Authority. "TV Licensing" is a trade mark of the BBC and is used under licence by various companies contracted by the BBC to administer the collection of television licence fees and enforcement of the television licensing system. The BBC Charter requires that the arrangements for the collection of the licence fee are efficient, appropriate and proportionate.

If this does not answer your question, please let us know the specific recorded information that you are seeking.

Appeal Rights

If you are not satisfied with this response you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address above, explaining what you would like us to review and including your reference number. If you are not satisfied with the internal review, you can appeal to the Information Commissioner. The contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, telephone 01625 545 700 or see <http://www.ico.gov.uk/>

Kind regards

Louise Wright
Advisor, BBC Information Policy & Compliance