



Information Policy & Compliance
bbc.co.uk/foi

Melizza Moore
Via email: request-91355-397640fa@whatdotheyknow.com

17th November 2011

Dear Ms Moore,

Request for Information – RFI20111322

Thank you for your request of 28th October 2011 under the Freedom of Information Act 2000 ('the Act') seeking the following information:

*Can you tell me what the £145 colour license fee actually pays for.
And the crucial question does it really pay for all those unnessarcary repeats when the world has lplayer, catch up T.V and the general internet to watch programmes. And on reading the telecommunications act does it NOT make it a criminal offence to access the web to watch T.V. That T.V license officials think it is okay to intimidate the public.*

Please note that "TV Licensing" is a trade mark used by companies contracted by the BBC to administer the collection of television licence fees and enforcement of the television licensing system. The majority of the administration of TV Licensing is contracted to Capita Business Services Ltd (which undertakes the majority of the administration of the TV Licensing system), with the administration of our cash related payment schemes contracted to iQor UK Limited. PayPoint Network Ltd and PayPoint Collections Ltd are contracted to provide over-the-counter services. Marketing and printing services are contracted to Proximity London Ltd as are public relations and advertising services. The latter are subcontracted by Proximity to Fishburn Hedges Boys Williams Ltd, Abbott Mead Vickers BBDO Ltd and PHD Media Ltd. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

In response to the first part of your request, details on the BBC's expenditure can be found in the BBC's Annual Report and Accounts which are available for download at the following link:
<http://www.bbc.co.uk/annualreport/download/index.shtml>

In the second part of your request you ask "does it NOT make it a criminal offence to access the web to watch T.V. That T.V license officials think it is okay to intimidate the public."

The Act gives a right of access to recorded information held by public authorities (as defined in section 3 of the Act). However public authorities are under no obligation to create new information to respond to a request.

We do not consider the second part of your request to fall within your entitlement under the Act to be informed whether the BBC holds and be provided with existing recorded information of the type described. However as we are mindful of the duty under Section 16 of the Act to provide advice and assistance I am happy to respond as follows to your query.

Information about TV Licensing and the law can be found at the following link:

<http://www.tvlicensing.co.uk/about/legislation-and-policy-AB9>

There is also lots of further information on our website which explains what your licence covers you to do:

<http://www.tvlicensing.co.uk/check-if-you-need-one/topics/understanding-your-tv-licence-TOP3/>

<http://www.tvlicensing.co.uk/check-if-you-need-one/topics/technology--devices-and-online-TOP8/>

To be helpful I have provided the most relevant extracts from the above referenced web-pages below.

The requirement to hold a TV Licence and to pay a fee for it is mandated by law under the Communications Act 2003 and Communications (Television Licensing) Regulations 2004. Part 4 of the Communications Act 2003 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.

You need a TV Licence if you watch or record TV programmes as they are being shown on TV, regardless of which channel you are watching, what device you are using (for example TV, computer or laptop, mobile phone or any other device) or how you are receiving the transmission (for example via terrestrial, satellite, cable, the Internet or any other method).

If you only watch catch-up services online, then you do not need a TV licence. For example, you don't need a TV Licence to use BBC iPlayer, or ITV player, to catch up on programmes after they have been shown on TV.

We do not agree that TV Licence officials intimidate the public. If you have a specific complaint you would like investigated, please write to: TV Licensing, Bristol, BS98 1TL

I would refer you to the Information Commissioner's Office website for further information about Freedom of Information requests: http://www.ico.gov.uk/for_the_public/official_information.aspx.

Appeal Rights

If you are not satisfied that the BBC has complied with the Act in responding to your request 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 under the Act 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
Senior Policy Advisor, Licence Fee Unit