



Information Policy & Compliance

[bbc.co.uk/foi](http://bbc.co.uk/foi)      [bbc.co.uk/privacy](http://bbc.co.uk/privacy)

Ms Sarah Goldsmith

Via email: [request-143015-0796b42a@whatdotheyknow.com](mailto:request-143015-0796b42a@whatdotheyknow.com)

16 January 2013

Dear Ms Goldsmith,

**Request for Information – RFI20121524**

I write in relation to your request for information contained in your letter dated 28<sup>th</sup> November to the Head of Revenue Management, TV Licensing.

Please note that you will receive a separate response to your substantive complaint. This response addresses your request under the Freedom of Information Act 2000 ('the Act') seeking the following information:

*"Published information appears confusing, so please would you confirm for me the following, within the framework of the FOI ACT?"*

*A YES or NO answer will be ideal...*

*1) Is a BBC TV license required when a television set is used ONLY to receive digital radio?*

*2) Is a BBC TV license required when a television receives live programming from stations OTHER THAN BBC?*

*3) If a TV owner pledges NEVER to tune into LIVE BBC broadcasts (as per iPlayer etc) is a BBC TV license required?"*

Please note that "TV Licensing" is a trade mark of the BBC and is used under licence 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 ('Capita'). Over-the counter services are provided by PayPoint plc ('PayPoint') in the UK mainland and Northern Ireland, and by the Post Office in the Isle of Man and Channel Islands. Marketing and printing services are contracted to Proximity London Ltd. Media services are contracted to Mediaedge:CIA International Limited ("MEC"). The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

Firstly, I should explain that the Freedom of Information Act gives individuals a right of access to *recorded* information held by a public authority. Whilst Questions 1 and 2 are really queries, rather than requests for recorded information, I am happy to respond to them as such.

#### **Question 1**

I can tell you that you do not need a TV licence if you only use a TV to listen to digital radio broadcasts and not to watch or record television programmes as they are being shown.

You may be interested to note that your specific question is answered in the statement on the TV Licensing website under the FAQ "Is a TV Licence required for listening to digital radio broadcasts?" at the following link:

<http://www.tvlicensing.co.uk/about/foi-administering-the-tv-licensing-system-part-1-AB19/>

#### **Question 2**

I can tell you that you need a TV Licence regardless of which television channels you receive and how you receive them (terrestrial, satellite, cable and the internet). As you may be aware, using a TV or any other device (for example, computers, laptops, mobile phones, games consoles, digital boxes and DVD/VHS) to watch or record television programmes as they are being shown on TV without a valid TV Licence is against the law and could lead to prosecution and a fine of up to £1,000

#### **Question 3**

The Act generates a right of access to recorded information. As this is a hypothetical question, this question falls outside of the scope of the Act.

However, as you have mentioned BBC iPlayer, I should explain that if you use the BBC iPlayer to watch TV programmes at the same time as they are being shown on TV (live) then you will need a valid TV Licence. If you only use on demand services (including the BBC iPlayer) to watch programmes after they have been broadcast then you will not need a TV Licence.

#### **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/>

Yours sincerely

Rupinder Panesar

**Freedom of Information Advisor, TV Licensing Management Team**