

Information Policy & Compliance bbc.co.uk/foi

P Foomer

9th June 2009

Dear Mr Foomer

Your request for Information - RFI20090805

Thank you for your request of 27th May 2008 under the Freedom of Information Act 2000 seeking the following information:

"Please inform me of any subliminal broadcasts transmitted on any of your television or radio channels, with dates and times.

Please inform me of the shortest permissible video sequence duration allowable within any television broadcast"

Your request falls outside the scope of the Act because the BBC and the other public service broadcasters are covered by the Act only in respect of information held for purposes "other than those of journalism, art or literature" (see Schedule I, Part VI of the Act). We are not therefore obliged to supply information held for the purposes of creating the BBC's output or information that supports and is closely associated with these creative activities. Information which is not subject to disclosure under the Act because of Schedule I might otherwise be exempt from disclosure because of the application of other provisions of the Act.

However you may be interested to know that the BBC prohibits the use of images of brief duration in its editorial guidelines. Please see the attached link below:

http://www.bbc.co.uk/guidelines/editorialguidelines/edguide/harm/imagesofverybri.shtml

For more information about how the Act applies to the BBC please see www.bbc.co.uk/foi. Please note that this guidance is not intended to be a comprehensive legal interpretation of how the Act applies to the BBC.

The BBC makes a huge range of information available about our programmes and content on bbc.co.uk. We also proactively publish information covered by the Act on our publication scheme and regularly handle requests for information under the Act.



Appeal Rights

The BBC does not offer an internal review when the information requested is not covered by the Act. If you disagree with our decision you can appeal to the Information Commissioner. Contact details are: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF telephone 01625 545 700. http://www.ico.gov.uk

Yours sincerely,

Beverley Salt
Business Information Manager, BBC Vision