



Information Rights

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

Tyrone Armatage

Via email: [request-456843-d81d3293@whatdotheyknow.com](mailto:request-456843-d81d3293@whatdotheyknow.com)

9 February 2018

Dear Mr Armatage

**Request for Information – RFI20180066**

Thank you for your request of 12<sup>th</sup> January 2018 under the Freedom of Information Act 2000 ('the Act') seeking the following information:

*"If the BBC suspect a householder is watching tv without a licence and then obtain a search warrant to enter that persons property. On entering that property how can proof be obtained that they are watching live TV without a licence if..."*

*A: The TV is turned off.*

*Or*

*B: The TV is turned on and the occupier is watching a film on catchup TV but not on any BBC channels.*

*Also*

*C: If an occupier is watching catchup tv (not BBC channels) and their cat or dog accidentally stands on the remote control and switches channels to the BBC for a few seconds. Does that occupier then require a tv licence?"*

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 ('Capita'). Over-the-counter services are provided by PayPoint plc ('PayPoint') in the UK, 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 Media Planning Limited trading as Havas Media UK. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

Please be advised that the Act gives a general right of access to all types of recorded information held by public authorities; and we are not required to create new information to respond to a request, or give a judgement or opinion that is not already recorded. Requests predicated on hypothetical scenarios fall outside the scope of the Act and therefore we are not required to provide you with a response.

I am mindful of our duty to advise and assist you under section 16 of the Act and can tell you that general information on TV Licensing's use of search warrants is available on our website at the following web page: <http://www.tvlicensing.co.uk/about/foi-administering-the-licence-fee-AB20>. Whilst we do publish some information about how we enforce the licence, we consider that more specific details about these activities to be exempt from disclosure under section 31 of the Act which relates to law enforcement.

### **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 SK9 5AF. Tel: 0303 123 1113 (local rate) or 01625 545 745 (national rate) or see <http://www.ico.gov.uk/>.

Kind regards

Rupinder Panesar

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

