



Information Policy & Compliance  
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Mr M. Whitfield  
Via email: [request-340499-4ef8e396@whatdotheyknow.com](mailto:request-340499-4ef8e396@whatdotheyknow.com)

31<sup>st</sup> January 2017

Dear Mr Whitfield

**Request for Information – RFI20161218**

**Internal Review – IR2016058**

I refer to Nicola Cain's Internal Review of your Freedom of Information request RFI20161218 dated 13<sup>th</sup> December 2016 which concluded that the BBC correctly applied section 12 of the Act to your request.

In light of the finding that we could have provided you with further advice and assistance in line with section 16 of the Act, I am providing you with additional advice and guidance in relation to parts 1, 2 and 3 of your request. Please note that Nicola Cain has already confirmed that no recorded information exists in relation to part 4 of your request.

**Request 1 - Any official/published statements made by the BBC on the remit of TV Licensing**

In addition to the information available on the TV Licensing which was signposted in my original response, may I also refer you to the TV Licensing Annual Reviews which have been published on the TV Licensing website since 2007: <http://www.tvlicensing.co.uk/about/our-performance-AB6>.

**Request 2 - Any internal references to, or discussion of Legislation (or lack thereof) concerning the remit of TV Licensing**

Given the breadth of this part of your request, it is not possible to advise you as to the type of information that could be provided within the section 12 limit without knowing what aspects you are specifically interested in. As such, if you were to specify which particular issue in relation to TV Licensing's remit you are interested in and narrow this request to the last 6 months, we would be happy to consider a revised request.

**Request 3 - Any information pertaining to TV Licensing and the compliance of its activities and remit with Article 8 of the Human Rights Act**

Please be advised that if recorded information relevant to this part of your request exists, it is likely to be held by the BBC Executive and/or BBC Legal rather than TV Licensing. When considering how to refine your request to bring it within the section 12 limit, may I suggest that you consider specifying a time period to

which it relates. However, please note that requests defined by the Section 12 cost limit e.g. *I would like as much information about X as you can provide within the cost limit* are invalid under section 8(1)(c) of the Act<sup>1</sup> because their scope is determined by the extent of the search a public authority can carry out within those limits, rather than the distinguishing characteristics of the information itself.

## **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**

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<sup>1</sup> <https://ico.org.uk/media/1164/recognising-a-request-made-under-the-foia.pdf>

