



Information Policy and Compliance
bbc.co.uk/foi

13 April 2007

Dear Mr ,

Freedom of information request – RFI2007000351

Thank you for your request under the Freedom of Information Act 2000 (“the Act”) dated 4 April 2007, seeking information from the BBC about search warrants in relation to television licensing. In your request you asked the following:

In regards to TV licensing procedure. Could you confirm that a search warrant can only be granted if a magistrate is satisfied that reasonable evidence exists that an offence is being committed, and that a search warrant cannot be granted simply on the basis of non cooperation with BBC TVL?

TV Licensing does not consider search warrant applications except as a last resort and only then when legal advisors agree there is good reason to believe that an offence has been committed.

In order to apply for a search warrant, TV Licensing must have reasonable cause to believe that television equipment is being used for the purpose of viewing or recording television programme services without a current licence of the appropriate type. They may then apply to the local magistrates for a search warrant, who will consider their reasons before giving agreement or otherwise.

A search warrant would never be applied for based solely on non co-operation with TV Licensing.

Further information regarding the BBC’s policy in relation to search warrants is outlined in the document *About TV Licensing*, available at http://www.tvlicensing.co.uk/pdfs/40115_BBC_Freedom_of_Info.pdf?r_exit_link=d_pdf_download.



INVESTOR IN PEOPLE

Please note that “TV Licensing” is a trading name 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 Revenues Management Services Ltd (RMS). PayPoint Network Ltd and PayPoint Collections Ltd are contracted to provide over-the-counter services. The marketing and public relations activities are contracted to the AMV Consortium. The consortium is made up of the following four companies: Abbott Mead Vickers BBDO Ltd, Fishburn Hedges Boys Williams Limited, PHD Media Limited and Proximity London Ltd. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility.

Appeal rights

If you are not satisfied with this response you have the right to an internal review by a BBC senior manager or legal adviser. Please contact us at the address provided, explaining what you would like us to review 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/>

I hope this response is helpful.

Yours sincerely,

Natalie Saunderson
Policy Adviser
BBC TV Licensing Management Team