



Information Policy & Compliance  
[bbc.co.uk/foi](http://bbc.co.uk/foi)

Via email: [request-12516-9e1aa14f@whatdotheyknow.com](mailto:request-12516-9e1aa14f@whatdotheyknow.com)

24<sup>th</sup> June 2009

Dear Sir/Madam,

### **Freedom of information request – RFI20090807**

Thank you for your request received on 27<sup>th</sup> May 2009 seeking information about TV Licensing. Your request is being dealt with under the Freedom of Information Act 2000 (“the Act”).

It may be helpful if I first explain the nature of the relationship between TV Licensing and the BBC. ‘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 administration is contracted to Capita Business Services Ltd., with cash related payment schemes contracted to Revenues Management Services Ltd. Over-the-counter services are provided by PayPoint plc. Marketing and public relations activities are contracted to the AMV Consortium. This consortium is made up of the following four companies: Abbott Mead Vickers BBDO Ltd., Fishburn Hedges Boys Williams Ltd., PHD Media Ltd. and Proximity London Ltd. The BBC is a public authority in respect of its television licensing functions and retains overall responsibility. I have responded to your numbered questions separately:

*‘1) Please confirm or deny that members of the public, may legally and rightfully serve you (or any of your contractors\*) with an effective notice of "Withdrawal of Implied Right of Access" to their homes.’*

Members of the public may withdraw the right of implied access to their homes from any person or organisation, including TV Licensing. This means that we would not be able to conduct a visit of the premises. However, we reserve the right to use alternative methods of detection.

*‘2) Furthermore please confirm or deny and that this notice, once served, denies you (or any of your contractors\*) the ability to send "enforcement officers" to their door.’*

That is correct. The only circumstance where a visit would be able to proceed is where TV Licensing has been invited specifically onto the property by the occupant waiving the withdrawal or obtained a search warrant for the premises.



*'3) Furthermore, please also confirm or deny that this notice, once served, also prevents you (or any of your contractors\*) by law from harassing the notice server with your continual demands to subscribe to your services by mail or letter.'*

No. Withdrawal of the implied right of access does not automatically result in the cessation of mailings. TV Licensing will continue to write to the address, where necessary, according to our normal mailing procedures. Since post is delivered by Royal Mail rather than TV Licensing, postal delivery to an address is not prevented by the withdrawal of the implied right of access from TV Licensing.

*'4) Furthermore, please confirm or deny that a legal occupier who has been sent spurious demands for payment of a TV License fee is NOT required by law to submit their name to you (or any of your contractors\*) in order to serve a notice of "Withdrawal of Implied Right of Access" upon you.'*

TV Licensing does not legally require the name of an individual to action such a request. However, as the power to withdraw the right of access lies with the occupier of the property concerned, it is important that TV Licensing establish to the best of its ability that it is the rightful person who is withdrawing the right-hence TV Licensing will ask for the name of the person making the request to be provided. TV Licensing will typically do this via written correspondence to the occupier of the address concerned in order to seek confirmation that they are aware of the request. We also do this in order to keep our data accurate and up-to-date in accordance with the Data Protection Act.

*'5) Should you deny item 4, please quote and indicate the relevant law or statute which stipulates that a legal occupier is required to submit their name to your organisation (or any of your contractors\*) in order to serve you (or any of your contractors\*) with a notice of "Withdrawal of Implied Right of Access".'*

Not applicable, in light of the above answer.

## **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

Catherine Graves  
**Complaints Manager**  
**BBC TV Licensing Management Team**