



Information Policy and Compliance
bbc.co.uk/foi

Mr _____,
Via email:

07 June 2007

Dear Mr

Freedom of information request – RFI2007000441

Thank you for your request by email under the Freedom of Information Act 2000 (“the Act”) dated 2 May 2007, asking the following:

“If an enforcement officer enters a property and finds that TV receiving equipment is being used illegally he is lawfully entitled to issue a caution. What action would be taken in the following four situations where the person caught is not a resident of the premises ie a babysitter, visiting relative:

- *the person is a visitor and is unaware that the address does not have a TV licence*
- *the person possesses a licence for their home address*
- *the person is aged over 75 and therefore, is entitled to a free TV licence*
- *the person is aged under 18*

As you may know, TV Licensing’s activities are carried out in accordance with specific policies and guidelines, which set out strict criteria for carrying forward prosecutions. One of these criteria is that the person being prosecuted must be an appropriate adult who resides at the address or who is the landlord or other person responsible for licensing a television receiver at the premises.

Therefore, no further action would be taken in relation to the scenarios you present above, since in none of these cases would the relevant person fulfil the prosecution criteria.

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