

TERMS OF REFERENCE – REVIEW OF TV LICENCE ENFORCEMENT

Background

A Television Licence is required to watch all live or nearly-live broadcast television content on any device in the UK. The BBC is tasked with collection of the Licence Fee, a function currently subcontracted to a private company under the brand 'TV Licensing'. Failure to have a TV Licence is an offence under section 363 of the Communications Act 2003 punishable by a fine.

1. Objectives

- a. To conduct a review into the enforcement regime for failure to have a TV Licence to
 - examine whether the sanctions for contravening this offence are appropriate, fair and whether the regime represents value for money for licence fee payers and tax payers; and
 - identify and assess options for amending the current enforcement regime, including those for decriminalisation of TV licensing offences, and whether these options would represent an improvement, based on the key considerations below (2a-e)
- b. To make recommendations to the Government by the end of June 2015

2. Key considerations

In assessing the objectives above (1a –b), the review will consider the following factors:

- a. Value for money for Licence Fee payers and tax payers in enforcement of the failure to have a TV Licence, including operational, revenue and investment costs of the enforcement regime to the BBC and to the court system
- b. Fairness for all Licence Fee payers, and effectiveness in deterring evasion
- c. Proportionality and ease of enforcement
- d. Degree to which the regime is easy to understand by all
- e. Where appropriate, practical considerations for effective transition from the current regime to a different one

3. Process

The review should seek evidence from a wide range of stakeholders, including the public, the BBC, Government stakeholders, the Courts, and other interested parties.

4. Output

A report setting out an assessment of the current and proposed enforcement regimes, key findings, conclusions and any other supporting information to be submitted to the Government by the end of **June 2015**. The Secretary of State will lay this report before both Houses of Parliament and present it to the BBC Trust.