

2022 No. 693

ELECTRONIC COMMUNICATIONS

BROADCASTING

**The Television Licences (Disclosure of Information) Act 2000
(Prescription of Information) Order 2022**

<i>Made</i> - - - -	<i>21st June 2022</i>
<i>Laid before Parliament</i>	<i>23rd June 2022</i>
<i>Coming into force</i> - -	<i>14th July 2022</i>

The Secretary of State, in exercise of the powers conferred by section 1(3) and (4) of the Television Licences (Disclosure of Information) Act 2000(a), makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Television Licences (Disclosure of Information) Act 2000 (Prescription of Information) Order 2022 and shall come into force on 14th July 2022.

(2) In this Order—

“state pension credit” means the social security benefit payable under the State Pension Credit Act 2002(b) or the State Pension Credit Act (Northern Ireland) 2002(c).

Revocation

2. The Television Licences (Disclosure of Information) Act 2000 (Prescription of Information) Order 2000(d) is revoked.

Prescription of “social security information”

3.—(1) Information of the description mentioned in paragraph (2) is hereby prescribed, in relation to the Secretary of State and the Department for Communities (“the Northern Ireland department”), as “social security information” for the purposes of section 1 of the Television Licences (Disclosure of Information) Act 2000 (supply of information to the BBC etc. by the Secretary of State and the Northern Ireland department).

(2) The description of information referred to in paragraph (1) is information consisting of—

(a) 2000 c. 15. For the definition of “prescribed”, see section 5 of the Act.
(b) 2002 c. 16.
(c) 2002 c. 14.
(d) S.I. 2000/1955.

- (a) the name, date of birth, address and national insurance number of an individual aged 74 years or over;
- (b) in a case where such an individual has died, that fact and the date on which the individual died;
- (c) whether or not an individual is entitled to state pension credit and, in a case where the individual is so entitled, the date from which such state pension credit became payable to the individual.

Julia Lopez

Minister of State

21st June 2022

Department for Digital, Culture, Media and Sport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes the descriptions of information that the Secretary of State (in practice, the Secretary of State for Work and Pensions) and, in Northern Ireland, the Department for Communities, can supply to the British Broadcasting Corporation (“BBC”). The Department for Communities was previously called the Department for Social Development, but was renamed by section 1(7) Departments Act (Northern Ireland) 2016 (c. 5).

The Order is made under the Television Licences (Disclosure of Information) Act 2000 (c. 15), section 1 of which permits the Secretary of State and the Department for Communities to supply the BBC with “social security information”. Section 1(3) and (4) of the Act (read with section 5) provide that “social security information”, in relation to the Secretary of State and that Department respectively, means information of a description prescribed by order, being information held and obtained as a result, or for the purpose, of the exercise of his or (as the case may be) the Department’s functions in relation to social security or (in the case of the Secretary of State only) war pensions.

By virtue of section 2 of the Act, information so supplied may be used only in connection with television licences for which no fee is payable, or reduced-fee licences. Since no licences have been prescribed as reduced-fee licences, the information will in practice be used in connection with free licences. By virtue of a determination made (and subsequently amended) by the BBC^(a) under section 365A of the Communications Act 2003 (c. 21)^(b), a person who is aged 75 years or over is entitled to a free television licence covering their sole or main residence if that person, or their spouse or partner at the same address, is entitled to state pension credit.

Article 2 revokes the Television Licences (Disclosure of Information) Act 2000 (Prescription of Information) Order 2000 previously made under the Act.

Article 3 restates the information prescribed under the previous Order, namely the name, date of birth, address and national insurance number of a person aged 74 years or over, and in a case where such a person has died, that fact and the date when he died. That article adds further information that can be disclosed under the Act, namely information as to whether a person aged 74 years or over is entitled to state pension credit and (if so) the date when it became payable.

A full impact assessment has not been produced for this instrument as it has no impact on the private sector or the voluntary sector.

(a) The BBC’s determinations can be found at <https://www.bbc.com/aboutthebbc/reports/consultation/age-related-tv-licence-policy>.

(b) Section 365A was inserted into Part 4 of the Communications Act 2003 by section 89 of the Digital Economy Act 2017 (c. 30).

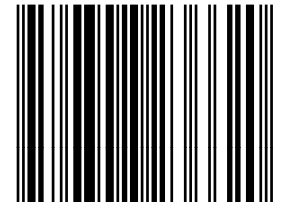
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