

Freedom of Information Act 2000 (Section 51)

Information notice

Date: 13 June 2024

Public Authority: British Broadcasting Corporation
Address: BBC Broadcasting House
Portland Place
London
W1A 1AA

Section 51

Under section 51 of the Freedom of Information Act 2000 (FOIA), which is set out below, the Information Commissioner (the Commissioner) has the power to serve a notice on a public authority requiring it to furnish him with any information he requires to enforce the requirements of FOIA.

51. – (1) If the Commissioner –

(a) has received an application under section 50, ...

he may serve the authority with a notice (in FOIA referred to as “an information notice”) requiring it, within such time as is specified in the notice, to furnish the Commissioner, in such form as may be so specified, with such information relating to the application, to compliance with Part I or to conformity with the code of practice as is so specified.

Application under section 50

1. The Commissioner has received an application under section 50, reference IC-288936-Y7Z9, for a decision whether a request for information made by the complainant to the British Broadcasting Corporation (‘the BBC’) on 7 November 2023, has been dealt with in accordance with the requirements of Part I of FOIA.

Nature of complaint

2. The Commissioner wrote to the BBC on 15 May 2024, instructing it to provide its submissions in respect of the complaint.
3. On 30 May 2024, the BBC wrote to the Commissioner to request an extension and the Commissioner agreed.
4. The BBC wrote to the Commissioner again on 13 June 2024 to apologise that it was still not able to provide its submissions.
5. As the BBC has not be able to provide its submission to the Commissioner within the specified timescales, a formal legal deadline for it to provide its response has been imposed.

Information required

6. In view of the matters described above the Commissioner hereby gives notice that in the exercise of his powers under section 51 of FOIA he requires that the BBC shall, within 30 calendar days of the date of this notice, furnish the Commissioner with a copy of the following information:
 - A substantive response to the questions posed in the Commissioner's letter dated 15 May 2024 including, if applicable, a copy of the relevant contract between the BBC and the third party.

Failure to comply

7. Failure to comply with the steps described above may result in the Commissioner making written certification of this fact to the High Court (or the Court of Session in Scotland) pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

Right of appeal

8. There is a right of appeal against this information notice to the First-tier Tribunal (Information Rights). Information about the appeals process can be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@Justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

9. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this information notice is sent. If Notice of Appeal is served late the Tribunal will not accept it unless it is of the opinion that it is just and right to do so by reason of special circumstances.

Keeley Christine
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Wycliffe House
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Wilmslow
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SK9 5AF