

*cel.H.*

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Date 18 September 1989

*Sean Douglas*

*REC*  
*18/9*

**BBC LICENCE FEE EVASION**

Thank you for giving me an opportunity to comment on the proposals in your minute of <sup>*18/9*</sup> 1 September to the Prime Minister.

Whatever view is taken on decriminalisation, I am concerned that any such move should not be taken as a precedent for decriminalising the evasion of other licensing requirements under the Wireless Telegraphy Acts. There is clearly a difference between the unlicensed use of a radio transmitter, (which covers pirate radio stations), and the unlicensed use of a television receiver. De-criminalising the former would undermine the effectiveness of the Radio Investigation Service. If de-criminalisation of the TV receiving provisions were to proceed, it would be necessary to separate them out from the rest of section 1 of the Wireless Telegraphy Act 1949.

I am content in principle with your other proposal, to make it an offence to "maintain" unlicensed apparatus. But it is important that the wording should be consistent with the proposal, which has already been agreed, for apparatus other than TV receivers to extend section 1 to make it an offence to have unlicensed apparatus "available for use". Perhaps I could suggest using this wording, instead of "maintain", for TV receivers as well. If you see any difficulty, I think our officials should discuss the point.

I am copying this to the recipients of your minute.

*Jamieson*  
*Murphy*



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