

Reference: 01565093

Information Requests  
[information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk)

8 March 2023

### Freedom of Information: Right to know request

Thank you for your request for information as detailed below. We received this request on 8 February 2023. We have considered it under the Freedom of Information Act 2000 (the “FOI Act”).

#### Your request

*I write to request the following:*

- 1. How does your organisation restrict propaganda in the UK?*
- 2. When was Ofcom created?*
- 3. I require a copy of the legislation that was created in order to create ofcom.*
- 4. How do you determine what information is harmful?*
- 5. Do secret societies control your organisation.*
- 6. Which minister oversees ofcom?*
- 7. Is ofcom a corporation?*
- 8. Do ofcom license broadcasters?*
- 9. What is the process in order to apply for a licence and is there a fee payable?*
- 10. Does ofcom abide by the superior statutes?*
- 11. Who within ofcom determines what the public are allowed to be told?*
- 12. Is ofcom a regulator?*
- 13. Does ofcom have a propaganda dept?*
- 14. Does ofcom license corporations and individuals under contract?*

15. Does ofcom require a contract with those it licences?

16. Are ofcom independent?

17. How is ofcom financed?

18. Do you have a list of those that provide finance to ofcom?

19. Does ofcom have directors?

20. Do ofcom staff, directors, investors have control of content as to how it provides guidelines?

## Our response

Ofcom as regulator: questions 2, 3, 5, 6, 7, 10, 12, 16, 17, 18, 19

Ofcom was formally established as the independent communications regulator on 29 December 2003 following the passing of the [Office of Communications Act 2002](#). Ofcom is a statutory corporation. As a result, we are not overseen by a Minister, but we do have a relationship with the Department for Culture, Media and Sport (DCMS) and will liaise and provide evidence to them in respect of matters of interest to DCMS.

Ofcom is run by the Board, details of which can be found [here](#). Further details of how Ofcom is run can be found [here](#). We typically consult on any proposed amendments/new policies, in line with our [consultation principles](#).

We regulate communications services, including post, telecommunications, broadcasting, and radio spectrum. Further details of this can be found [here](#). Ofcom is financed through the collection of regulatory fees from the companies we regulate. Details of some of these regulated companies can be found [here](#).

We are unsure what you mean by 'the superior statutes' in question 10 of your request. Should you wish to clarify your request, we would be happy to consider this under the FOI Act.

Ofcom's broadcasting regulation functions: questions 1, 4, 8, 9, 11, 13, 14, 15, 20

As a regulator, Ofcom issues licences to radio and television broadcasters, on receipt of a completed application and fee payment. The processes for applying for a television licence is [here](#), and the processes for applying for radio licences is [here](#). Licensees are required to comply with the terms and conditions of their licences; the standard terms for television licences are included on the website alongside the process for applying for a licence.

We don't have a 'propaganda' department, nor do we regulate 'propaganda', as such. Neither do we control what a broadcaster is allowed to say – that is an editorial judgment for broadcasters – provided they comply with the [Broadcasting Code](#) and relevant licence conditions. We also do not pre-vet programmes before they are broadcast. Under the Code, the following sections may be relevant to these issues:

- Protection against the broadcasting of harmful and/or offensive material (section two)
- Ensuring that news, in whatever form, is reported with due accuracy and presented with due impartiality (section five)

- Ensuring special impartiality requirements during election and referendum periods (section six).

Details on what Ofcom consider to be harmful material is covered in [section two](#) of the Code and the [guidance notes](#) for section two.

I hope this information is helpful. If you have any queries, then please contact [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk). Please remember to quote the reference number above in any future communications.

Yours sincerely,

## Information Requests

If you are unhappy with the response you have received in relation to your request for information and/or consider that your request was refused without a reason valid under the law, you may ask for an internal review. If you ask us for an internal review of our decision, it will be subject to an independent review within Ofcom.

The following outcomes are possible:

- the original decision is upheld; or
- the original decision is reversed or modified.

### Timing

If you wish to exercise your right to an internal review, **you should contact us within two months of the date of this letter**. There is no statutory deadline for responding to internal reviews and it will depend upon the complexity of the case. However, we aim to conclude all such reviews within 20 working days, and up to 40 working days in exceptional cases. We will keep you informed of the progress of any such review. If you wish to request an internal review, you should contact [information.requests@ofcom.org.uk](mailto:information.requests@ofcom.org.uk).

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF