



# Marine, &c, Broadcasting (Offences) Act 1967

## 1967 CHAPTER 41

### **5 Prohibition of acts relating to matter broadcast from ships, aircraft,**

- (1) A person who does any of the acts mentioned in subsection (3) below, and, if any intent or circumstances is or are specified in relation to the act, does it with that intent or in those circumstances, shall be guilty of an offence if—
  - (a) he does the act in the United Kingdom or external waters or in a ship registered in the United Kingdom, the Isle of Man or any of the Channel Islands or an aircraft so registered while the ship or aircraft is elsewhere than in or over the United Kingdom or external waters; or
  - (b) being a person mentioned in section 3(3) of this Act, he does the act on or over the high seas.
- (2) A person who, in the United Kingdom, procures another person to do, outside the United Kingdom, anything which, if it had been done in the United Kingdom by the last-mentioned person, would have constituted an offence under the foregoing subsection, shall be guilty of an offence.
- (3) The acts, and, where relevant, the intent and circumstances, referred to in subsection (1) above are the following namely:—
  - (a) supplying a cinematograph film or a record with intent that a broadcast of the film or, as the case may be, the recording embodied in the record may be made in contravention of section 1(1) or 2(1) of this Act or as mentioned in section 3(1) thereof;
  - (b) making a literary, dramatic or musical work with intent that a broadcast of the work may be made as aforesaid ;
  - (c) making an artistic work with intent that the work may be included in a television broadcast made as aforesaid;
  - (d) participating in a broadcast made as aforesaid, being actually present as an announcer, as a performer or one of the performers concerned in an entertainment given, or as the deliverer of a speech;

- (e) advertising by means of a broadcast made as aforesaid or inviting another to advertise by means of a broadcast to be so made ;
  - (f) publishing the times or other details of any broadcasts which are to be so made, or (otherwise than by publishing such details) publishing an advertisement of matter calculated to promote, directly or indirectly, the interests of a business whose activities consist in or include the operation of a station from which broadcasts are or are to be so made.
- (4) For the purposes of this section if, by means of a broadcast made in contravention of section 1(1) or 2(1) of this Act or as mentioned in section 3(1) thereof, it is stated, suggested or implied that any entertainment of which a broadcast is so made has been supplied by, or given at the expense of, a person, he shall, unless he proves that it was not so supplied or given, be deemed thereby to have advertised.
- (5) For the purposes of this section advertising by means of a broadcast shall be deemed to take place as well wherever the broadcast is received as where it is made.
- (6) In this section "speech" includes lecture, address and sermon, and references in this section to a cinematograph film, a record and a literary, dramatic, musical or artistic work shall be construed in like manner as references thereto in the Copyright Act 1956.