



# Digital Economy Act 2010

## 2010 CHAPTER 24

### *Video recordings*

#### **41 Designated authority for video games etc**

(1) After section 4 of the Video Recordings Act 1984 insert—

##### **“4ZA Designated authorities for video games and other video works**

- (1) The power to designate a person by notice under section 4 includes power to designate different persons—
  - (a) as the authority responsible for making arrangements in respect of video games (“the video games authority”), and
  - (b) as the authority responsible for making arrangements in respect of other video works (“the video works authority”).
- (2) Where there are two designated authorities, references in this Act to the designated authority, in relation to a video work, are references to the designated authority responsible for making arrangements in respect of the video work, taking account of any allocation in force under section 4ZB.

##### **4ZB Designated authorities: allocation of responsibility for video games**

- (1) Where there are two designated authorities, the video games authority may, with the consent of the video works authority, allocate to that authority responsibility—
  - (a) for a class of video games, or
  - (b) for video games, or a class of video games, when (and only when) they are contained in a video recording that is described in the allocation (whether by reference to its contents, to the manner in which it is, or is to be, supplied or otherwise).
- (2) If an allocation is in force—

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*Changes to legislation: There are currently no known outstanding effects for the Digital Economy Act 2010, Section 41. (See end of Document for details)*

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- (a) the video works authority is responsible for making arrangements under this Act in respect of the allocated video games, and
  - (b) the video games authority ceases to be responsible for making such arrangements.
- (3) An allocation—
- (a) must be made by a notice, and
  - (b) may be withdrawn at any time by a notice given by the video games authority with the consent of the video works authority.
- (4) When making or withdrawing an allocation under this section, the video games authority must have regard to any guidance issued by the Secretary of State.
- (5) A notice under this section must be—
- (a) sent to the Secretary of State, and
  - (b) published in such manner as the video games authority considers appropriate.
- (6) A question as to which designated authority is responsible for making arrangements in respect of a video game may be conclusively determined by the video games authority.

#### **4ZC Designated authorities: video works included in video games**

- (1) The video games authority may make such arrangements in respect of video works included in video games as it considers are necessary for the purposes of fulfilling its responsibilities in respect of video games.
  - (2) Where there are two designated authorities, the arrangements made by the video games authority under section 4 must, to the extent that the video games authority considers appropriate, include either or both of the following—
    - (a) arrangements for having regard to any classification certificate issued by the video works authority in respect of a video work included in a video game;
    - (b) arrangements for obtaining and having regard to a determination by the video works authority as to the suitability of all or part of a video work included in a video game.
  - (3) For the purpose of determining the extent to which arrangements described in subsection (2)(a) or (b) are appropriate, the video games authority must—
    - (a) consult the video works authority, and
    - (b) have regard to any guidance issued by the Secretary of State.
  - (4) In this section, “suitability” means suitability for the issue of a classification certificate or suitability for the issue of a classification certificate of a particular description.”
- (2) Schedule 1 (which contains further amendments of the Video Recordings Act 1984) has effect.

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**Changes to legislation:** There are currently no known outstanding effects for the Digital Economy Act 2010, Section 41. (See end of Document for details)

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**Commencement Information**

- I1** S. 41 partly in force; s. 41(2) in force for specified purposes at 8.6.2010 see s. 47(1)(3)(c)
- I2** S. 41(1) in force at 1.5.2012 by S.I. 2012/1164, **art. 2(a)**
- I3** S. 41(2) in force for specified purposes at 1.5.2012 by S.I. 2012/1164, **art. 2(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the Digital Economy Act 2010, Section 41.