



Post Office Act 1969

1969 CHAPTER 48

PART IV

CONTROL OF PROGRAMME DISTRIBUTION SYSTEMS

89 Licensing of distribution systems

- (1) Subject to the provisions of this section and to any exceptions for which provision may be made by order of the Minister, it shall not, as from the appointed day, be lawful, except under, and in accordance with, a written licence in that behalf granted by him, for a system to be run for—
 - (a) the distribution in the United Kingdom, through the agency of energy of any of the kinds specified in subsection (2) below, of a programme of matter serving, by means of sounds or visual images (or both), to inform persons of anything or to educate or entertain them ; or
 - (b) the conveyance, through the agency of energy of any of the said kinds, of any such programme as aforesaid to a place in the United Kingdom to which members of the public have access (whether on payment or not), for the purpose of its being presented there to members of the public.
- (2) The said kinds of energy are electric, magnetic, electromagnetic, electro-chemical and electro-mechanical.
- (3) In the event of a contravention of this section in relation to a system, the person running it (or, if different parts of it are run by different persons, each of them) shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £400.
- (4) This section shall not apply to the Post Office, the British Broadcasting Corporation or the Independent Television Authority.
- (5) Where a body corporate is guilty of an offence under this section and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity,

Status: This is the original version (as it was originally enacted).

he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

In this section, the expression "director", in relation to a body corporate established by or under an enactment for the purpose of carrying on under national ownership an industry or part of an industry or undertaking, being a body corporate whose affairs are managed by the members thereof, means a member of that body corporate.

- (6) Without prejudice to subsection (3) of this section, compliance with subsection (1) thereof shall be enforceable by civil proceedings by the Crown for an injunction or for any other appropriate relief.
- (7) The prohibition imposed by this section shall not extend to the doing of anything by the sole means of apparatus for wireless telegraphy (within the meaning of the Wireless Telegraphy Act 1949).
- (8) In the application of subsection (6) above to Scotland, for the words "civil proceedings by the Crown for an injunction", there shall be substituted the words "civil proceedings by the Lord Advocate for an interdict".