



Broadcasting Act 1981

1981 CHAPTER 68

PART III

THE BROADCASTING COMPLAINTS COMMISSION

55 Making and entertaining of complaints.

- (1) Complaints must be made in writing.
- (2) A complaint may be made by an individual or by a body of persons, whether incorporated or not, but, subject to subsection (3), shall not be entertained by the Commission unless made by the person affected or by a person authorised by him to make the complaint for him.
- (3) Where the person affected is an individual who has died or is for any other reason both unable to make a complaint himself and unable to authorise another person to do so for him, a complaint may be made by the personal representative of the person affected, or by a member of his family, or by some other person or body closely connected with him (whether as his employer, or as a body of which he is or was at his death a member, or in any other way).
- (4) The Commission shall not entertain, or proceed with the consideration of, a complaint if it appears to them—
 - (a) that the complaint relates to the broadcasting of the relevant programme [^{F1}or its inclusion in a licensed cable programme service] on an occasion more than five years after the death of the person affected; or
 - (b) that the unjust or unfair treatment or unwarranted infringement of privacy complained of is the subject of proceedings in a court of law in the United Kingdom; or
 - (c) that the unjust or unfair treatment or unwarranted infringement of privacy complained of is a matter in respect of which the person affected has a remedy by way of proceedings in a court of law in the United Kingdom, and that in the particular circumstances it is not appropriate for the Commission to consider a complaint about it; or

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for the Broadcasting Act 1981, Section 55. (See end of Document for details)*

- (d) that the complaint is frivolous;
or if it appears to them for any other reason inappropriate for them to entertain, or proceed with the consideration of, the complaint.
- (5) The Commission may refuse to entertain a complaint if it appears to them not to have been made within a reasonable time after the last occasion on which the relevant programme was broadcast by a broadcasting body [^{F2}or its inclusion in a licensed cable programme service].
- (6) Where, in the case of a complaint, the relevant programme was broadcast [^{F3}or included in a licensed cable programme service] within five years after the death of the person affected, subsection (5) shall apply as if at the end there were added “within five years after the death of the person affected”.
- (7) The Commission may refuse to entertain—
- (a) a complaint of unjust or unfair treatment if the person named as the person affected was not himself the subject of the treatment complained of and it appears to the Commission that he did not have a sufficiently direct interest in the subject-matter thereof to justify the making of a complaint with him as the person affected; or
 - (b) a complaint made under subsection (3) by a person other than the person affected or a person authorised by him, if it appears to the Commission that the complainant’s connection with the person affected is not sufficiently close to justify the making of the complaint by him.

Textual Amendments

- F1** Words inserted by [Cable and Broadcasting Act 1984 \(c. 46, SIF 96\)](#), s. 29, [Sch. 2 para. 3\(1\)](#)
- F2** Words added by [Cable and Broadcasting Act 1984 \(c. 46, SIF 96\)](#), s. 29, [Sch. 2 para. 3\(2\)](#)
- F3** Words inserted by [Cable and Broadcasting Act 1984 \(c. 46, SIF 96\)](#), s. 29, [Sch. 2 para. 3\(3\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Broadcasting Act 1981, Section 55.