



# Video Recordings Act 1993

## 1993 CHAPTER 24

An Act to amend the Video Recordings Act 1984 and, so far as it relates to evidence by certificate in respect of offences under the 1984 Act, the Criminal Justice (Scotland) Act 1980. [20th July 1993]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### Commencement Information

II Act wholly in force at 20. 9.1993 see s. 6(2).

## 1 Titles to be assigned to video works for identification purposes.

(1) In subsection (1) of section 4 of the <sup>M1</sup>Video Recordings Act 1984 (arrangements for classification of video works), in paragraph (b) before sub-paragraph (i) there shall be inserted the following sub-paragraph—

“(ia) for assigning a unique title to each video work in respect of which a classification certificate is to be issued”.

(2) In paragraph (c) of that subsection the words from “including” to the end shall be omitted and after that subsection there shall be inserted the following subsections—

“(1A) A title assigned to a video work under subsection (1)(b)(ia) above shall consist of—

- (a) the title under which the video work was determined to be suitable for the issue of a classification certificate; and
- (b) a registration number (which may contain letters and other symbols as well as figures).

*Status: Point in time view as at 01/08/1997.*

*Changes to legislation: Video Recordings Act 1993 is up to date with all changes known to be in force on or before 10 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (1B) The record maintained under subsection (1)(c) above shall include, in relation to each video work in respect of which a classification certificate has been issued, a video recording which—
  - (a) contains the video work; and
  - (b) shows, or shows on its spool, case or other thing on or in which the recording is kept—
    - (i) the title assigned to the video work under subsection (1)(b)(ia) above; and
    - (ii) the determination or determinations made in respect of the video work.”

- (3) In subsection (2) of section 7 of that Act (contents of classification certificate), after the words “must contain” there shall be inserted “ the title assigned to the video work in accordance with section 4(1)(b)(ia) of this Act and. ”

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**Marginal Citations**  
**M1** 1984 c. 39.

**2 General defence to offences under the 1984 Act.**

After section 14 of the <sup>M2</sup>Video Recordings Act 1984 there shall be inserted the following section—

**“14A General defence to offences under this Act.**

Without prejudice to any defence specified in the preceding provisions of this Act in relation to a particular offence, it is a defence to a charge of committing any offence under this Act to prove—

- (a) that the commission of the offence was due to the act or default of a person other than the accused, and
- (b) that the accused took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by any person under his control.”

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**Marginal Citations**  
**M2** 1984 c. 39.

<sup>F1</sup>3 .....

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**Textual Amendments**  
**F1** S. 3 repealed (3.2.1995) by 1994 c. 33, s. 168(3), **Sch. 11**; S.I. 1995/127, art. 2, **Sch. 1**, Appendix

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#### 4 Extension of procedure for evidence by certificate.

In section 19 of the <sup>M3</sup>Video Recordings Act 1984 (evidence by certificate) after subsection (3) there shall be inserted the following subsections—

“(3A) In any proceedings in England and Wales or Northern Ireland for an offence under this Act, a certificate purporting to be signed by a person authorised in that behalf by the Secretary of State and stating—

- (a) that he has examined the record maintained in pursuance of arrangements made by the designated authority, and
- (b) that the record shows that, on the date specified in the certificate, no classification certificate had been issued in respect of a video work having a particular title,

shall be admissible as evidence of the fact that, on that date, no classification certificate had been issued in respect of a work of that title.

(3B) In any proceedings in England and Wales or Northern Ireland for an offence under this Act, a certificate purporting to be signed by a person authorised in that behalf by the Secretary of State and stating—

- (a) that he has examined the record maintained in pursuance of arrangements made by the designated authority, and
- (b) that the record shows that, on the date specified in the certificate under this subsection, a classification certificate was issued in respect of a video work having a particular title and that a document identified by the certificate under this subsection is a copy of the classification certificate so issued,

shall be admissible as evidence of the fact that, on that date, a classification certificate in terms of the document so identified was issued in respect of a work of that title.”

#### Marginal Citations

M3 1984 c. 39.

F25 .....

#### Textual Amendments

F2 S. 5 repealed (1.8.1997) by 1997 c. 48, s. 30(4), 62(2), Sch. 3; S.I. 1997/1712, art. 3, Sch., Table

#### 6 Short title, commencement and extent.

- (1) This Act may be cited as the Video Recordings Act 1993.
- (2) This Act shall come into force at the end of the period of two months beginning with the day on which it is passed.
- (3) Section 5 above extends to Scotland only.
- (4) This Act (apart from section 5) extends to Northern Ireland.

**Status:**

Point in time view as at 01/08/1997.

**Changes to legislation:**

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