

1985 No. 1265 (C.25) (S.104)**VIDEO RECORDINGS****The Video Recordings Act 1984 (Scotland)
(Commencement No. 2) Order 1985**

Made - - - - - *1st August 1985*

In exercise of the powers conferred upon me by section 23(2) of the Video Recordings Act 1984(a), I hereby make the following order:—

1.—(1) This order may be cited as the Video Recordings Act 1984 (Scotland) (Commencement No. 2) Order 1985.

(2) This order shall extend to Scotland only.

(3) In this order, “the Act” means the Video Recordings Act 1984.

2. Sections 2, 3, 6, 11 to 17, 20 and 21 of the Act shall come into operation on 1st September 1985.

3. Sections 9 and 10 of the Act shall come into operation on 1st September 1985 for the purpose of prohibiting the supply, the offer to supply or the possession for the purpose of supply of a video recording containing a video work where—

(a) a video recording containing such video work has not been sold, let on hire or offered for sale or hire in the United Kingdom to the public before that date; and

(b) no classification certificate in respect of such video work has been issued.

New St Andrew’s House,
Edinburgh.
1st August 1985.

George Younger,
One of Her Majesty’s Principal
Secretaries of State.

(a) 1984 c. 39.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which extends to Scotland only, brings into operation in Scotland on 1st September 1985 sections 2, 3, 6, 11 to 17, 20 and 21 (article 2) and, for certain purposes only, sections 9 and 10 (article 3) of the Video Recording Act 1984. With the substitution of section 19 for section 20 (these two sections make comparable provision for, respectively (a) England, Wales and Northern Ireland and (b) Scotland), the same sections are brought into operation in England, Wales and Northern Ireland on the same date by the Video Recordings Act 1984 (Commencement No. 2) Order 1985 (S.I. 1985/1264).

Section 2 defines “exempted work” and section 3 “exempted supplies” for the purposes of the Act. Section 6 provides for an annual report to be made by the authority designated under section 4 to the Secretary of State which must be laid by him before Parliament. Sections 11 to 14 create offences of supplying or offering to supply a video recording in breach of the classification certificate issued in respect of a work contained in the recording (sections 11 and 12); which does not comply with labelling requirements under regulations made under section 8 (section 13); or containing a false indication as to the classification of a video work contained in the recording (section 14). Section 15 deals with penalties for offences under the Act and section 16 makes provision for offences by bodies corporate. Section 17 provides for entry, search and seizure. Section 20 makes provision for evidence as regards certain specified matters to be given by certificate. Section 21 provides for the forfeiture of a video recording.

Sections 9 and 10 create the offences of supplying, offering to supply and possession for the purposes of supply of a video recording containing an unclassified video work. This order brings these sections into force in respect of any work which, before 1st September 1985, has not been sold, let on hire or offered for sale or hire in the United Kingdom to the public in a video recording.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

<u>Provision</u>	<u>Date of Commencement</u>	<u>S.I. No.</u>
Sections 1, 4, 5, 7, 8, 22 and 23	10.6.85	As to England, Wales and Northern Ireland, 1985/883; As to Scotland, 1985/904.

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