



Theatres Act 1968

1968 CHAPTER 54

Provisions with respect to performances of plays

2 Prohibition of presentation of obscene performances of plays.

- (1) For the purposes of this section a performance of a play shall be deemed to be obscene if, taken as a whole, its effect was such as to tend to deprave and corrupt persons who were likely, having regard to all relevant circumstances, to attend it.
- (2) Subject to sections 3 and 7 of this Act, if an obscene performance of a play is given, whether in public or private, any person who (whether for gain or not) presented or directed that performance shall be liable—
 - (a) on summary conviction, to a fine not exceeding £400 or to imprisonment for a term not exceeding six months;
 - (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding three years, or both.
- (3) A prosecution on indictment for an offence under this section shall not be commenced more than two years after the commission of the offence.
- (4) No person shall be proceeded against in respect of a performance of a play or anything said or done in the course of such a performance—
 - (a) for an offence at common law where it is of the essence of the offence that the performance or, as the case may be, what was said or done was obscene, indecent, offensive, disgusting or injurious to morality; or
 - (b)^{F1}
 - (c)^{F2}

and no person shall be proceeded against for an offence at common law of conspiring to corrupt public morals, or to do any act contrary to public morals or decency, in respect of an agreement to present or give a performance of a play, or to cause anything to be said or done in the course of such a performance.

Changes to legislation: There are currently no known outstanding effects for the Theatres Act 1968, Section 2. (See end of Document for details)

.....

Textual Amendments

- F1** S. 2(4)(b) repealed by [Indecent Displays \(Control\) Act 1981 \(c. 42, SIF 39:5\)](#), s. 5(2), **Sch.**
- F2** S. 2(4)(c) repealed by [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), s. 137(2), **Sch. 4**

Changes to legislation:

There are currently no known outstanding effects for the Theatres Act 1968, Section 2.