



Video Recordings Act 1984

1984 CHAPTER 39

Preliminary

1 Interpretation of terms.

- (1) The provisions of this section shall have effect for the interpretation of terms used in this Act.
- (2) “Video work” means any series of visual images (with or without sound)—
 - (a) produced electronically by the use of information contained on any disc ^{F1} . . . magnetic tape [^{F2}or any other device capable of storing data electronically], and
 - (b) shown as a moving picture.
- (3) “Video recording” means any disc ^{F3} . . . magnetic tape [^{F4}or any other device capable of storing data electronically] containing information by the use of which the whole or part of a video work may be produced.
- (4) “Supply” means supply in any manner, whether or not for reward, and, therefore, includes supply by way of sale, letting on hire, exchange or loan; and references to a supply are to be interpreted accordingly.

Textual Amendments

- F1** Word in s. 1(2)(a) repealed (3.2.1995) by 1994 c. 33, s. 168(1)(3), Sch. 9 para. 22, Sch. 11; S.I. 1995/127, art. 2, Sch. 1, Appendix C.
- F2** Words in s. 1(2)(a) inserted (3.2.1995) by 1994 c. 33, s. 168(1), Sch. 9 para. 22; S.I. 1995/127, art. 2, Sch. 1, Appendix C.
- F3** Word in s. 1(3) repealed (3.2.1995) by 1994 c. 33, s. 168(1)(3), Sch. 9 para. 22, Sch. 11; S.I. 1995/127, art. 2, Sch. 1, Appendix C.
- F4** Words in s. 1(3) inserted (3.2.1995) by 1994 c. 33, s. 168(1), Sch. 9 para. 22; S.I. 1995/127, art. 2, Sch. 1, Appendix C.

Status: Point in time view as at 19/06/1997.

Changes to legislation: There are currently no known outstanding effects for the Video Recordings Act 1984, Cross Heading: Preliminary. (See end of Document for details)

2 Exempted works.

- (1) Subject to subsection (2) [^{F5}or (3)] below, a video work is for the purposes of this Act an exempted work if, taken as a whole—
- (a) it is designed to inform, educate or instruct;
 - (b) it is concerned with sport, religion or music; or
 - (c) it is a video game.
- (2) A video work is not an exempted work for those purposes if, to any significant extent, it depicts—
- (a) human sexual activity or acts of force or restraint associated with such activity;
 - (b) mutilation or torture of, or other acts of gross violence towards, humans or animals;
 - (c) human genital organs or human urinary or excretory functions;
 - [^{F6}(d) techniques likely to be useful in the commission of offences;]
- or is [^{F7}likely] to any significant extent to stimulate or encourage anything falling within paragraph (a) or, in the case of anything falling within paragraph (b), is [^{F7}likely] to any extent to do so.
- [^{F8}(3) A video work is not an exempted work for those purposes if, to any significant extent, it depicts criminal activity which is likely to any significant extent to stimulate or encourage the commission of offences.]

Textual Amendments

- F5** Words in s. 2(1) inserted (1.11.1995 except in relation to a video work of which a video recording has been supplied or offered for supply prior to 1.11.1995) by [1994 c. 33, s. 89\(2\)](#); [S.I. 1995/1957, art. 5](#)
- F6** S. 2(2)(d) inserted (1.11.1995 except in relation to a video work of which a video recording has been supplied or offered for supply prior to 1.11.1995) by [1994 c. 1994 c. 33, s. 89\(3\)\(a\)](#); [S.I. 1995/1957, art. 5](#)
- F7** Words in s. 2(2) substituted (1.11.1995 except in relation to a video work of which a video recording has been supplied or offered for supply prior to 1.11.1995) by [1994 c. 33, s. 89\(3\)\(b\)](#); [S.I. 1995/1957, art. 5](#)
- F8** S. 2(3) inserted (1.11.1995 except in relation to a video work of which a video recording has been supplied or offered for supply prior to 1.11.1995) by [1994 c. 1994 c. 33, s. 89\(4\)](#); [S.I. 1995/1957, art. 5](#)

3 Exempted supplies. **E+W+S**

- (1) The provisions of this section apply to determine whether or not a supply of a video recording is an exempted supply for the purposes of this Act.
- (2) The supply of a video recording by any person is an exempted supply if it is neither—
- (a) a supply for reward, nor
 - (b) a supply in the course or furtherance of a business.
- (3) Where on any premises facilities are provided in the course or furtherance of a business for supplying video recordings, the supply by any person of a video recording on those premises is to be treated for the purposes of subsection (2) above as a supply in the course or furtherance of a business.

Status: Point in time view as at 19/06/1997.

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- (4) Where a person (in this subsection referred to as the “original supplier”) supplies a video recording to a person who, in the course of a business, makes video works or supplies video recordings, the supply is an exempted supply—
- (a) if it is not made with a view to any further supply of that recording, or
 - (b) if it so made, but is not made with a view to the eventual supply of that recording to the public or is made with a view to the eventual supply of that recording to the original supplier.

For the purposes of this subsection, any supply is a supply to the public unless it is—

- (i) a supply to a person who, in the course of a business, makes video works or supplies video recordings,
 - (ii) an exempted supply by virtue of subsection (2) above or subsections (5) to (10) below, or
 - (iii) a supply outside the United Kingdom.
- (5) Where a video work—
- (a) is designed to provide a record of an event or occasion for those who took part in the event or occasion or are connected with those who did so,
 - (b) does not, to any significant extent, depict anything falling within paragraph (a), (b) or (c) of section 2(2) of this Act, and
 - (c) is not designed to any significant extent to stimulate or encourage anything falling within paragraph (a) of that subsection or, in the case of anything falling within paragraph (b) of that subsection, is not designed to any extent to do so,

the supply of video recording containing only that work to a person who took part in the event or occasion or is connected with someone who did so is an exempted supply.

- (6) The supply of a video recording for the purpose only of the exhibition of any video work contained in the recording in premises other than a dwelling-house—
- (a) being premises mentioned in subsection (7) below, or
 - (b) being an exhibition which in England and Wales or Scotland would be [^{F9}a film exhibition to which section 6 of the Cinemas Act 1985 applies (film) exhibition to which public not admitted or are admitted without payment), or in Northern Ireland would be [^{F10}a film exhibition to which Article 8 of the Cinemas (Northern Ireland) Order 1991 applies] (similar provision for Northern Ireland),

is an exempted supply.

[^{F11}(7) The premises referred to in subsection (6) above are—

- (a) premises in respect of which a licence under section 1 of the Cinemas Act 1985 is in force,
- (b) premises falling within section 7 of that Act (premises used only occasionally and exceptionally for film exhibitions), or
- (c) premises falling within section 8 of that Act (building or structure of a movable character) in respect of which such a licence as is mentioned in subsection (1)(a) of that section has been granted.]

- (8) The supply of a video recording with a view only to its use for or in connection with — [^{F12}a programme service (within the meaning of the Broadcasting Act 1990)]

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- (9) The supply of a video recording for the purpose only of submitting a video work contained in the recording for the issue of a classification certificate or otherwise only for purposes of arrangements made by the designated authority is an exempted supply.
- (10) The supply of a video recording with a view only to its use—
- (a) in training for or carrying on any medical or relate occupation,
 - (b) for the purpose of—
 - (i) services provided in pursuance of the ^{M1}National Health Service Act 1977 or the ^{M2}National Health Service (Scotland) Act 1978, or
 - (ii) such of the services provided in pursuance of the ^{M3}Health and Personal Social Services (Northern Ireland) Order 1972 as are health services (within the meaning of that Order), or
 - (c) in training persons employed in the course of services falling within paragraph (b) above,
- is an exempted supply.
- (11) For the purposes of subsection (10) above, an occupation is a medical or related occupation if, to carry on the occupation, a person is required to be registered under the ^{M4}Professions Supplementary to Medicine Act 1960, [^{F13}the Nurses, Midwives and Health Visitors Act 1997] or the ^{M5}Medical Act 1983.
- (12) The supply of a video recording otherwise than for reward, being a supply made for the purpose only of supplying it to a person who previously made an exempted supply of the recording, is also an exempted supply.

Extent Information

- E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only.

Textual Amendments

- F9** Words in s. 3(6)(b) substituted (E.W.S.) by [Cinemas Act 1985 \(c. 13, SIF 45A\)](#), s. 24(1), [Sch. 2 para. 18\(1\)\(2\)](#).
- F10** Words in s. 3(6)(b) substituted (N.I.) (27.8.1991) by [S.I. 1991/1462 \(N.I.12\)](#), art. 19(1), [Sch. 2 para. 3\(1\)](#).
- F11** [S. 3\(7\)](#) substituted (E.W.S.) by [Cinemas Act 1985 \(c. 13, SIF 45A\)](#), s. 24(1), [Sch. 2 para. 18\(3\)](#).
- F12** Words substituted for paras. (a) and (b) by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 203(1), [Sch. 20, para. 39](#)
- F13** Words in s. 3(11) substituted (19.6.1997) by [1997 c. 24, ss. 23\(1\), 24\(2\)](#), [Sch. 4 para. 4](#)

Marginal Citations

- M1** 1977 c. 49.
- M2** 1978 c. 29.
- M3** [S.I. 1972/1265 \(N.I.14\)](#).
- M4** 1960 c. 66.
- M5** 1983 c. 54.

3 Exempted supplies. **N.I.**

- (1) The provisions of this section apply to determine whether or not a supply of a video recording is an exempted supply for the purposes of this Act.

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Changes to legislation: There are currently no known outstanding effects for the Video Recordings Act 1984, Cross Heading: Preliminary. (See end of Document for details)

- (2) The supply of a video recording by any person is an exempted supply if it is neither—
- (a) a supply for reward, nor
 - (b) a supply in the course or furtherance of a business.
- (3) Where on any premises facilities are provided in the course or furtherance of a business for supplying video recordings, the supply by any person of a video recording on those premises is to be treated for the purposes of subsection (2) above as a supply in the course or furtherance of a business.
- (4) Where a person (in this subsection referred to as the “original supplier”) supplies a video recording to a person who, in the course of a business, makes video works or supplies video recordings, the supply is an exempted supply—
- (a) if it is not made with a view to any further supply of that recording, or
 - (b) if it so made, but is not made with a view to the eventual supply of that recording to the public or is made with a view to the eventual supply of that recording to the original supplier.

For the purposes of this subsection, any supply is a supply to the public unless it is—

- (i) a supply to a person who, in the course of a business, makes video works or supplies video recordings,
 - (ii) an exempted supply by virtue of subsection (2) above or subsections (5) to (10) below, or
 - (iii) a supply outside the United Kingdom.
- (5) Where a video work—
- (a) is designed to provide a record of an event or occasion for those who took part in the event or occasion or are connected with those who did so,
 - (b) does not, to any significant extent, depict anything falling within paragraph (a), (b) or (c) of section 2(2) of this Act, and
 - (c) is not designed to any significant extent to stimulate or encourage anything falling within paragraph (a) of that subsection or, in the case of anything falling within paragraph (b) of that subsection, is not designed to any extent to do so,

the supply of video recording containing only that work to a person who took part in the event or occasion or is connected with someone who did so is an exempted supply.

- (6) The supply of a video recording for the purpose only of the exhibition of any video work contained in the recording in premises other than a dwelling-house—
- (a) being premises mentioned in subsection (7) below, or
 - (b) being an exhibition which in England and Wales or Scotland would be [^{F14}a film exhibition to which section 6 of the Cinemas Act 1985 applies (film] exhibition to which public not admitted or are admitted without payment), or in Northern Ireland would be [^{F15}a film exhibition to which Article 8 of the Cinemas (Northern Ireland) Order 1991 applies] (similar provision for Northern Ireland),

is an exempted supply.

[^{F16}(7) The premises referred to in subsection (6) above are—

- (a) premises in respect of which a licence under Article 3 of the Cinemas (Northern Ireland) Order 1991 is in force,
- (b) premises falling within Article 9 of that Order (premises used only occasionally and exceptionally for film exhibitions), or

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- (c) premises falling within Article 10 of that Order (building or structure of a movable character) in respect of which such a licence as is mentioned in paragraph (1)(a) of that Article has been granted.]
- (8) The supply of a video recording with a view only to its use for or in connection with — ^{F17} a programme service (within the meaning of the Broadcasting Act 1990)]
- (9) The supply of a video recording for the purpose only of submitting a video work contained in the recording for the issue of a classification certificate or otherwise only for purposes of arrangements made by the designated authority is an exempted supply.
- (10) The supply of a video recording with a view only to its use—
- (a) in training for or carrying on any medical or relate occupation,
 - (b) for the purpose of—
 - (i) services provided in pursuance of the ^{M6}National Health Service Act 1977 or the ^{M7}National Health Service (Scotland) Act 1978, or
 - (ii) such of the services provided in pursuance of the ^{M8}Health and Personal Social Services (Northern Ireland) Order 1972 as are health services (within the meaning of that Order), or
 - (c) in training persons employed in the course of services falling within paragraph (b) above,
- is an exempted supply.
- (11) For the purposes of subsection (10) above, an occupation is a medical or related occupation if, to carry on the occupation, a person is required to be registered under the ^{M9}Professions Supplementary to Medicine Act 1960, [^{F18}the Nurses, Midwives and Health Visitors Act 1997] or the ^{M10}Medical Act 1983.
- (12) The supply of a video recording otherwise than for reward, being a supply made for the purpose only of supplying it to a person who previously made an exempted supply of the recording, is also an exempted supply.

Extent Information

- E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only.

Textual Amendments

- F14** Words in s. 3(6)(b) substituted (E.W.S.) by [Cinemas Act 1985 \(c. 13, SIF 45A\)](#), s. 24(1), [Sch. 2 para. 18\(1\)\(2\)](#).
- F15** Words in s. 3(6)(b) substituted (N.I.) (27.8.1991) by [S.I. 1991/1462 \(N.I.12\)](#), art. 19(1), [Sch. 2 para. 3\(1\)](#).
- F16** [S. 3\(7\)](#) substituted (N.I.) (27.8.1991) by [S.I. 1991/1462 \(N.I. 12\)](#), art. 19(1), [Sch. 2 para. 3\(2\)](#).
- F17** Words substituted for paras. (a) and (b) by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 203(1), [Sch. 20, para. 39](#)
- F18** Words in s. 3(11) substituted (19.6.1997) by [1997 c. 24, ss. 23\(1\), 24\(2\)](#), [Sch. 4 para. 4](#)

Marginal Citations

- M6** [1977 c. 49](#).
- M7** [1978 c. 29](#).
- M8** [S.I. 1972/1265 \(N.I.14\)](#).
- M9** [1960 c. 66](#).

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M10 1983 c. 54.

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