



# Public Order Act 1986

## 1986 CHAPTER 64

### PART III

#### RACIAL HATRED

##### *Supplementary provisions*

#### **26 Savings for reports of parliamentary or judicial proceedings.**

- (1) Nothing in this Part applies to a fair and accurate report of proceedings in Parliament [<sup>F1</sup>or in the Scottish Parliament][<sup>F2</sup>or in the National Assembly for Wales].
- (2) Nothing in this Part applies to a fair and accurate report of proceedings publicly heard before a court or tribunal exercising judicial authority where the report is published contemporaneously with the proceedings or, if it is not reasonably practicable or would be unlawful to publish a report of them contemporaneously, as soon as publication is reasonably practicable and lawful.

#### **Textual Amendments**

- F1** Words in s. 26 inserted (6.5.1999) by 1998 c. 46, s. 125, **Sch. 8 para. 24** (with s 126(3)-(11); S.I. 1998/3178, art. 2, **Sch. 3**)
- F2** Words in s. 26(1) inserted by **Government of Wales Act 2006 (c. 32), s. 160(1), Sch. 10 para. 19**, the amending provision coming into force immediately after the 2007 election (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of the initial period (which ended with the day of the first appointment of a First Minister on 25.5.2007) see ss. 46, 161(1)(4)(5) of the amending Act.

#### **27 Procedure and punishment.**

- (1) No proceedings for an offence under this Part may be instituted in England and Wales except by or with the consent of the Attorney General.

*Changes to legislation: Public Order Act 1986, Cross Heading: Supplementary provisions is up to date with all changes known to be in force on or before 18 April 2024. 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) View outstanding changes*

- (2) For the purposes of the rules in England and Wales against charging more than one offence in the same count or information, each of sections 18 to 23 creates one offence.
- (3) A person guilty of an offence under this Part is liable—
  - (a) on conviction on indictment to imprisonment for a term not exceeding [<sup>F3</sup>seven years] or a fine or both;
  - (b) on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum or both.

**Textual Amendments**  
**F3** Words in s. 27(3) substituted (14.12.2001) by 2001 c. 24, ss. 40, 127(2) (with s. 42)

**28 Offences by corporations.**

- (1) Where a body corporate is guilty of an offence under this Part and it is shown that the offence was committed with the consent or connivance of a director, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity, he as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.
- (2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his functions of management as it applies to a director.

**29 Interpretation.**

In this Part—

..... F4  
 ..... F4

[<sup>F5</sup>“distribute”, and related expressions, shall be construed in accordance with section 19(3) (written material) and section 21(2) (recordings);]

[<sup>F5</sup>“dwelling” means any structure or part of a structure occupied as a person’s home or other living accommodation (whether the occupation is separate or shared with others) but does not include any part not so occupied, and for this purpose “structure” includes a tent, caravan, vehicle, vessel or other temporary or movable structure;]

“programme” means any item which is [<sup>F6</sup>included in a programme service];

[<sup>F7</sup>“programme service” has the same meaning as in the Broadcasting Act 1990;]

[<sup>F5</sup>“publish”, and related expressions, in relation to written material, shall be construed in accordance with section 19 (3);]

“racial hatred” has the meaning given by section 17;

[<sup>F8</sup>“recording” has the meaning given by section 21(2), and “play” and “show”, and related expressions, in relation to a recording, shall be construed in accordance with that provision;][<sup>F8</sup>“recording” means any record from which visual images or sounds may, by any means, be reproduced;]

“written material” includes any sign or other visible representation.

---

**Changes to legislation:** Public Order Act 1986, Cross Heading: Supplementary provisions is up to date with all changes known to be in force on or before 18 April 2024. 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) View outstanding changes

---

#### Textual Amendments

- F4** Definitions repealed by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), ss. 164(5)(a), 203(3), [Sch. 21](#)
- F5** Words in s. 29 repealed (S.) (1.4.2024) by [Hate Crime and Public Order \(Scotland\) Act 2021 \(asp 14\)](#), s. 21(2), [sch. 2 para. 1\(5\)\(a\)](#); S.S.I. 2024/82, reg. 2 (with reg. 3)
- F6** Words substituted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), [s. 164\(5\)\(b\)](#)
- F7** Definition inserted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), [s. 164\(5\)\(c\)](#)
- F8** Words in s. 29 substituted (S.) (1.4.2024) by [Hate Crime and Public Order \(Scotland\) Act 2021 \(asp 14\)](#), s. 21(2), [sch. 2 para. 1\(5\)\(b\)](#); S.S.I. 2024/82, reg. 2 (with reg. 3)

**Changes to legislation:**

Public Order Act 1986, Cross Heading: Supplementary provisions is up to date with all changes known to be in force on or before 18 April 2024. 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4B inserted by [2023 c. 47 s. 1](#)