



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.
- (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.

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.
- (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 two 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.

Status: This is the original version (as it was originally enacted).

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—

" broadcast " means broadcast by wireless telegraphy (within the meaning of the Wireless Telegraphy Act 1949) for general reception, whether by way of sound broadcasting or television ;

" cable programme service " has the same meaning as in the Cable and Broadcasting Act 1984 ;

" distribute ", and related expressions, shall be construed in accordance with section 19(3) (written material) and section 21(2) (recordings);

" 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 broadcast or included in a cable programme service ;

" 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 ;

" 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;

" written material" includes any sign or other visible representation.