



# Broadcasting Act 1990

## 1990 CHAPTER 42

### PART VI

#### THE BROADCASTING STANDARDS COUNCIL

#### **154 Consideration by Council of complaints relating to broadcasting standards**

- (1) Subject to the provisions of this section, it shall be the duty of the Council to consider complaints which are made to them under this section and relate—
  - (a) to the portrayal of violence or sexual conduct in programmes to which this Part applies, or
  - (b) to alleged failures on the part of such programmes to attain standards of taste and decency,and to make findings on such complaints, taking into account any relevant provisions of the code.
- (2) Any such complaint must be in writing and give particulars of the matters complained of.
- (3) The Council shall not entertain a complaint which is made—
  - (a) where the relevant programme is a television programme, more than two months after the relevant date, or
  - (b) where the relevant programme is a sound programme, more than three weeks after that date,unless it appears to them that in the particular circumstances it is appropriate for them to do so.
- (4) In subsection (3) “the relevant date” means—
  - (a) the date on which the relevant programme was broadcast by a broadcasting body or included in a licensed service, or
  - (b) where it has been so broadcast or included on more than one occasion, the date on which it was last so broadcast or included.

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*Status: This is the original version (as it was originally enacted).*

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- (5) The Council shall not entertain, or proceed with the consideration of, a complaint if it appears to them—
- (a) that the matter complained of is the subject of proceedings in a court of law in the United Kingdom, or
  - (b) that the matter complained of is a matter in respect of which the complainant has a remedy by way of proceedings in a court of law in the United Kingdom, and that in the particular circumstances it is not appropriate for the Council to consider a complaint about it, or
  - (c) that the complaint is frivolous, or
  - (d) that for any other reason it is inappropriate for them to entertain, or proceed with the consideration of, the complaint.
- (6) Where, apart from this subsection, there would fall to be considered by the Council two or more complaints which appear to them to raise the same, or substantially the same, issue or issues in relation to a particular programme, the Council may determine that those complaints shall be treated for the purposes of this Part as constituting a single complaint.
- (7) If it appears to the Council to be appropriate to do so, they may of their own motion issue complaints relating to matters falling within subsection (1)(a) or (b).
- (8) Any such complaint shall give particulars of the matters complained of.