



# Obscene Publications Act 1959

## 1959 CHAPTER 66

### 1 Test of obscenity

- (1) For the purposes of this Act an article shall be deemed to be obscene if its effect or (where the article comprises two or more distinct items) the effect of any one of its items is, if taken as a whole, such as to tend to deprave and corrupt persons who are likely, having regard to all relevant circumstances, to read, see or hear the matter contained or embodied in it.
- (2) In this Act " article " means any description of article containing or embodying matter to be read or looked at or both, any sound record, and any film or other record of a picture or pictures.
- (3) For the purposes of this Act a person publishes an article who—
  - (a) distributes, circulates, sells, lets on hire, gives, or lends it, or who offers it for sale or for letting on hire; or
  - (b) in the case of an article containing or embodying matter to be looked at or a record, shows, plays or projects it:

Provided that paragraph (b) of this subsection shall not apply to anything done in the course of a cinematograph exhibition (within the meaning of the Cinematograph Act, 1952), other than one excluded from the Cinematograph Act, 1909, by subsection (4) of section seven of that Act (which relates to exhibitions in private houses to which the public are not admitted), or to anything done in the course of television or sound broadcasting.