



Broadcasting Act 1981

1981 CHAPTER 68

PART I

THE INDEPENDENT BROADCASTING AUTHORITY

General provisions as to programmes

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- (1) It shall be the duty of the Authority to satisfy themselves that, so far as possible, the programmes broadcast by the Authority comply with the following requirements, that is to say—
- (a) that nothing is included in the programmes which offends against good taste or decency or is likely to encourage or incite to crime or to lead to disorder or to be offensive to public feeling ;
 - (b) that a sufficient amount of time in the programmes is given to news and news features and that all news given in the programmes (in whatever form) is presented with due accuracy and impartiality ;
 - (c) that proper proportions of the recorded and other matter included in the programmes are of British origin and of British performance;
 - (d) that the programmes broadcast from any station or stations contain a suitable proportion of matter calculated to appeal specially to the tastes and outlook of persons served by the station or stations and, where another language as well as English is in common use among those so served, a suitable proportion of matter in that language;
 - (e) in the case of local sound broadcasting services, that the programmes broadcast from different stations for reception in different localities do not consist of identical or similar material to an extent inconsistent with the character of the services as local sound broadcasting services; and
 - (f) that due impartiality is preserved on the part of the persons providing the programmes as respects matters of political or industrial controversy or relating to current public policy.

Status: This is the original version (as it was originally enacted).

In applying paragraph (f), a series of programmes may be considered as a whole.

- (2) Without prejudice to the generality of subsection (1), it shall be the duty of the Authority to secure the exclusion from the programmes broadcast by them of all expressions of opinion by the Authority or their subsidiary mentioned in section 12(2), or by any programme contractor, on matters other than broadcasting which are of political or industrial controversy or relate to current public policy.
- (3) It shall be the duty of the Authority to satisfy themselves that the programmes broadcast by the Authority do not include, whether in an advertisement or otherwise, any technical device which, by using images of very brief duration or by any other means, exploits the possibility of conveying a message to, or otherwise influencing the minds of, members of an audience without their being aware, or fully aware, of what has been done.
- (4) Nothing shall be included in any programme broadcast by the Authority, whether in an advertisement or not, which offers any prize of significant value (whether competed for or not) or any gift of significant value, being a prize or gift which is available only to persons receiving that programme, or in relation to which any advantage is given to such persons.
- (5) Except with the previous approval of the Authority, there shall not be included in any programme broadcast by the Authority—
 - (a) any religious service or any propaganda relating to matters of a religious nature ;
 - (b) any item, whether an advertisement or not, which gives or is designed to give publicity to the needs or objects of any association or organisation conducted for charitable or benevolent purposes.
- (6) Nothing in subsection (2) or (5) shall apply to a programme broadcast by the Authority so far as the programme consists of proceedings in either House of Parliament or proceedings of a local authority, a committee of a local authority or a joint committee of two or more local authorities.

In this subsection " local authority " means any of the following bodies, namely, a local authority within the meaning of the Local Government Act 1972, a local authority within the meaning of the Local Government (Scotland) Act 1973, a district council in Northern Ireland, the Common Council of the City of London and (without prejudice to the effect of that Act of 1972) the Inner London Education Authority.

- (7) For the purpose of maintaining supervision and control over the programmes (including advertisements) broadcast by them the Authority may make visual and sound records of those programmes or any part thereof; and the making and use by the Authority of any such record exclusively for that purpose—
 - (a) shall not constitute an infringement of the copyright in any work, sound recording or cinematograph film ; and
 - (b) shall not constitute an offence under any of the provisions of the Performers' Protection Acts 1958 and 1963.