



Video Recordings Act 1984

1984 CHAPTER 39

Offences and penalties

12 Certain video recordings only to be supplied in licensed sex shops

- (1) Where a classification certificate issued in respect of a video work states that no video recording containing that work is to be supplied other than in a licensed sex shop, a person who at any place other than in a sex shop for which a licence is in force under the relevant enactment—
 - (a) supplies a video recording containing the work, or
 - (b) offers to do so,is guilty of an offence unless the supply is, or would if it took place be, an exempted supply.
- (2) It is a defence to a charge of committing an offence under subsection (1) above to prove—
 - (a) that the accused neither knew nor had reasonable grounds to believe that the classification certificate contained the statement concerned,
 - (b) that the accused believed on reasonable grounds that the place concerned was a sex shop for which a licence was in force under the relevant enactment, or
 - (c) that the accused believed on reasonable grounds that the supply was, or would if it took place be, an exempted supply by virtue of section 3(4) of this Act or subsection (6) below.
- (3) Where a classification certificate issued in respect of a video work states that no video recording containing that work is to be supplied other than in a licensed sex shop, a person who has a video recording containing the work in his possession for the purpose of supplying it at any place other than in such a sex shop is guilty of an offence, unless he has it in his possession for the purpose only of a supply which, if it took place, would be an exempted supply.
- (4) It is a defence to a charge of committing an offence under subsection (3) above to prove—

Status: This is the original version (as it was originally enacted).

- (a) that the accused neither knew nor had reasonable grounds to believe that the classification certificate contained the statement concerned,
 - (b) that the accused believed on reasonable grounds that the place concerned was a sex shop for which a licence was in force under the relevant enactment, or
 - (c) that the accused had the video recording in his possession for the purpose only of a supply which he believed on reasonable grounds would, if it took place, be an exempted supply by virtue of section 3(4) of this Act or subsection (6) below.
- (5) In this section "relevant enactment" means Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 or, in Scotland, Schedule 2 to the Civic Government (Scotland) Act 1982, and "sex shop" has the same meaning as in the relevant enactment.
- (6) For the purposes of this section, where a classification certificate issued in respect of a video work states that no video recording containing that work is to be supplied other than in a licensed sex shop, the supply of a video recording containing that work—
- (a) to a person who, in the course of a business, makes video works or supplies video recordings, and
 - (b) with a view to its eventual supply in sex shops, being sex shops for which licences are in force under the relevant enactment,
- is an exempted supply.