



Video Recordings Act 1984

1984 CHAPTER 39

Miscellaneous and supplementary

19 Evidence by certificate.

[^{F1}(1) In any proceedings in England and Wales or Northern Ireland for an offence under this Act, a certificate purporting to be signed by a person authorised in that behalf by the Secretary of State and stating—

- (a) that he has examined—
 - (i) the record maintained in pursuance of arrangements made by the designated authority, and
 - (ii) a video work (or part of a video work) contained in a video recording identified by the certificate, and
- (b) that the record shows that, on the date specified in the certificate, no classification certificate had been issued in respect of the video work concerned,

shall be admissible as evidence of the fact that, on that day, no classification certificate had been issued in respect of the video work concerned.

(2) A certificate under subsection (1) above may also state—

- (a) that the video work concerned differs in such respects as may be specified from another video work examined by the person so authorised and identified by the certificate, and
- (b) that the record shows that, on a date specified in the certificate under subsection (1) above, a classification certificate was issued in respect of that other video work;

and, if it does so, shall be admissible as evidence of the fact that the video work concerned differs in those respects from the other video work.

(3) In any proceedings in England and Wales or Northern Ireland for an offence under this Act, a certificate purporting to be signed by a person authorised in that behalf by the Secretary of State and stating—

- (a) that he has examined—

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Changes to legislation: There are currently no known outstanding effects for the Video Recordings Act 1984, Section 19. (See end of Document for details)

- (i) the record maintained in pursuance of arrangements made by the designated authority, and
- (ii) a video work (or part of a video work) contained in a video recording identified by the certificate, and

- (b) that the record shows that, on the date specified in the certificate under this subsection, a classification certificate was issued in respect of the video work concerned and that a document identified by the certificate under this subsection is a copy of the classification certificate so issued,

shall be admissible as evidence of the fact that, on that date, a classification certificate in terms of the document so identified was issued in respect of the video work concerned.

[^{F2}(3A) In any proceedings in England and Wales or Northern Ireland for an offence under this Act, a certificate purporting to be signed by a person authorised in that behalf by the Secretary of State and stating—

- (a) that he has examined the record maintained in pursuance of arrangements made by the designated authority, and
- (b) that the record shows that, on the date specified in the certificate, no classification certificate had been issued in respect of a video work having a particular title,

shall be admissible as evidence of the fact that, on that date, no classification certificate had been issued in respect of a work of that title.

(3B) In any proceedings in England and Wales or Northern Ireland for an offence under this Act, a certificate purporting to be signed by a person authorised in that behalf by the Secretary of State and stating—

- (a) that he has examined the record maintained in pursuance of arrangements made by the designated authority, and
- (b) that the record shows that, on the date specified in the certificate under this subsection, a classification certificate was issued in respect of a video work having a particular title and that a document identified by the certificate under this subsection is a copy of the classification certificate so issued,

shall be admissible as evidence of the fact that, on that date, a classification certificate in terms of the document so identified was issued in respect of a work of that title.]

(4) Any document or video recording identified in a certificate tendered in evidence under this section shall be treated as if it had been produced as an exhibit and identified in court by the person signing the certificate.

(5) This section does not make a certificate admissible as evidence in proceedings for an offence unless a copy of the certificate has, not less than seven days before the hearing, been served on the person charged with the offence in one of the following ways—

- (a) by delivering it to him or to his solicitor, or
- (b) by addressing it to him and leaving it at his usual or last known place of abode or place of business or by addressing it to his solicitor and leaving it at his office, or
- (c) by sending it in a registered letter or by the recorded delivery service addressed to him at his usual or last known place of abode or place of business or addressed to his solicitor at his office, or
- (d) in the case of a body corporate, by delivering it to the secretary or clerk of the body at its registered or principal office or sending it in a registered letter

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or by the recorded delivery service addressed to the secretary or clerk of that body at that office.]

Textual Amendments

- F1** S. 19 repealed and revived (21.1.2010) by [Video Recordings Act 2010 \(c. 1\)](#), **ss. 1(1), 2(2)** (with [Sch. paras. 2\(2\), 6](#))
- F2** S. 19(3A)(3B) inserted (20.9.1993) by [1993 c. 24](#), **ss. 4, 6(2)**

Modifications etc. (not altering text)

- C1** S. 19(5)(a)(b)(c) amended (E.W.) (1.1.1992) by [S.I. 1991/2684](#), **arts. 2, 4, 5**, **Sch. 1**

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