



# Video Recordings Act 1984

## CHAPTER 39

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# Video Recordings Act 1984

## 1984 CHAPTER 39

An Act to make provision for regulating the distribution of video recordings and for connected purposes.

[12th July 1984]

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same,<sup>1</sup> as follows:—

### *Preliminary*

1.—(1) The provisions of this section shall have effect for the interpretation of terms used in this Act. Interpretation of terms.

(2) “Video work” means any series of visual images (with or without sound)—

(a) produced electronically by the use of information contained on any disc or magnetic tape, and

(b) shown as a moving picture.

(3) “Video recording” means any disc or magnetic tape containing information by the use of which the whole or a part of a video work may be produced.

(4) “Supply” means supply in any manner, whether or not for reward, and, therefore, includes supply by way of sale, letting on hire, exchange or loan; and references to a supply are to be interpreted accordingly.

Exempted works.

**2.—**(1) Subject to subsection (2) below, a video work is for the purposes of this Act an exempted work if, taken as a whole—

- (a) it is designed to inform, educate or instruct ;
- (b) it is concerned with sport, religion or music ; or
- (c) it is a video game.

(2) A video work is not an exempted work for those purposes if, to any significant extent, it depicts—

- (a) human sexual activity or acts of force or restraint associated with such activity ;
- (b) mutilation or torture of, or other acts of gross violence towards, humans or animals ;
- (c) human genital organs or human urinary or excretory functions ;

or is designed to any significant extent to stimulate or encourage anything falling within paragraph (a) or, in the case of anything falling within paragraph (b), is designed to any extent to do so.

Exempted supplies.

**3.—**(1) The provisions of this section apply to determine whether or not a supply of a video recording is an exempted supply for the purposes of this Act.

(2) The supply of a video recording by any person is an exempted supply if it is neither—

- (a) a supply for reward, nor
- (b) a supply in the course or furtherance of a business.

(3) Where on any premises facilities are provided in the course or furtherance of a business for supplying video recordings, the supply by any person of a video recording on those premises is to be treated for the purposes of subsection (2) above as a supply in the course or furtherance of a business.

(4) Where a person (in this subsection referred to as the “original supplier”) supplies a video recording to a person who, in the course of a business, makes video works or supplies video recordings, the supply is an exempted supply—

- (a) if it is not made with a view to any further supply of that recording, or
- (b) if it is so made, but is not made with a view to the eventual supply of that recording to the public or is made with a view to the eventual supply of that recording to the original supplier.

For the purposes of this subsection, any supply is a supply to the public unless it is—

- (i) a supply to a person who, in the course of a business, makes video works or supplies video recordings,
- (ii) an exempted supply by virtue of subsection (2) above or subsections (5) to (10) below, or
- (iii) a supply outside the United Kingdom.

(5) Where a video work—

- (a) is designed to provide a record of an event or occasion for those who took part in the event or occasion or are connected with those who did so,
- (b) does not, to any significant extent, depict anything falling within paragraph (a), (b) or (c) of section 2(2) of this Act, and
- (c) is not designed to any significant extent to stimulate or encourage anything falling within paragraph (a) of that subsection or, in the case of anything falling within paragraph (b) of that subsection, is not designed to any extent to do so,

the supply of a video recording containing only that work to a person who took part in the event or occasion or is connected with someone who did so is an exempted supply.

(6) The supply of a video recording for the purpose only of the exhibition of any video work contained in the recording in premises other than a dwelling-house—

- (a) being premises mentioned in subsection (7) below, or
- (b) being an exhibition which in England and Wales or Scotland would be an exempted exhibition within the meaning of section 5 of the Cinematograph Act 1952 1952 c. 68. (cinematograph exhibition to which public not admitted or are admitted without payment), or in Northern Ireland would be an exempted exhibition within the meaning of section 5 of the Cinematograph Act (Northern 1959 c. 20 Ireland) 1959 (similar provision for Northern Ireland), (N.I.).

is an exempted supply.

(7) The premises referred to in subsection (6) above are—

- (a) premises in respect of which a licence under section 2 of the Cinematograph Act 1909 is in force, 1909 c. 30.
- (b) premises falling within section 7(2) of that Act (premises used only occasionally and exceptionally for cinematograph exhibitions), or
- (c) premises falling within section 7(3) of that Act (building or structure of a movable character) in respect of

which such a licence as is mentioned in paragraph (a) of that subsection has been granted.

(8) The supply of a video recording with a view only to its use for or in connection with—

(a) broadcasting services provided by the British Broadcasting Corporation or the Independent Broadcasting Authority, or

(b) a service authorised by a licence granted or having effect as if granted under section 58 of the Telecommunications Act 1984 (power to license cable programme services) or, until the coming into force of that section, a system licensed under section 89 of the Post Office Act 1969 (licensing of programme distribution systems),

1984 c. 12.

1969 c. 48.

is an exempted supply.

(9) The supply of a video recording for the purpose only of submitting a video work contained in the recording for the issue of a classification certificate or otherwise only for purposes of arrangements made by the designated authority is an exempted supply.

(10) The supply of a video recording with a view only to its use—

(a) in training for or carrying on any medical or related occupation,

(b) for the purpose of—

(i) services provided in pursuance of the National Health Service Act 1977 or the National Health Service (Scotland) Act 1978, or

(ii) such of the services provided in pursuance of the Health and Personal Social Services (Northern Ireland) Order 1972 as are health services (within the meaning of that Order), or

(c) in training persons employed in the course of services falling within paragraph (b) above,

is an exempted supply.

(11) For the purposes of subsection (10) above, an occupation is a medical or related occupation if, to carry on the occupation, a person is required to be registered under the Professions Supplementary to Medicine Act 1960, the Nurses, Midwives and Health Visitors Act 1979 or the Medical Act 1983.

(12) The supply of a video recording otherwise than for reward, being a supply made for the purpose only of supplying it to a person who previously made an exempted supply of the recording, is also an exempted supply.

1977 c. 49.

1978 c. 29.

S.I. 1972/1265  
(N.I. 14).

1960 c. 66.

1979 c. 36.

1983 c. 54.

*Designated authority*

4.—(1) The Secretary of State may by notice under this section designate any person as the authority responsible for making arrangements—

Authority to determine suitability of video works for classification.

(a) for determining for the purposes of this Act whether or not video works are suitable for classification certificates to be issued in respect of them, having special regard to the likelihood of video works in respect of which such certificates have been issued being viewed in the home,

(b) in the case of works which are determined in accordance with the arrangements to be so suitable—

(i) for making such other determinations as are required for the issue of classification certificates, and

(ii) for issuing such certificates, and

(c) for maintaining a record of such determinations (whether determinations made in pursuance of arrangements made by that person or by any person previously designated under this section), including video recordings of the video works to which the determinations relate.

(2) The power to designate any person by notice under this section includes power—

(a) to designate two or more persons jointly as the authority responsible for making those arrangements, and

(b) to provide that any person holding an office or employment specified in the notice is to be treated as designated while holding that office or employment.

(3) The Secretary of State shall not make any designation under this section unless he is satisfied that adequate arrangements will be made for an appeal by any person against a determination that a video work submitted by him for the issue of a classification certificate—

(a) is not suitable for a classification certificate to be issued in respect of it, or

(b) is not suitable for viewing by persons who have not attained a particular age,

or against a determination that no video recording containing the work is to be supplied other than in a licensed sex shop.

(4) The Secretary of State may at any time designate another person in place of any person designated under this section and, if he does so, may give directions as to the transfer of any record kept in pursuance of the arrangements referred to in

subsection (1) above ; and it shall be the duty of any person having control of any such record or any part of it to comply with the directions.

(5) No fee shall be recoverable by the designated authority in connection with any determination falling within subsection (1)(a) or (b) above or the issue of any classification certificate unless the fee is payable in accordance with a tariff approved by the Secretary of State.

(6) The Secretary of State may for the purposes of subsection (5) above approve a tariff providing for different fees for different classes of video works and for different circumstances.

(7) Any notice under this section shall be published in the London, Edinburgh and Belfast Gazettes.

(8) In this Act, references to the designated authority, in relation to any transaction, are references to the person or persons designated under this section at the time of that transaction.

Parliamentary  
procedure for  
designation.

5.—(1) Where the Secretary of State proposes to make a designation under section 4 of this Act, he shall lay particulars of his proposal before both Houses of Parliament and shall not make the proposed designation until after the end of the period of forty days beginning with the day on which the particulars of his proposal were so laid.

(2) If, within the period mentioned in subsection (1) above, either House resolves that the Secretary of State should not make the proposed designation, the Secretary of State shall not do so (but without prejudice to his power to lay before Parliament particulars of further proposals in accordance with that subsection).

(3) For the purposes of subsection (1) above—

(a) where particulars of a proposal are laid before each House of Parliament on different days, the later day shall be taken to be the day on which the particulars were laid before both Houses ;

(b) in reckoning any period of forty days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than four days.

Annual  
report.

6.—(1) The designated authority shall, as soon as it is reasonably practicable to do so after 31st December, make a report to the Secretary of State on the carrying out in the year ending with that date of the arrangements referred to in section 4(1) and



(3) of this Act (together with a statement of accounts) and on such other matters (if any) as the designated authority consider appropriate or the Secretary of State may require.

(2) The Secretary of State shall lay a copy of any report made to him under this section before each House of Parliament.

### *Classification and labelling*

7.—(1) In this Act “classification certificate” means a certificate— Classification certificates.

- (a) issued in respect of a video work in pursuance of arrangements made by the designated authority ; and
- (b) satisfying the requirements of subsection (2) below.

(2) Those requirements are that the certificate must contain—

- (a) a statement that the video work concerned is suitable for general viewing and unrestricted supply (with or without any advice as to the desirability of parental guidance with regard to the viewing of the work by young children or as to the particular suitability of the work for viewing by children) ; or
- (b) a statement that the video work concerned is suitable for viewing only by persons who have attained the age (not being more than eighteen years) specified in the certificate and that no video recording containing that work is to be supplied to any person who has not attained the age so specified ; or
- (c) the statement mentioned in paragraph (b) above together with a statement that no video recording containing that work is to be supplied other than in a licensed sex shop.

8.—(1) The Secretary of State may, in relation to video works in respect of which classification certificates have been issued, by regulations require such indication as may be specified by the regulations of any of the contents of any classification certificate to be shown in such a manner as may be so specified on any video recording containing the video work in respect of which the certificate was issued or any spool, case or other thing on or in which such a video recording is kept. Requirements as to labelling, etc.

(2) Regulations under this section may make different provision for different video works and for different circumstances.

(3) The power to make regulations under this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

*Offences and penalties*

Supplying  
video  
recording of  
unclassified  
work.

9.—(1) A person who supplies or offers to supply a video recording containing a video work in respect of which no classification certificate has been issued is guilty of an offence unless—

- (a) the supply is, or would if it took place be, an exempted supply, or
- (b) the video work is an exempted work.

(2) It is a defence to a charge of committing an offence under this section to prove that the accused believed on reasonable grounds—

- (a) that the video work concerned or, if the video recording contained more than one work to which the charge relates, each of those works was either an exempted work or a work in respect of which a classification certificate had been issued, or
- (b) that the supply was, or would if it took place be, an exempted supply by virtue of section 3(4) or (5) of this Act.

Possession of  
video  
recording of  
unclassified  
work for the  
purposes of  
supply.

10.—(1) Where a video recording contains a video work in respect of which no classification certificate has been issued, a person who has the recording in his possession for the purpose of supplying it is guilty of an offence unless—

- (a) he has it in his possession for the purpose only of a supply which, if it took place, would be an exempted supply, or
- (b) the video work is an exempted work.

(2) It is a defence to a charge of committing an offence under this section to prove—

- (a) that the accused believed on reasonable grounds that the video work concerned or, if the video recording contained more than one work to which the charge relates, each of those works was either an exempted work or a work in respect of which a classification certificate had been issued,
- (b) 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) or (5) of this Act, or
- (c) that the accused did not intend to supply the video recording until a classification certificate had been issued in respect of the video work concerned.

**11.—(1)** Where a classification certificate issued in respect of a video work states that no video recording containing that work is to be supplied to any person who has not attained the age specified in the certificate, a person who supplies or offers to supply a video recording containing that work to a person who has not attained the age so specified is guilty of an offence unless the supply is, or would if it took place be, an exempted supply.

Supplying video recording of classified work in breach of classification.

(2) It is a defence to a charge of committing an offence under this section 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 neither knew nor had reasonable grounds to believe that the person concerned had not attained that age, 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) or (5) of this Act.

**12.—(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—

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

- (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—

- (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.

1982 c. 30.  
1982 c. 45.

(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.

Supply of  
video  
recording not  
complying  
with  
requirements  
as to labels,  
etc.

**13.—(1)** A person who supplies or offers to supply a video recording or any spool, case or other thing on or in which the recording is kept which does not satisfy any requirement imposed by regulations under section 8 of this Act 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 this section to prove that the accused—

- (a) believed on reasonable grounds that the supply was, or would if it took place be, an exempted supply by virtue of section 3(4) or (5) of this Act, or
- (b) neither knew nor had reasonable grounds to believe that the recording, spool, case or other thing (as the case may be) did not satisfy the requirement concerned.

14.—(1) A person who supplies or offers to supply a video recording containing a video work in respect of which no classification certificate has been issued is guilty of an offence if the video recording or any spool, case or other thing on or in which the recording is kept contains any indication that a classification certificate has been issued in respect of that work unless the supply is, or would if it took place be, an exempted supply.

Supply of  
video  
recording  
containing  
false  
indication as  
to  
classification.

(2) It is a defence to a charge of committing an offence under subsection (1) above to prove—

- (a) that the accused believed on reasonable grounds—
  - (i) that a classification certificate had been issued in respect of the video work concerned, or
  - (ii) that the supply was, or would if it took place be, an exempted supply by virtue of section 3(4) or (5) of this Act, or
- (b) that the accused neither knew nor had reasonable grounds to believe that the recording, spool, case or other thing (as the case may be) contained the indication concerned.

(3) A person who supplies or offers to supply a video recording containing a video work in respect of which a classification certificate has been issued is guilty of an offence if the video recording or any spool, case or other thing on or in which the recording is kept contains any indication that is false in a material particular of any statement falling within section 7(2) of this Act (including any advice falling within paragraph (a) of that subsection) contained in the certificate, unless the supply is, or would if it took place be, an exempted supply.

(4) It is a defence to a charge of committing an offence under subsection (3) above to prove—

- (a) that the accused believed on reasonable grounds—
  - (i) that the supply was, or would if it took place be, an exempted supply by virtue of section 3(4) or (5) of this Act, or
  - (ii) that the certificate concerned contained the statement indicated, or

- (b) that the accused neither knew nor had reasonable grounds to believe that the recording, spool, case or other thing (as the case may be) contained the indication concerned.

**Penalties**

**15.**—(1) A person guilty of an offence under section 9 or 10 of this Act shall be liable, on summary conviction, to a fine not exceeding £20,000.

(2) In relation to England and Wales, Scotland or Northern Ireland, the Secretary of State may by order amend subsection (1) above so as to substitute for the sum specified in that subsection (whether at the passing of this Act or by a previous order made under this subsection) such other sum as appears to him to be justified by a change in the value of money appearing to him to have taken place since the passing of this Act or the date of the previous order made under this subsection, as the case may be.

(3) A person guilty of an offence under any other provision of this Act shall be liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.

In this subsection “the standard scale” has the meaning given by section 75 of the Criminal Justice Act 1982.

1982 c. 48.

(4) The power to make an order under subsection (2) above shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(5) An order under subsection (2) above shall not affect the punishment for an offence committed before that order comes into force.

*Miscellaneous and supplementary***Offences by bodies corporate.**

**16.**—(1) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

**17.**—(1) If a justice of the peace is satisfied by information on oath that there are reasonable grounds for suspecting— Entry, search and seizure.

- (a) that an offence under this Act has been or is being committed on any premises, and
- (b) that evidence that the offence has been or is being committed is on those premises,

he may issue a warrant under his hand authorising any constable to enter and search the premises within one month from the date of issue of the warrant.

(2) A constable entering or searching any premises in pursuance of a warrant under subsection (1) above may use reasonable force if necessary and may seize anything found there which he has reasonable grounds to believe may be required to be used in evidence in any proceedings for an offence under this Act.

(3) In subsection (1) above—

- (a) the reference to a justice of the peace is, in Scotland, a reference to the sheriff or a justice of the peace and, in Northern Ireland, a reference to a resident magistrate, and
- (b) the reference to information is, in Scotland, a reference to evidence and, in Northern Ireland, a reference to a complaint.

**18.**—(1) If a constable has reasonable grounds for suspecting Arrest. that a person has committed an offence under this Act, he may require him to give his name and address and, if that person refuses or fails to do so or gives a name and address which the constable reasonably suspects to be false, the constable may arrest him without warrant.

(2) This section does not extend to Scotland.

**19.**—(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— Evidence by certificate

- (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—
  - (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.

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

**20.** At the end of Schedule 1 to the Criminal Justice (Scotland) Act 1980 there is added—

Evidence by  
certificate in  
Scotland.

1980 c. 62.

“The Video Recordings Act 1984 ss. 9 to 14 (offences relating to the supply and possession of video recordings in contravention of that Act).

A person authorised to do so by the Secretary of State, and who has—

(a) in relation to the matters certified in paragraph (a) or (c) of Column 3, 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;

(b) in relation to the matters certified in paragraph (b) of Column 3 examined a video work other than the video work concerned in the proceedings.

In respect of a video work concerned in the proceedings—

(a) that on the date specified in the certificate, no classification certificate had been issued;

(b) where a certificate is given in respect of the matter referred to in paragraph (a) above, that the video work differs in such respects as may be specified from the other video work mentioned in paragraph (b) of Column 2;

(c) that on the date specified in the certificate a classification certificate in terms of a document identified by the certificate as a copy of the classification certificate was issued.”

**21.**—(1) Where a person is convicted of any offence under Forfeiture. this Act, the court may order any video recording—

(a) produced to the court, and

(b) shown to the satisfaction of the court to relate to the offence,

to be forfeited.

(2) The court shall not order any video recording to be forfeited under subsection (1) above if a person claiming to be the owner of it or otherwise interested in it applies to be heard by the court, unless an opportunity has been given to him to show cause why the order should not be made.

(3) References in this section to a video recording include a reference to any spool, case or other thing on or in which the recording is kept.

(4) An order made under subsection (1) above in any proceedings in England and Wales or Northern Ireland shall not take effect until the expiration of the ordinary time within which an appeal may be instituted or, where such an appeal is duly instituted, until the appeal is finally decided or abandoned ; and for this purpose—

- (a) an application for a case to be stated or for leave to appeal shall be treated as the institution of an appeal ; and
- (b) where a decision on appeal is subject to a further appeal, the appeal is not finally decided until the expiration of the ordinary time within which a further appeal may be instituted or, where a further appeal is duly instituted, until the further appeal is finally decided or abandoned.

(5) An order made under subsection (1) above in any proceedings in Scotland shall not take effect until the expiration of the time within which, by virtue of any statute, an appeal may be instituted or, where such an appeal is duly instituted, until the appeal is finally disposed of or abandoned ; and for this purpose the lodging of an application for a stated case or note of appeal against sentence shall be treated as the institution of an appeal.

Other interpretation.

**22.**—(1) In this Act—

“ business ”, except in section 3(4), includes any activity carried on by a club ; and

“ premises ” includes any vehicle, vessel or stall.

(2) For the purposes of this Act, a video recording contains a video work if it contains information by the use of which the whole or a part of the work may be produced ; but where a video work includes any extract from another video work, that extract is not to be regarded for the purposes of this subsection as a part of that other work.

(3) Where any alteration is made to a video work in respect of which a classification certificate has been issued, the classification certificate is not to be treated for the purposes of this Act as issued in respect of the altered work.

In this subsection, "alteration" includes addition.

**23.**—(1) This Act may be cited as the Video Recordings Act 1984.

Short title,  
commence-  
ment and  
extent.

(2) This Act shall come into force on such day as the Secretary of State may by order made by statutory instrument appoint, and different days may be appointed for different provisions and for different purposes.

(3) This Act extends to Northern Ireland.

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