



# Video Recordings Act 1984

## 1984 CHAPTER 39

### *Preliminary*

#### **2 Exempted works.**

[<sup>F1</sup>(1) Subject to subsection [<sup>F2</sup>(1ZA)] below, a video work [<sup>F3</sup> other than a video game] is for the purposes of this Act an exempted work if, taken as a whole—

- (a) it is designed to inform, educate or instruct; [<sup>F4</sup> or]
- (b) it is concerned with sport, religion or music; <sup>F5</sup> ...
- (c) .....

[<sup>F6</sup>(1ZA) A video work other than a video game is not an exempted work for those purposes if it does one or more of the following—

- (a) it depicts or promotes violence or threats of violence;
- (b) it depicts the immediate aftermath of violence on human or animal characters;
- (c) it depicts an imitable dangerous activity without also depicting that the activity may endanger the welfare or health of a human or animal character;
- (d) it promotes an imitable dangerous activity;
- (e) it depicts or promotes activities involving illegal drugs or the misuse of drugs;
- (f) it promotes the use of alcohol or tobacco;
- (g) it depicts or promotes suicide or attempted suicide, or depicts the immediate aftermath of such an event;
- (h) it depicts or promotes any act of scarification or mutilation of a person, or of self-harm, or depicts the immediate aftermath of such an act;
- (i) it depicts techniques likely to be useful in the commission of offences or, through its depiction of criminal activity, promotes the commission of offences;
- (j) it includes words or images intended or likely to convey a sexual message (ignoring words or images depicting any mild sexual behaviour);
- (k) it depicts human sexual activity (ignoring any depictions of mild sexual activity);

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- (l) it depicts or promotes acts of force or restraint associated with human sexual activity;
- (m) it depicts human genital organs or human urinary or excretory functions (unless the depiction is for a medical, scientific or educational purpose);
- (n) it includes swearing (ignoring any mild bad language); or
- (o) it includes words or images that are intended or likely (to any extent) to cause offence, whether on the grounds of race, gender, disability, religion or belief or sexual orientation, or otherwise.

(1ZB) For the purposes of subsection (1ZA), a video work promotes something if the work is likely (to any extent) to stimulate or encourage that thing.

(1ZC) In subsection (1ZA)—

“human or animal character” means a character that is or whose appearance is similar to that of—

- (a) a human being, or
- (b) an animal that exists or has existed in real life,

but does not include a simple stick character or any equally basic representation of a human being or animal;

“imitable dangerous activity” means an activity which—

- (a) if imitated by a person, may endanger the welfare or health of any person or animal, and
- (b) may be easily imitated by a person; and

“violence” does not include any violence that is—

- (a) mild, or
- (b) not directed towards human or animal characters,

unless it is sexual violence..]

[<sup>F7</sup>(1A) Subject to subsection (2) or (3) below, a video game is for the purposes of this Act an exempted work if—

- (a) it is, taken as a whole, designed to inform, educate or instruct;
- (b) it is, taken as a whole, concerned with sport, religion or music; or
- (c) it satisfies one or more of the conditions in section 2A.]

(2) A [<sup>F8</sup>video game] 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;

[<sup>F9</sup>(d) techniques likely to be useful in the commission of offences;]

or is [<sup>F10</sup>likely] to any significant extent to stimulate or encourage anything falling within paragraph (a) or, in the case of anything falling within paragraph (b), is [<sup>F10</sup>likely] to any extent to do so.

[<sup>F11</sup>(3) A [<sup>F12</sup>video game] is not an exempted work for those purposes if, to any significant extent, it depicts criminal activity which is likely to any significant extent to stimulate or encourage the commission of offences.]]

[<sup>F13</sup>(4) The Secretary of State may by regulations amend this section—

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- (a) by adding or removing a case in which a video work is not an exempted work,  
or
- (b) by amending a description of such a case.]

#### Textual Amendments

- F1** Ss. 1-17 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** Words in s. 2(1) substituted (1.10.2014) by The Video Recordings Act 1984 (Exempted Video Works) Regulations 2014 (S.I. 2014/2097), art. 1(2)**reg. 2(2)** (with reg. 4)
- F3** Words in s. 2(1) inserted (30.7.2012) by Digital Economy Act 2010 (c. 24), **ss. 40(2)(a)**, 47(3)(c); S.I. 2012/1766, art. 2(a)
- F4** Word in s. 2(1)(a) inserted (30.7.2012) by Digital Economy Act 2010 (c. 24), **ss. 40(2)(b)**, 47(3)(c); S.I. 2012/1766, art. 2(a)
- F5** S. 2(1)(c) repealed (30.7.2012) by Digital Economy Act 2010 (c. 24), ss. 40(2)(c), 47(3)(c), **Sch. 2**; S.I. 2012/1766, art. 2
- F6** S. 2(1ZA)-(1ZC) inserted (1.10.2014) by The Video Recordings Act 1984 (Exempted Video Works) Regulations 2014 (S.I. 2014/2097), art. 1(2)**reg. 2(3)** (with reg. 4)
- F7** S. 2(1A) inserted (30.7.2012) by Digital Economy Act 2010 (c. 24), **ss. 40(3)**, 47(3)(c); S.I. 2012/1766, art. 2(a)
- F8** Words in s. 2(2) substituted (1.10.2014) by The Video Recordings Act 1984 (Exempted Video Works) Regulations 2014 (S.I. 2014/2097), art. 1(2)**reg. 2(4)** (with reg. 4)
- F9** S. 2(2)(d) inserted (1.11.1995 except in relation to a video work of which a video recording has been supplied or offered for supply prior to 1.11.1995) by 1994 c. 1994 c. 33, s. 89(3)(a); S.I. 1995/1957, **art. 5**
- F10** Words in s. 2(2) substituted (1.11.1995 except in relation to a video work of which a video recording has been supplied or offered for supply prior to 1.11.1995) by 1994 c. 33, **s. 89(3)(b)**; S.I. 1995/1957, **art. 5**
- F11** S. 2(3) inserted (1.11.1995 except in relation to a video work of which a video recording has been supplied or offered for supply prior to 1.11.1995) by 1994 c. 1994 c. 33, s. 89(4); S.I. 1995/1957, **art. 5**
- F12** Words in s. 2(3) substituted (1.10.2014) by The Video Recordings Act 1984 (Exempted Video Works) Regulations 2014 (S.I. 2014/2097), art. 1(2)**reg. 2(4)** (with reg. 4)
- F13** S. 2(4) inserted (8.6.2010) by Digital Economy Act 2010 (c. 24), **ss. 40(4)**, 47(1)

**Changes to legislation:**

There are currently no known outstanding effects for the Video Recordings Act 1984, Section 2.