



# Video Recordings Act 1984

## 1984 CHAPTER 39

### *Preliminary*

#### **3 Exempted supplies. E+W+S**

- [<sup>F1</sup>(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 supply for reward, nor
  - 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—
- if it is not made with a view to any further supply of that recording, or
  - if it 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—

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

---

*Status:* There are multiple versions of this provision on screen. These apply to different geographical extents. *Skip to:* E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent

*Changes to legislation:* There are currently no known outstanding effects for the Video Recordings Act 1984, Section 3. (See end of Document for details)

---

- [<sup>F2</sup>(b) does not, to any significant extent, depict any of the following—
- (i) human sexual activity or acts of force or restraint associated with such activity,
  - (ii) mutilation or torture of, or other acts of gross violence towards, humans or animals, or
  - (iii) human genital organs or human urinary or excretory functions, and]
- [<sup>F2</sup>(c) is not designed—
- (i) to any significant extent to stimulate or encourage anything falling within paragraph (b)(i), or
  - (ii) to any extent to stimulate or encourage anything falling within paragraph (b)(ii),]

the supply of 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 [<sup>F3</sup>a film exhibition to which section 6 of the Cinemas Act 1985 applies (film exhibition to which public not admitted or are admitted without payment), or in Northern Ireland would be [<sup>F4</sup>a film exhibition to which Article 8 of the Cinemas (Northern Ireland) Order 1991 applies] (similar provision for Northern Ireland),
- is an exempted supply.

<sup>F5</sup>[( 7 ) The premises referred to in subsection (6) above are—

- [ <sup>F6</sup>(za) premises in England and Wales which, by virtue of an authorisation within the meaning of section 136 of the Licensing Act 2003, may be used for the exhibition of a film within the meaning of paragraph 15 of Schedule 1 to that Act,]
- (a) premises [<sup>F7</sup>in Scotland] in respect of which a licence under section 1 of the Cinemas Act 1985 is in force,
- (b) premises [<sup>F8</sup>in Scotland] falling within section 7 of that Act (premises used only occasionally and exceptionally for film exhibitions), or
- (c) premises [<sup>F7</sup>in Scotland] falling within section 8 of that Act (building or structure of a movable character) in respect of which such a licence as is mentioned in subsection (1)( a ) of that section has been granted. ]

- (8) The supply of a video recording with a view only to its use for or in connection with — [<sup>F9</sup>a programme service (within the meaning of the Broadcasting Act 1990)]

- [<sup>F10</sup>(8A) The supply of a video recording in the form of a machine of a type designed primarily for use in an amusement arcade is an exempted supply unless the video game (or, if more than one, any of the video games) that it contains—
- (a) depicts, to any significant extent, anything falling within section 2(2)(a), (b), (c) or (d) or (3), or
  - (b) is likely to any significant extent to stimulate or encourage anything falling within section 2(2)(a) or, in the case of anything falling within section 2(2)(b), is likely to any extent to do so.

---

*Status:* There are multiple versions of this provision on screen. These apply to different geographical extents. *Skip to:* E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent  
*Changes to legislation:* There are currently no known outstanding effects for the Video Recordings Act 1984, Section 3. (See end of Document for details)

---

- (8B) The supply of any other video recording is an exempted supply if the recording is supplied for the purpose only of its use in connection with a supply that is an exempted supply under subsection (8A).]
- (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 relate occupation,
  - (b) for the purpose of—
    - (i) services provided in pursuance of [<sup>F11</sup> the National Health Service Act 2006, the National Health Service (Wales) Act 2006 ] or the <sup>M1</sup> National Health Service (Scotland) Act 1978, or
    - (ii) such of the services provided in pursuance of the <sup>M2</sup> 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 [<sup>F12</sup>the Health Professions Order 2001][<sup>F13</sup>the Nursing and Midwifery Order 2001][<sup>F14</sup>the Medical Act 1983, the <sup>M3</sup> Osteopaths Act 1993 or the Chiropractors Act 1994 ] .
- <sup>F15</sup>(11A) . . . . .
- (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.]
- [<sup>F16</sup>(13) The Secretary of State may by regulations amend this section and the regulations may, in particular—
- (a) add a case in which the supply of a video recording is an exempted supply for the purposes of this Act, or
  - (b) repeal a provision of this section.]

**Extent Information**

**E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only.

**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** S. 3(5)(b)(c) substituted (1.10.2014) by [The Video Recordings Act 1984 \(Exempted Video Works\) Regulations 2014 \(S.I. 2014/2097\)](#), **art. 1(2)reg. 3** (with [reg. 4](#))
- F3** Words in s. 3(6)(b) substituted (E.W.S.) by [Cinemas Act 1985 \(c. 13, SIF 45A\)](#), s. 24(1), **Sch. 2 para. 18(1)(2)**.
- F4** Words in s. 3(6)(b) substituted (N.I.) (27.8.1991) by [S.I. 1991/1462 \(N.I. 12\)](#), **art. 19(1), Sch. 2 para. 3(1)**.

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent*

*Changes to legislation: There are currently no known outstanding effects for the Video Recordings Act 1984, Section 3. (See end of Document for details)*

- F5** S. 3(7) substituted (E.W.S.) by Cinemas Act 1985 (c. 13, SIF 45A), s. 24(1), **Sch. 2 para. 18(3)**.
- F6** S. 3(7)(za) inserted (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 6 para. 89(a)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F7** Words in s. 3(7)(a)(c) inserted (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 6 para. 89(b)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F8** Words in s. 3(7)(b) inserted (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 6 para. 89(b)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F9** Words substituted for paras. (a) and (b) by Broadcasting Act 1990 (c. 42, SIF 96), s. 203(1), **Sch. 20, para. 39**
- F10** S. 3(8A)(8B) inserted (30.7.2012) by Digital Economy Act 2010 (c. 24), **ss. 40(6), 47(3)(c)**; S.I. 2012/1766, art. 2(a)
- F11** Words in s. 3(10)(b)(i) substituted (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 1 para. 84** (with Sch. 3 Pt. 1)
- F12** Words in s. 3(11) substituted (2.12.2019) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 5 para. 47(b)**; S.I. 2019/1436, reg. 2(s)
- F13** Words in s. 3(11) substituted (the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I.) by The Nursing and Midwifery Order 2001 (S.I. 2002/253), art. 54(3), **Sch. 5 para. 9** (with art. 3(18))
- F14** Words in s. 3(11) substituted (13.5.1999) by 1994 c. 17, **s. 39**; S.I. 1999/1309 art. 2
- F15** S. 3(11A) omitted (2.12.2019) by virtue of Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 5 para. 3**; S.I. 2019/1436, reg. 2(s)
- F16** S. 3(13) inserted (8.6.2010) by Digital Economy Act 2010 (c. 24), **ss. 40(7), 47(1)**

#### Marginal Citations

- M1** 1978 c. 29.
- M2** S.I. 1972/1265 (N.I.14).
- M3** 1993 c.21

### 3 Exempted supplies. **N.I.**

- (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 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,

---

*Status:* There are multiple versions of this provision on screen. These apply to different geographical extents. *Skip to:* E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent  
*Changes to legislation:* There are currently no known outstanding effects for the Video Recordings Act 1984, Section 3. (See end of Document for details)

---

(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,

[<sup>F2</sup>(b) does not, to any significant extent, depict any of the following—

(i) human sexual activity or acts of force or restraint associated with such activity,

(ii) mutilation or torture of, or other acts of gross violence towards, humans or animals, or

(iii) human genital organs or human urinary or excretory functions, and]

[<sup>F2</sup>(c) is not designed—

(i) to any significant extent to stimulate or encourage anything falling within paragraph (b)(i), or

(ii) to any extent to stimulate or encourage anything falling within paragraph (b)(ii),]

the supply of 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 [<sup>F17</sup>a film exhibition to which section 6 of the Cinemas Act 1985 applies (film) exhibition to which public not admitted or are admitted without payment), or in Northern Ireland would be [<sup>F18</sup>a film exhibition to which Article 8 of the Cinemas (Northern Ireland) Order 1991 applies] (similar provision for Northern Ireland),

is an exempted supply.

[<sup>F19</sup>(7) The premises referred to in subsection (6) above are—

[ premises in England and Wales which, by virtue of an authorisation within <sup>F6</sup>(za) the meaning of section 136 of the Licensing Act 2003, may be used for the exhibition of a film within the meaning of paragraph 15 of Schedule 1 to that Act,]

(a) premises [<sup>F7</sup>in Scotland] in respect of which a licence under Article 3 of the Cinemas (Northern Ireland) Order 1991 is in force,

(b) premises [<sup>F8</sup>in Scotland] falling within Article 9 of that Order (premises used only occasionally and exceptionally for film exhibitions), or

(c) premises [<sup>F7</sup>in Scotland] falling within Article 10 of that Order (building or structure of a movable character) in respect of which such a licence as is mentioned in paragraph (1)(a) of that Article has been granted.]

(8) The supply of a video recording with a view only to its use for or in connection with — [<sup>F20</sup>a programme service (within the meaning of the Broadcasting Act 1990)]

[<sup>F10</sup>(8A) The supply of a video recording in the form of a machine of a type designed primarily for use in an amusement arcade is an exempted supply unless the video game (or, if more than one, any of the video games) that it contains—

*Status:* There are multiple versions of this provision on screen. These apply to different geographical extents. *Skip to:* E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent

*Changes to legislation:* There are currently no known outstanding effects for the Video Recordings Act 1984, Section 3. (See end of Document for details)

- (a) depicts, to any significant extent, anything falling within section 2(2)(a), (b), (c) or (d) or (3), or
  - (b) is likely to any significant extent to stimulate or encourage anything falling within section 2(2)(a) or, in the case of anything falling within section 2(2)(b), is likely to any extent to do so.
- (8B) The supply of any other video recording is an exempted supply if the recording is supplied for the purpose only of its use in connection with a supply that is an exempted supply under subsection (8A).]
- (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 relate occupation,
  - (b) for the purpose of—
    - (i) services provided in pursuance of [<sup>F11</sup>the National Health Service Act 2006, the National Health Service (Wales) Act 2006] or the <sup>M4</sup>National Health Service (Scotland) Act 1978, or
    - (ii) such of the services provided in pursuance of the <sup>M5</sup>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 [<sup>F12</sup>the Health Professions Order 2001][<sup>F21</sup>the Nursing and Midwifery Order 2001][<sup>F22</sup>the Medical Act 1983, the <sup>M6</sup>Osteopaths Act 1993 or the Chiropractors Act 1994].
- <sup>F15</sup>(11A) .....
- (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.
- [<sup>F16</sup>(13) The Secretary of State may by regulations amend this section and the regulations may, in particular—
- (a) add a case in which the supply of a video recording is an exempted supply for the purposes of this Act, or
  - (b) repeal a provision of this section.]

#### Extent Information

- E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only.

#### Textual Amendments

- F2** S. 3(5)(b)(c) substituted (1.10.2014) by [The Video Recordings Act 1984 \(Exempted Video Works\) Regulations 2014 \(S.I. 2014/2097\)](#), art. 1(2)**reg. 3** (with **reg. 4**)

---

*Status:* There are multiple versions of this provision on screen. These apply to different geographical extents. *Skip to:* E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent

*Changes to legislation:* There are currently no known outstanding effects for the Video Recordings Act 1984, Section 3. (See end of Document for details)

---

- F6** S. 3(7)(za) inserted (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 6 para. 89(a)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F7** Words in s. 3(7)(a)(c) inserted (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 6 para. 89(b)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F8** Words in s. 3(7)(b) inserted (24.11.2005) by Licensing Act 2003 (c. 17), s. 201(2), **Sch. 6 para. 89(b)** (with ss. 2(3), 15(2), 195); S.I. 2005/3056, art. 2(2)
- F10** S. 3(8A)(8B) inserted (30.7.2012) by Digital Economy Act 2010 (c. 24), **ss. 40(6)**, 47(3)(c); S.I. 2012/1766, art. 2(a)
- F11** Words in s. 3(10)(b)(i) substituted (1.3.2007) by National Health Service (Consequential Provisions) Act 2006 (c. 43), s. 8(2), **Sch. 1 para. 84** (with Sch. 3 Pt. 1)
- F12** Words in s. 3(11) substituted (2.12.2019) by Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 5 para. 47(b)**; S.I. 2019/1436, reg. 2(s)
- F15** S. 3(11A) omitted (2.12.2019) by virtue of Children and Social Work Act 2017 (c. 16), s. 70(2), **Sch. 5 para. 3**; S.I. 2019/1436, reg. 2(s)
- F16** S. 3(13) inserted (8.6.2010) by Digital Economy Act 2010 (c. 24), **ss. 40(7)**, 47(1)
- F17** Words in s. 3(6)(b) substituted (E.W.S.) by Cinemas Act 1985 (c. 13, SIF 45A), s. 24(1), **Sch. 2 para. 18(1)(2)**.
- F18** Words in s. 3(6)(b) substituted (N.I.) (27.8.1991) by S.I. 1991/1462 (N.I. 12), art. 19(1), **Sch. 2 para. 3(1)**.
- F19** S. 3(7) substituted (N.I.) (27.8.1991) by S.I. 1991/1462 (N.I. 12), art. 19(1), **Sch. 2 para. 3(2)**.
- F20** Words substituted for paras. (a) and (b) by Broadcasting Act 1990 (c. 42, SIF 96), s. 203(1), **Sch. 20, para. 39**
- F21** Words in s. 3(11) substituted (the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I.) by The Nursing and Midwifery Order 2001 (S.I. 2002/253), art. 54(3), **Sch. 5 para. 9** (with art. 3(18))
- F22** Words in s. 3(11) substituted (13.5.1999) by 1994 c. 17, **s. 39**; S.I. 1999/1309, **art. 2**

---

#### Marginal Citations

- M4** 1978 c. 29.
- M5** S.I. 1972/1265 (N.I.14).
- M6** 1993 c.21

**Status:**

There are multiple versions of this provision on screen. These apply to different geographical extents.

**Skip to:**

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

**Changes to legislation:**

There are currently no known outstanding effects for the Video Recordings Act 1984, Section 3.