



# Broadcasting Act 1990

## 1990 CHAPTER 42

### PART VII

#### PROHIBITION ON INCLUSION OF OBSCENE AND OTHER MATERIAL IN PROGRAMME SERVICES

##### *Racially inflammatory material etc.*

#### **165 Inclusion in programme services in Northern Ireland of material likely to stir up hatred etc**

- (1) Part III of the Public Order (Northern Ireland) Order 1987 (stirring up hatred or arousing fear) shall be amended as follows.
- (2) In each of the following provisions, namely—
  - (a) Article 9(5) (exemption from prohibition applying to use of threatening words etc.), and
  - (b) Article 11(4) (exemption from prohibition applying to distribution etc. of recordings),for “broadcast or included in a cable programme service” there shall be substituted “included in a programme service”.
- (3) In Article 12 (broadcasting or including programme in cable programme service)—
  - (a) in paragraphs (1), (3)(b), (4)(a) and (5)(a), for “broadcast or included in a cable programme service”, wherever occurring, there shall be substituted “included in a programme service”; and
  - (b) the following provisions shall be omitted—
    - (i) in paragraph (2)(a), the words “broadcasting or cable”,
    - (ii) in paragraphs (4)(b) and (5)(b), the words “broadcast or”, wherever occurring,
    - (iii) paragraph (7) (exemption for programmes broadcast by BBC or Independent Broadcasting Authority), and
    - (iv) paragraph (8) (application of certain provisions of Cable and Broadcasting Act 1984).

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*Status: This is the original version (as it was originally enacted).*

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- (4) In Article 13 (possession of matter intended or likely to stir up hatred or arouse fear)—
- (a) in paragraph (1), for “broadcast or included in a cable programme service”, wherever occurring, there shall be substituted “or included in a programme service”;
  - (b) in paragraph (2), for “broadcasting or inclusion in a cable programme service” there shall be substituted “or inclusion in a programme service”; and
  - (c) paragraph (4) (exemption for material kept by BBC or Independent Broadcasting Authority) shall be omitted.
- (5) In Article 17 (interpretation)—
- (a) the definitions of “broadcast” and “cable programme service” shall be omitted;
  - (b) in the definition of “programme”, for “broadcast or included in a cable programme service” there shall be substituted “included in a programme service”; and
  - (c) the following definition shall be inserted after that definition—
    - ““programme service” has the same meaning as in the Broadcasting Act 1990;”.