



House of Lords

Memo from Lord Houghton

Video Recordings Act

The Minister has now written to amplify what she said in the recent debate on certain matters.*

Exempted Works and Exempted Supplies

"I can confirm that it is the responsibility of the supplier to decide whether or not work is an exempted work. There is no question, for example, of his being required to seek authorisation of an exemption from the BBFC or some other body. Whether or not a work is an exempted work is a question of fact on which only the courts could provide an authoritative ruling. It is open to a supplier who is in doubt to submit the work for classification in the ordinary way.

As you know, section 9 (2) of the Act protects the supplier who believed on reasonable grounds that a work was exempted. This may arise where, for example, a retailer was (incorrectly) assured by a reputable producer that the work was exempted."

Guidelines to Examiners

"You asked also whether the TUC's education committee had been consulted about the composition of the appeals committee and whether the consultative council will see any guidelines which may be given to the Board's examiners.

The Board will be in a better position than me to answer these questions and you may wish to pursue the points with them. On the second matter, however, I understand that the Board do not issue formal written guidelines to their examiners but that potential examiners undertake a lengthy period of training 'on the job'."

August 1985

* House of Lords 22/7/85

VIDEO APPEALS COMMITTEE

President: Peter Barnes CB, former Deputy Director of Public Prosecutions

Members: Nina Bawden, FRSL, JP, novelist, President, Society of Women Writers and Journalists

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Great Marlborough Street (retired 1985)

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Dr Faith Spicer OBE, JP, psychotherapist, founder-Director, London
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Laurie Taylor, Professor of Sociology, York University

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