

Video Recordings Act 2010

Aberdeenshire Council
Trading Standards



WHO DOES THE ACT APPLY TO?

If you sell, hire or otherwise supply pre-recorded videotapes, videodiscs or other device capable of storing data electronically, then this Act applies to you.

WHAT DOES THE ACT REQUIRE?

- All video recordings to which the Act applies, must be classified and labelled in accordance with regulations
- Video recordings must not be supplied to persons younger than the age category allocated to them
- Restricted 18 (R18) video recordings must only be supplied in licensed sex shops

ARE THERE ANY EXEMPTIONS?

The act does not apply to video recordings when the material they contain, taken as a whole is;

- Designed to be informative, educational or instructive; or
- Concerned with sport, music or religion; or
- Is a video game.

Such material is **not exempt** if it depicts or is designed to stimulate human sexual activity or violence towards humans or animals.

WHAT ARE THE LABELLING REQUIREMENTS?

Explanation of Classifications

Universal (U)	Particularly suitable for young children/suitable for all.
Parental Guidance (PG)	General viewing but some scenes may be unsuitable for young children
12	Suitable for 12 years & over
15	Suitable for 15 years & over
18	Suitable only for adults
R18	Suitable only for adults & can only be supplied by licensed sex shops.

The appropriate classification symbol must be shown:

- on one face of the disc
- on the spine of the case
- on one of the largest faces of the case with the explanatory statement.

Note:

- the spine does not have to be labelled if its width is less than 2cm.
- if the disc is double sided the face does not have to be labelled with the classification symbol however it must be labelled with "UK" followed by the relevant classification.

WHAT ABOUT CARRY OUT CASES?

The labelling regulations apply to carry out cases as they do to other cases and they should bear the same information.

The only exemption to this is where the cases are transparent and the required labels are on the cassette itself.

WHAT MUST I DO TO KEEP WITHIN THE LAW?

- Ensure that only classified and exempt video works are kept on your premises
- Make sure all video recordings to which the Act applies are correctly labelled
- Ensure that non transparent carry out cases are correctly labelled
- Only sell or hire age restricted video works to persons within the appropriate age group
- Ensure you do not have R18 video works on your premises unless those premises are licensed as a sex shop
- Ensure your staff are aware of the above and are fully trained in their legal obligations.

AGE RESTRICTED SALES

A leaflet to advise on preventing the sale of age restricted goods to young people is also available.

WHAT ARE THE PENALTIES IF I BREAK THIS LAW?

For supplying an unclassified video;

Up to 2 years on indictment or 6 months and £20,000 on summary conviction.

For supplying an age restricted video to an underage person;

Up to 6 months imprisonment or a fine not exceeding £5,000.

FURTHER ADVICE IS AVAILABLE:

The legislation can be viewed at www.opsi.gov.uk:

Video Recordings Act 2010

Video Recordings (Labelling) Regulation 2010

Video Recordings Act 1984

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