

2020 No. 187

VIDEO RECORDINGS

**The Video Recordings (Labelling) (Amendment) Regulations
2020**

<i>Made</i>	- - - -	<i>25th February 2020</i>
<i>Laid before Parliament</i>		<i>2nd March 2020</i>
<i>Coming into force</i>	- -	<i>6th April 2020</i>

The Secretary of State makes the following Regulations, in exercise of the powers conferred by sections 8(1) and 22A(2) of the Video Recordings Act 1984(a):

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Video Recordings (Labelling) (Amendment) Regulations 2020 and they come into force on 6th April 2020.

(2) In these Regulations “the 2012 Regulations” means the Video Recordings (Labelling) Regulations 2012(b).

Amendments to the 2012 Regulations

2.—(1) The 2012 Regulations are amended in accordance with this regulation.

(2) In regulation 12(1)(d) omit “the word “restricted” in capital letters with”.

(3) In the words before paragraph (a) in regulation 13(1), for “5 millimetres” substitute “4 millimetres”.

(4) For regulation 13(1)(c)(ii) substitute—

“(ii) where the age specified in the classification certificate is less than 18 years but is 15 years or above, it must be white and set on a pink coloured circular shaped background

(iii) where the age specified in the classification certificate is less than 15 years but is 12 years or above, it must be white and set on an orange coloured circular shaped background;”.

Transitional provision

3.—(1) The amendments made by regulation 2 do not apply in relation to any supply or offer to supply a video work which was first placed on the market before 6th April 2020.

(a) 1984 (c. 39). Section 8 was repealed and revived by section 1 of the Video Recordings Act 2010 (c. 1); subsections 8(2) and (3) were repealed by paragraph 5 of Schedule 2 to the Digital Economy Act 2010 (c. 24). Section 22A was inserted by paragraph 11 of Schedule 1 to the Digital Economy Act 2010 (c. 24).

(b) S.I. 2012/1767, to which there are amendments not relevant to these Regulations.

(2) Where a video recording or any spool, case or other thing on or in which the recording is kept is placed on the market within the period of six months beginning on 6th April 2020 and is labelled or marked in a manner which would have satisfied the requirements of the 2012 Regulations as in force immediately prior to the coming into force of these Regulations, such labelling or markings will satisfy the requirements of the 2012 Regulations, as amended by these Regulations.

25th February 2020

Caroline Dinanage
Minister of State for Digital and Culture
Department for Digital, Culture, Media and Sport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend requirements in the Video Recordings (Labelling) Regulations 2012 (S.I. 2012/1767) (“the 2012 Regulations”) relating to certain classification symbols that must be shown on video recordings or any spool, case or other thing on or in which the recording is kept and other products containing video works for which a classification certificate has been issued by the video works authority.

Regulation 2(2) amends regulation 12(1)(d) of the 2012 Regulations by removing the requirement to include the word “restricted” in classification symbols relating to video work which may only be supplied in a licensed sex shop.

Regulation 2(3) amends regulation 13(1) of the 2012 Regulations by reducing the minimum height of the classification symbol required to be shown on video recordings or any spool, case or other thing on or in which the recording is kept and other products containing video works for which a classification certificate has been issued by the video works authority (other than double sided discs) from 5 to 4 millimetres.

Regulation 2(4) amends regulation 13(1)(c) of the 2012 Regulations. The effect is to replace the single under 18 age classification symbol, where the relevant age limit was required to be displayed in red on a white background, with two new symbols; one for the rating from ages 15 but under 18, and the other for age ratings below 15, which must be white and set on pink and orange backgrounds, respectively.

Regulation 3 provides for a six month transitional period during which products may continue to be labelled or marked in accordance with the existing classification symbol requirements. Regulation 3 also makes a saving in respect of products first placed on the market before the entry into force of these Regulations, so that the existing requirements under the 2012 Regulations will continue to apply to such products.

A full impact assessment of the effect that this instrument will have on the costs of business, the voluntary sector and the public sector is available from www.legislation.gov.uk.

These Regulations have been notified in draft to the European Commission in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ No. L 241, 17.9.2015, p. 1).

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