

**2012 No. 1766 (C. 69)**

**VIDEO RECORDINGS**

**The Digital Economy Act 2010 (Appointed Day No.3) Order  
2012**

*Made* - - - -

*4th July 2012*

The Secretary of State makes this Order in exercise of the powers conferred by section 47(3) of the Digital Economy Act 2010(a):

**Citation**

1. This Order may be cited as the Digital Economy Act 2010 (Appointed Day No.3) Order 2012.

**Appointed Day**

2. 30<sup>th</sup> July 2012 is appointed as the day on which the following provisions of the Digital Economy Act 2010 come into force—

- (a) sections 40(2), (3), (5) and (6); and
- (b) the entry in Schedule 2 relating to section 2 of the Video Recording Act 1984(b) (and section 45 so far as it relates to that entry).

4th July 2012

*Ed Vaizey*  
Parliamentary Under Secretary of State  
Department for Culture, Media and Sport

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

Article 2 of this Order appoints 30<sup>th</sup> July 2012 as the day on which the provisions mentioned in paragraphs (a) and (b) of that article come into force. Sections 40(2), (3), and (5) of the Digital Economy Act 2010 amend the Video Recordings Act 1984 (“the 1984 Act”) to provide for a new classification regime applying to video games that are only suitable for viewing by persons aged

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(a) 2010 c.24.

(b) 1984 c.39. as amended by the Video Recordings Act 1993 (c.24), the Criminal Justice and Public Order Act 1994 (c.33), and the Digital Economy Act 2010 (c.24); and as repealed and revived by the Video Recordings Act 2010 (c.1).

12 years and above. Such video games will be required to be submitted for classification to the “video games authority”. The video games authority is designated by the Secretary of State under sections 4 and 4ZA of the 1984 Act as the authority responsible for making arrangements for matters specified in that Act regarding video games.

Section 3 of the 1984 Act sets out the circumstances in which a supply of a video recording is an exempted supply even if the film or video game contained in the video recording is not itself exempted. Section 40(6) of the Digital Economy 2010 amends section 3 of the 1984 Act to provide that the supply of video games by means of amusement arcade machines is exempted unless the game includes any of the matters mentioned in sections 2(2) and (3) of the 1984 Act.

This Order also appoints 30<sup>th</sup> July 2012 as the day on which section 45 comes into force for the purpose of the repeal mentioned in Schedule 2 of the Digital Economy Act 2010 relating to section 2 of the 1984 Act.

An Explanatory Memorandum is published alongside this Order on [www.legislation.gov.uk](http://www.legislation.gov.uk).

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