

[GB] Government and Media Regulator Act Against Unacceptable Satellite TV Services and Programming

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The Secretary of State for Culture Media and Sport has laid a “Foreign Satellite Proscription Order” before Parliament under Section 177 of the Broadcasting Act 1990 (as amended; the current law is contained in the Communications Act, sections 329 - 332).

If there are no objections, it will come into force on 21 February 2005. The Order concerns Extasi TV (or Exstasi TV) . The service advertises itself as an “extreme hard core satellite TV channel” and the complaints concerned the service transmitting “violent pornography”.

OFCOM notified the Secretary of State that the service was “unacceptable”; and the Secretary of State decided that it would be both in the public interest and in keeping with the UK's international obligations to issue a proscription order. The international obligation is Article 22 (1) of the TVWF Directive 1989.

Once the Order comes into force, it will be (according to Section 178 of the 1990 Act, as amended) a criminal offence to do a range of actions, including:

- Supplying equipment etc. “for use in connection with the operation or day-to-day running of the Extasi TV service”;
- Supplying or offering to supply “programme material to be included in it”;
- Arranging for or inviting “any other person to supply programme material to be included in it”;
- Advertising “goods or services by means of Extasi TV”;
- Publishing “the times or other details of Extasi programmes or other material calculated to promote the service”; and
- Supplying or offering to supply “any decoding equipment which is dedicated or adapted to be used primarily for the purpose of enabling the reception of Extasi TV”.

Anyone convicted of an offence could face, on summary conviction, a custodial sentence of up to six months and/or a fine of up to GBP 5 000 and on conviction

on indictment a custodial sentence of up to two years and/or an unlimited fine.

The Foreign Satellite Service Proscription Order 2005

<http://www.hmso.gov.uk/si/si2005/20050220.htm>

“Government Moves To Restrict Access To Satellite Porn Channel Extasi TV” Department for Culture Media and Sport, Press Release of 8 February 2005

http://www.culture.gov.uk/global/press_notices/archive_2005/dcms017_05.htm

