

EXPLANATORY MEMORANDUM TO

THE PROPOSAL BY THE SECRETARY OF STATE FOR CULTURE, MEDIA AND SPORT UNDER SECTION 4 AND 5 OF THE VIDEO RECORDINGS ACT 1984 TO DESIGNATE DAME JANET PARASKEVA, VICE CHAIR OF THE GAMES RATING AUTHORITY 2024

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Department for Culture, Media and Sport and is laid before Parliament by Command of His Majesty.

2. Purpose of the instrument

- 2.1 To designate the individual appointed as the Vice Chair of the Games Rating Authority (the 'GRA'), as the authority to determine the suitability of video games for classification and as the authority responsible for making arrangements for matters specified in Video Recordings Act 1984 with respect to video games.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

- 3.1 None. This designation is to provide for a video games authority to carry out the statutory functions and duties prescribed in the Video Recordings Act 1984. Dame Janet Paraskeva was appointed Vice Chair of the GRA in July 2022.

4. Extent and Territorial Application

- 4.1 The extent of this instrument is all of the United Kingdom.
4.2 The territorial application of this instrument is to all of the United Kingdom.

5. European Convention on Human Rights

- 5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation no statement is required.

6. Legislative Context

- 6.1 Sections 4, 4ZA, and 5 of the Video Recordings Act 1984.
6.2 Under section 4 and 4ZA, the Secretary of State for Culture, Media and Sport designates any person as the authority to make arrangements for, and carry out, the classification of video works. Under section 5 of the 1984 Act, where the Secretary of State proposes to make a designation under section 4, she must lay particulars of the proposal before both Houses of Parliament. Either House has a period of 40 days to resolve against the proposed designation. Designating this new appointment in accordance with the terms of the 1984 Act will enable the GRA to continue to carry out its statutory duties on video work classification in an efficient and seamless manner and provide for the Vice Chair's role to transfer accordingly.

7. **Policy background**

What is being done and why?

- 7.1 The Secretary of State for Culture, Media and Sport appoints persons as the designated authority to carry out the classification of video works and video games. For video games, the current designated authorities are the Chair, and Vice Chair of the GRA. This proposal is to designate Dame Janet Parakeva to enable her to carry out her statutory duties of classifying video games which fall under the remit of the legislation. The position of Vice Chair was vacant when Dame Janet Paraskeva was appointed, meaning there is no need to remove designation from a predecessor.

8. **European Union Withdrawal and Future Relationship**

- 8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act

9. **Consolidation**

- 9.1 This designation of the Vice Chair of the GRA is in addition to the existing designation of the Chair and the Vice Chair of the GRA under the 1984 Act.

10. **Consultation outcome**

- 10.1 There has been no consultation on this specific proposal. This proposal does not amend any legislation – it merely adds an individual as the named authority under the terms of the legislation.

11. **Guidance**

- 11.1 Guidance is not required. The proposal to designate is an administrative matter in the classification of video games.

12. **Impact**

- 12.1 There is no, or no significant, impact on business, charities or voluntary bodies.
- 12.2 The impact on the public sector is that the functions of the Video Recordings Act 1984 may be fulfilled if the designation is so made.
- 12.3 A full Impact Assessment has not been prepared for this instrument.

13. **Regulating small business**

- 13.1 The legislation does not apply to activities that are undertaken by small businesses.
- 13.2 The approach taken has an impact only on the workings of the GRA.
- 13.3 The proposal does not affect small businesses.

14. **Monitoring & review**

- 14.1 Officials maintain a watching brief to ensure that the GRA fulfils its statutory duties as the designated “video works authority”, respectively, under the Video Recordings Act 1984.

15. **Contact**

- 15.1 Peter Rice-Chang at the Department for Culture, Media and Sport email: peter.rice@dcms.gov.uk can be contacted with any queries regarding the instrument.
- 15.2 Alastair Jones, Deputy Director for the Creative Industries, at the Department for Culture, Media and Sport can confirm that this Explanatory Memorandum meets the required standard.
- 15.3 Chris Bryant MP, Minister of State (Minister for Creative Industries, Art and Tourism) at the Department for Culture, Media and Sport can confirm that this Explanatory Memorandum meets the required standard.