

Possession of child pornography. **6.**—(1) Without prejudice to *section 5 (1) (e)* and subject to *subsections (2) and (3)*, any person who knowingly possesses any child pornography shall be guilty of an offence and shall be liable—

(a) on summary conviction to a fine not exceeding £1,500 or to imprisonment for a term not exceeding 12 months or both, or

(b) on conviction on indictment to a fine not exceeding £5,000 or to imprisonment for a term not exceeding 5 years or both.

(2) *Section 5 (1)* and *subsection (1)* shall not apply to a person who possesses child pornography—

(a) in the exercise of functions under the Censorship of Films Acts, 1923 to 1992, the Censorship of Publications Acts, 1929 to 1967, or the Video Recordings Acts, 1989 and 1992, or

(b) for the purpose of the prevention, investigation or prosecution of offences under this Act.

(3) Without prejudice to *subsection (2)*, it shall be a defence in a prosecution for an offence under *section 5 (1)* or *subsection (1)* for the accused to prove that he or she possessed the child pornography concerned for the purposes of bona fide research.