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GOVERNMENT NOTICE

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GOVERNMENT NOTICE

DEPARTMENT OF HOME AFFAIRS

No. 279

24 March 2005

FILM AND PUBLICATION BOARD *FILMS AND PUBLICATIONS ACT, NO. 65 OF 1996*

REGULATIONS ON FILMS, INTERACTIVE COMPUTER GAMES AND PUBLICATIONS

The Minister of Home Affairs has, in terms of section 31(1)(a) of the *Films and Publications Act, No. 65 of 1996*, made the Regulations in the Schedule.

SCHEDULE

Definitions

- 1 In these Regulations, any word or expression to which a meaning has been assigned in the Act, shall have that meaning and, unless the context otherwise indicates, "the Act" means the *Films and Publications Act, No. 65 of 1996*, as amended by the *Films and Publications Amendment Act, No. 34 of 1999* and the *Films and Publications Amendment Act, No 18 of 2004*;
- 2 (a) A "new release" refers to a film which is being examined for classification for the first time, regardless of the date of its production;
- (b) A "re-release" refers to a film which, having been previously classified but no longer on circuit, is being re-introduced for distribution and/or exhibition;
- (c) "Home-entertainment format" refers to films in formats allowing for viewing at home through video cassette recorders, DVD players or other such devices;
- (d) "Public-entertainment format" means films in formats intended for public exhibition in cinemas, theatres and other premises to which the public may have access;
- (e) An "adult" film refers to any film which contains a scene or scenes of explicit sexual conduct, as defined in Schedule 11 of the Act, and which may only be distributed and/or exhibited by a holder of a licence to conduct the business of adult premises in terms of section 24 of the Act;
- (f) An "English-language" film means a film with dialogue in the English language and includes a film dubbed into English;
- (g) A "limited-market" film means a film which will not enjoy general public appeal and includes non-English language films;
- (h) "Extra materials" means, with respect to different versions in home-entertainment format, materials which were not included in the version originally submitted for classification

- 3 The fees that shall be payable in respect of any application, exemption, registration, review or appeal under the Act or Regulations made in terms of the Act, are set out in the Annexure.

Short Title

- 4 These Regulations shall be called the *Films and Publications Regulations (Fees) 2004* and shall come into operation on 1 April 2005

ANNEXURE

ITEM NO.:	SERVICES	APPLICABLE TARIFF WEF 1 APRIL 2004
1	Registration as a distributor/exhibitor of films	R750 + VAT
2	Classification of a publication upon complaint	No fee
3	Classification of a publication upon application	Up to R1 000 at the discretion of Executive Committee + VAT
4	Classification of a new-release of an English-language film in public entertainment format	R1 500 + VAT
5	Classification of a new-release limited-market film	R400 + VAT
6	Classification of a re-release in any format or language	50% of applicable tariff + VAT
7	Classification of English-language films in home entertainment format	R1 000 plus R15 per minute of viewing time after the first 90 minutes + VAT
8	Classification of an "adult" film in any format or language	R1 500 plus R15 per minute of viewing time after the first 300 minutes + VAT
9	Classification of a trailer in any format or language	R15 per minute of viewing time + VAT
10	Classification of an interactive computer game	R1 225 + VAT
11	Classification of a cover or wrapper	R20 + VAT
12	Application for a more lenient classification of a film, interactive computer game, trailer, cover or wrapper	The applicable classification fee
13	Copy of a decision for a film classified in one home-entertainment format for use on a different home-entertainment format	R160 + VAT and R15 per minute of viewing time for any "extra materials"
14	Application for an exemption	Up to R1 000 per title or per application at discretion of the Executive Committee + VAT
15	Copy of a certificate of classification or exemption	R50.00 + VAT
16	Copy of a certificate of registration	R100 + VAT
17	List of all titles classified by the Board	R1 000 + VAT
18	List of particular titles classified by the Board	R2 per title + VAT
19	Appeal to the Review Board	Double the classification fee + VAT
20	Copy of Report of Review Board	R50 + VAT