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GOVERNMENT NOTICE

DEPARTMENT OF HOME AFFAIRS

No. 90

2 February 2007

**FILMS AND PUBLICATIONS ACT, NO. 65 of 1996
[Section 31(3)(b)]****FILM AND PUBLICATION BOARD****DRAFT GUIDELINES FOR THE CLASSIFICATION AND RATING OF
FILMS, COMPUTER GAMES AND PUBLICATIONS****1 Introduction**

The Film and Publication Board (the Board) was established in terms of the *Films and Publications Act, 1996* (the Act), to regulate, through classification and ratings, the distribution and possession of films, including interactive computer games, and certain publications intended for distribution or exhibition in the Republic to:-

- (i) protect children from exposure to disturbing and harmful materials and, in so far as sex is concerned, from premature exposure to adult experiences,
- (ii) provide such content-information as will allow adult South Africans to make informed viewing, reading and gaming choices, both for themselves and for children in their care, and
- (iii) protect the public from unsolicited exposure to materials which some may find offensive.

These draft guidelines set out the criteria which the Board and Review Board will use in making classification and rating decisions and are based on research on the effects of the media on the development of children and will be refreshed on the basis of generally-accepted standards, norms and values of South Africans.

Comments on the draft guidelines may be e-mailed to chettyi@fpb.gov.za or faxed to (011) 483 1084 for the attention of Mr Chetty or mailed to Private Bag X2205, HOUGHTON 2041, marked for the attention of Mr Chetty.

2 Guiding principles

A classification committee, drawn from a panel of examiners appointed through a process of public nominations, examines a film (or an interactive computer game or a publication) against the principles that-

- adults have a right to freedom of expression within the law
- children must be protected from materials that pose a risk of harm
- classification and rating decisions must reflect generally-accepted community norms, values and standards of tolerance
- the public has a right to be protected from unsolicited exposure to materials which some may find offensive, and
- classification and rating decisions take account of the human rights values enshrined in the Constitution, especially with regard to respect for the dignity of all South Africans.

In making their decisions, classification committees, consistent with the principle that in all matters concerning children, the best interests of the child are paramount, aim to strike a reasonable balance between competing interests and the protection of children from potentially disturbing, harmful and age-inappropriate materials. It should be noted that child pornography is not a matter for classification. Any film, interactive computer game or publication containing scenes, images or descriptions of child pornography will be refused classification or rating and referred to the South African Police Services for appropriate action.

3 ***Classifiable elements and consumer information***

Films, interactive computer games and publications are classified into two general categories: restricted and unrestricted.

- 3.1 Materials in the restricted category are indicated by the letter "X". Only materials classified "X18" may be distributed or exhibited but only-
- (i) by the holders of licences to conduct the business of adult premises who are registered with the Board,
 - (ii) in accordance with the conditions set out in section 24(2) of the Act, and
 - (iii) only to persons of or above the age of 18 years.

Guidelines for the restricted category are set out in the Act in Schedules 1 and 2, read with Schedule 5, for publications, and Schedules 6 and 7, read with Schedule 9, for films and are therefore not included in these draft guidelines. Materials classified "XX" may not be distributed or exhibited in public.

- 3.2 Materials in the unrestricted category may be distributed or exhibited by any person who is registered with the Board as a distributor or exhibitor of films. However, certain materials may be rated for distribution or exhibition only to persons of or above a specified age group.
- 3.3 Classification and rating decisions are legally enforceable and the Act provides for a number of offences with respect to the distribution or exhibition of films, games and publications in conflict with decisions of the Board.
- 3.4 The Board has identified the following as *classifiable elements* which classification committees are required to assess within the context of the film, game or publication: *violence, sex, nudity, drugs, language, blasphemy* and

prejudice or negative stereotyping based on race, ethnicity, gender or religion or other group-identifiable characteristics.

- 3.5 Consumer information is indicated by symbols: "V" warns of violent scenes; "S" indicates scenes involving sexual conduct; "N" is for nudity; "L" is information about strong language, "B" is a blasphemy-alert and "P" is advice that the material contains scenes or language that is biased or prejudiced with regard to race, ethnicity, gender or religion or other group-identifiable characteristics.
- 3.6 The guidelines below are for use by classification committees in determining what may be potentially disturbing or harmful to, or age-inappropriate for, children in films, games or publications falling outside the restricted ("X") category.
- 3.7 In applying the Guidelines, classification committees will assess the impact of the classifiable elements within the context of the film, game or publication being examined. It is the intensity and frequency of a classifiable element that will determine the rating of the material examined: the more intense and frequent a classifiable element, the more likely that the material will be given a higher age-rating. However, classification decisions are not based on individual classifiable elements but on the cumulative impact of classifiable elements within the context of the theme or story-line.

The Classification and Rating Guidelines

4 Films

There are eight age categories for films. These range from "A" (suitable for all ages) to "18" (material considered unsuitable for anyone younger than 18 years). The "A" and "PG" are all-age advisory categories, the "10M" category requires adult accompaniment for children under 10 years, and the "10", "13", "16" and "18" categories are legally restricted to persons of and above the specified age.

"A": suitable for all ages Films rated "A" are considered suitable for all ages. They will contain nothing harmful, disturbing or inappropriate to even very young, unaccompanied children.

Theme	Themes are treated in a way that will not threaten a child's sense of security and well-being.
Language	No strong language, such as swear words, threats, abuse, profanity or prejudice. There may infrequent use of mild language within context.
Drugs	There are no scenes condoning, promoting, glamorising or encouraging the use of drugs, including alcohol and tobacco.
Prejudice	If the film contains any prejudice or negative stereotyping, the context makes it clear that such prejudice is wrong. Issues of race, gender, religion and other expressions of intolerance and prejudice are resolved in a manner that not only shows respect for human beings or groups but will not encourage disrespectful or harmful behaviour.

Nudity	There may be brief scenes of nudity in natural but non-sexual contexts.
Sex	There are no scenes of sexual activity, actual or implied. There may be brief expressions of affection, such as embracing or kissing, in non-sexual contexts.
Violence	There may be brief scenes of unrealistic, non-threatening and very low-impact violence and scenes of mild threat, menace or suspense. There will be no scenes of domestic or psychological violence.

"PG": Parental Guidance This is an advisory category, alerting parents to the fact that the film may contain some material that might confuse or upset some unaccompanied younger children. While the film is not judged unsuitable for children, parents are advised to monitor the contents, either by finding out more about the film or by watching it with their children so as to provide reassuring comfort to sensitive children.

Theme	No themes are treated in a way that might threaten a child's sense of security or well-being. A "PG" classification without consumer information indicates that children may need parental guidance as the theme itself may be complex.
Language	No strong language, such as swear words, threats, abuse, profanity or prejudice. There may be frequent use of mild language within context.
Drugs	There are no scenes condoning, promoting, glamorising or encouraging the use of drugs, including alcohol and tobacco.
Prejudice	If the film contains any prejudice or negative stereotyping, the context makes it clear that such prejudice is wrong. Issues of race, gender, religion and other expressions of intolerance are resolved in a manner that not only shows respect for human beings or groups but also will not encourage disrespectful or harmful behaviour.
Nudity	There may be brief scenes of nudity in natural non-sexual contexts.
Sex	There are no scenes of sexual activity, actual or implied, beyond brief expressions of affection, such as embracing or kissing in non-sexual contexts.
Violence	There may be brief scenes of unrealistic, non-threatening and very low-impact violence and scenes of mild threat, menace or suspense but no scenes of domestic or psychological violence.

"10M": Adult accompaniment for children under 10 years This is a legally-restricted classification. No child under the age of 10 years will be admitted unless accompanied by an adult. Films classified "10M" will contain materials that may be inappropriate for children under 10 years but may have some educational, socially-positive or entertainment value provided sensitive younger viewers have the reassuring company of an adult as a counterbalance to scenes which may be upsetting.

Theme Themes may be complex and may involve troubling social issues but treated in such a way that, though confusing, is not disturbing to younger viewers in the reassuring company of an adult.

Language There may be infrequent strong language within context but not expressions which are abusive, demeaning or prejudicial of any person or group.

Drugs There may be scenes of drug use, without instructional detail and within context. The use of drugs is neither glamorised nor encouraged.

Prejudice If the film contains any prejudice or negative stereotyping, the context makes it clear that such prejudice is wrong. Issues of race, gender, religion and other expressions of intolerance are resolved in a manner that not only shows respect for human beings or groups but will also not encourage disrespectful or harmful behaviour.

Nudity There may be scenes of nudity in natural, non-sexual context but without frontal close-ups or focus on breasts and genitals.

Sex There may be brief and infrequent scenes of implied sexual activities, without lingering close-ups or suggestive sound effects and within the context of generally-accepted situations.

Violence There may be scenes of mild violence, but not of domestic or psychological violence. These do not last long and are neither graphic nor bloody. They take place in the context of the story. Violence is not shown as glamorous. The overall message is that violence has consequences and is not an acceptable way to resolve conflicts. Scenes of threat, menace or suspense are of low impact and non-threatening.

"10": Not suitable for children under the age of 10 years This is a legally-restricted classification. No child under the age of 10 years may be allowed to watch such a film in a cinema or rent such a video or DVD.

Theme	Themes may be complex but outcomes clearly reinforce positive social values. The overall message is reassuring to a child's sense of security and well-being.
Language	There may be strong language occurring infrequently within the context of the story. Expressions of racial, gender, religious or sexual abuse may occur but are within context to show that such conduct is wrong and unacceptable as demeaning and disrespectful of human dignity.
Drugs	Scenes of drug use may occur. They are brief and within the context of the story. There is no instructional detail and drug use is not glamorised, condoned or encouraged.
Prejudice	If the film contains any prejudice or negative stereotyping, the context makes it clear that such prejudice is wrong. Issues of race, gender, religion and other expressions of intolerance are resolved in a manner that not only shows respect for human beings or groups but will also not encourage disrespectful or harmful behaviour.
Nudity	There may be brief scenes of nudity in natural non-sexual contexts.
Sex	There are no scenes of actual sexual conduct. Scenes of implied sexual conduct must add to the development of the plot, characterisation and theme. There will be no lingering close-ups or suggestive sound effects.
Violence	Scenes of mild violence may occur but not of domestic or psychological violence. These do not last long and are neither graphic nor gory. They take place in the context of the story. Violence is not shown as glamorous. The overall message is that violence has consequences and is not an acceptable way to resolve conflicts. Where threat, menace or suspense occurs, it will not be disturbing to children of 10 years and older

“13”: Not suitable for children under the age of 13 years This is a legally-restricted classification. No child under the age of 13 years may be allowed to watch such a film in a cinema or rent such a video or DVD.

Theme	Themes may be more complex than in films classified "A", "PG" or "10". They may include troubling social or moral issues, but are handled sensitively. The overall impact of the film will reinforce positive values.
Language	There may be strong language occurring within context as part of the plot or characterisation. Expressions of hatred based on race, gender and religion may occur within context but are treated in a way that shows such conduct to be wrong and unacceptable.

- Drugs** There may be scenes of drug abuse. These occur within context, and negative consequences of drug-taking are explored. There is no instructive detail, glamorisation or encouragement of drug-taking.
- Prejudice** If the film contains any prejudice or negative stereotyping, the context makes it clear that such prejudice is wrong. Issues of race, gender, religion and other expressions of intolerance and prejudice are resolved in a manner that shows respect for human beings or groups and will not incite disrespectful or harmful behaviour.
- Nudity** Scenes of nudity may occur, without lingering close-ups and within the context of the story, enhancing the plot or character development.
- Sex** There may be brief scenes of implied sexual activity, related to the development of plot, theme or character. There is no suggestion of abuse, violence or exploitation within a sexual context.
- Violence** Scenes of realistic and mild violence, without graphic or bloody detail, may occur within a meaningful context, forming part of plot or character development. There are no scenes glamorising, condoning or encouraging violence as a way to resolve conflicts. There are no scenes of domestic or psychological violence.

"16": Not suitable for children under the age of 16 years This is a legally-restricted classification. No one under the age of 16 years may be allowed to watch such a film in a cinema or rent such a video or DVD.

- Theme** Themes may be complex and may include troubling social or moral issues.
- Language** Strong language may be used within the context of the story as part of plot or character development.
- Drugs** Scenes of drug use may occur but without instructive detail. There are no scenes condoning, glamorising or encouraging the use of drugs.
- Prejudice** If the film contains any prejudice or negative stereotyping, the context makes it clear that such prejudice is wrong. Issues of race, gender, religion and other expressions of intolerance and prejudice are resolved in a manner that shows respect for human beings or groups and will not incite disrespectful or harmful behaviour.

Nudity	There may be scenes of nudity, including close-ups. But the context is not sexually abusive or exploitative.
Sex	Brief scenes of sexual activity may occur within the context of the story, but without lingering close-ups on intimate parts of the body.
Violence	Scenes of realistic violence may occur within a meaningful context, forming part of plot or character development. There are no scenes glamorising, condoning or encouraging violence as a way to resolve conflicts.

"18": Not suitable for persons under the age of 18 years This is a legally-restricted classification. No one under the age of 18 years may be allowed to watch such a film in a cinema or rent such a video or DVD.

Theme	There are no restrictions on themes for adults.
Language	There may be strong language.
Drugs	There may be scenes of drug abuse. But these are within the context of the story or character development.
Prejudice	There may be scenes showing bias and negative stereotyping within the context of the story but not of a nature that might incite disrespectful or harmful behaviour. The overall message reinforces respect for all human beings.
Nudity	There may be prolonged scenes of nudity. If the context is sexual, there is no focus on genital contact.
Sex	Scenes of sexual activity may occur but none involving children. There is neither extreme sexual violence nor sexual violence of a kind that might incite viewers to harmful behaviour.
Violence	There may be scenes of sustained and graphic violence but not of an explicitly extreme nature as to incite harmful behaviour.

Interactive Computer Games

There are four categories for interactive computer games: "A", "13", "16" and "18". These categories have nothing to do with how easy or difficult a game is but, like the classification of films, they are based on how often and how intensely classifiable elements occur.

"A": suitable for all ages Games classified "A" contain nothing that could be considered harmful or disturbing to children of any age. But parental supervision may be needed for very young children.

Language	No strong language.
Drugs	No depictions of drug taking occur. There is no encouragement of criminal or anti-social behaviour.
Prejudice	The game contains no bias or negative stereotyping with regard to race, ethnicity, gender or religion or other group-identifiable characteristics.
Nudity	There are no scenes of nudity.
Sex	There are no scenes or references to sexual activity.
Violence	There may be minimal violence in playful, comic or highly stylised settings. There are no sequences that will threaten a child's sense of security or well-being.

"13": Not suitable for children under the age of 13 years This category of games is restricted to children aged 13 and older. No child under the age of 13 may be allowed to buy or rent such a game, or play it in a public arcade.

Language	There may be occasional use of strong language.
Drugs	There are no depictions of drug abuse, including alcohol and cigarettes. There is no encouragement of anti-social behaviour.
Prejudice	No bias or negative stereotyping occurs.
Nudity	There are no sequences of gratuitous nudity.
Sex	There may be mildly provocative sexual themes. But there is no focus on sexual activity and no scenes of sexual abuse.

Violence Scenes of mild violence may occur, with the protagonist shown in unsafe or violent situations. But there are no graphic or gory deaths and no mutilation or dismemberment of animal or human bodies.

"16": Not suitable for children under the age of 16 years Games classified "16" are restricted to children aged 16 and older. No one under the age of 16 may be allowed to buy or rent such a game, or play it in a public arcade.

Language There may be strong language.

Drugs No scenes glamorising the use of drugs or other criminal behaviour.

Prejudice If negative stereotyping occurs, it does not promote or encourage hatred based on race, gender, ethnicity or religion or other group-identifiable characteristics.

Nudity There may be instances of nudity but these are in context and not gratuitous.

Sex There may be mature sexual themes. But there are no scenes of sexual abuse or threats. There are no scenes which link sexual activity with violence.

Violence The game may include sequences of intense violence in graphic detail. Mutilation and dismemberment may occur in animated contexts.

"18": Not suitable for persons under the age of 18 years This category of games is restricted to persons aged 18 and older. No one under the age of 18 may be allowed to buy or rent such a game, or play it in a public arcade.

Language There may be very strong language.

Drugs Sequences of drug abuse may occur.

Prejudice Negative stereotyping may occur. But it does not promote or encourage hatred based on race, gender, ethnicity or religion or other group-identifiable characteristics.

Nudity There may be frequent and prolonged sequences of nudity.

Sex There may be sequences of sexual activity. But these are in context and are neither explicit nor gratuitous.

Violence Sequences of sustained, intense and graphic violence may occur. But there is no sexual or domestic violence.

Publications

There are two categories of publications which are subject to regulation by classification in terms of the Act:

- (i) a publication in respect of which a complaint has been lodged with the Board that that publication be referred to a classification committee for examination and classification, and
- (ii) publications which contain visual presentations or descriptions listed in Schedules 1 or 2, which must be submitted to the Board for classification prior to distribution.

The guidelines below will be used in the classification of the first category of publications. Guidelines for the classification of publications in the category (ii) are set out in Schedules 1 and 2 to the Act.

No classification necessary

A publication which, in the opinion of a classification committee, contains no classifiable elements that may be potentially disturbing, harmful to, or age-inappropriate for, children of any age, will not be subject to any restrictions and no classification will, therefore, be necessary for such publications.

“PG13” : Not recommended for children under the age of 13 years This is an advisory category to caution parents that a publication classified “PG13” may contain materials that may not be suitable for all children under the age of 13 years.

Theme	Theme are treated and handled in a way that is sensitive to the stage of emotional and cognitive development of younger children. However, parents and guardians should, on the basis of their experience of children in their care, provide appropriate guidance to children under the age of 13 years.
Violence	There may be depictions or descriptions of intense violence necessary for the development of plot and character. The over-all message is that violence is anti-social and disrespectful of the right to human dignity and is not an appropriate method for solving problems. Treatment especially of themes of domestic and sexual violence must be pro-social and supportive of human rights values.
Sex	There may be depictions and descriptions of sexual conduct, which is not explicit, exploitative or gratuitous, but necessary for the development of the

theme, plot or character. Sexual themes and sexual activities are treated and presented in a way that is sensitive to the development stages of pre-teens and teenagers, but may not be appropriate for children under the age of 13 years without parental guidance. The treatment of sex should not promote irresponsible sexual conduct.

- Nudity** Depictions and descriptions of nudity are neither sexually exploitative nor demeaning of the right to human dignity.
- Language** Language that is strong, coarse, aggressive or sexually explicit may be used within context for the development of plot or character.
- Prejudice** Depictions or descriptions of prejudice or negative stereotyping that encourages, incites or promotes hatred based on any group-identifiable characteristics will not occur unless, from the point of over-all impact, such depictions or descriptions are unavoidable and necessary to drive home a pro-social message.

“18”: Not for persons under the age of 18 years Legally restricted to adults only and may not be displayed among or next to products intended for children.

- Theme** There are no restrictions on themes.
- Violence** There are no explicit depictions or graphic descriptions of extreme violence.
- Sex** There may be detailed descriptions of adult sexual activities. Depictions of sexual conduct should not be explicit and there should be no visual presentations of genitals in the case of sexual intercourse.
- Nudity** There may be detailed descriptions of nudity. There may be depictions of nudity containing genital detail but not in the context of sexual intercourse.
- Language** There are no restrictions on language.
- Prejudice** Depictions or descriptions of prejudice or negative stereotyping that encourages, incites or promotes hatred based on any group-identifiable characteristics will not occur unless, from the point of over-all impact, such depictions or descriptions are unavoidable and necessary to drive home a pro-social message.

Glossary of words and phrases

This glossary or list of definitions gives the meaning of key words as they are used in the guidelines.

<i>abusive</i>	rude, disrespectful, harmful, showing contempt
<i>bias</i>	prejudice; a slanted and unjust attitude (usually towards minority or “outsider” groups)
<i>classification</i>	placing in categories or groups according to the frequency and intensity of classifiable elements (strong language, nudity, prejudice, sex, and violence); age-rating
<i>close-up</i>	an image in graphic detail, as if seen from very near
<i>context</i>	surroundings or background; the whole picture; the other parts of a film, video or game which come before and after a particular incident and clarify its meaning
<i>discreet</i>	restrained, modest, inoffensive; an image shown from a distance, without lingering on close-up detail
<i>expletive</i>	oath, swearword or curse
<i>explicit</i>	candid, leaving nothing to the imagination; focusing on close-up detail
<i>exploitative</i>	making use of someone or something for selfish or improper reasons
<i>extreme</i>	exceptionally intense, graphic or prolonged fantastical not realistic, not of this world
<i>frequent</i>	often
<i>frequency</i>	how often something occurs
<i>gory</i>	bloody; detailed, graphic
<i>graphic</i>	vivid, showing all the details
<i>gratuitous</i>	lacking good reason; elements in a film, video or game which add nothing and are unnecessary to the development of plot or character
<i>implied</i>	not shown or said directly but strongly suggested or hinted at
<i>incite</i>	arouse, stir up, inflame
<i>instructive</i>	instructing or showing how to do something
<i>intensity</i>	strength, power, force (in film, the intensity of a scene depends on how long it is, its sound and lighting effects, language, context, and whether it is shot from a distance or close-up)
<i>legally restrictive</i>	limiting by law

mainstream	produced for the general public and available in ordinary cinemas and stores
menacing	threatening; suggesting harm and arousing fear
mild	moderate, slight, understated
negative	insulting, hostile
nudity	nakedness
prejudice	pre-judgement; bias; negative or hostile attitude (usually towards minority or "outsider" groups) based not on facts or individual experience but on group stereotypes
positive	outcome; a result or conclusion that supports human rights values; an overall message in accord with the view that it is important to strive to be a decent human being
profanity	blasphemy; language showing lack of respect with regard to religious or sacred matters or matters of conscience or belief
protagonist	the main character in a film or game; the hero or heroine
sexual activity	kissing, caressing, embracing, love-making; physical intimacy between two people (in mainstream films, even in the "18" category, images of sexual activity are never as explicit as in adults-only "X18" material, eg. there is no focus on the genitals)
stereotype	a fixed idea which reduces individuals to a standard, usually prejudiced group mould
strong language	includes swear words, threats, abuse, profanity or prejudice
swearword	expletive, oath, curse, foul language.
theme	subject matter; what a film is about
