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GOVERNMENT NOTICE

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DEPARTMENT OF HOME AFFAIRS

No. 887

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FILMS AND PUBLICATIONS ACT, NO 65 OF 1996 [Section 31(3) (b)]

FILM AND PUBLICATION BOARD

GUIDELINES TO BE USED IN THE CLASSIFICATION OF FILMS, INTERACTIVE COMPUTER GAMES AND CERTAIN PUBLICATIONS *“Striving to make the life of every child better without making the life of a single adult worse.”*

1 INTRODUCTION

The *Films and Publications Act, 1996* (the Act), requires all films, interactive computer games, and publications with “for adults only” content, to be classified by the Film and Publication Board (the “Board”) before they may be distributed by way of sale, hire or exhibition in South Africa.

The purpose of classification is to protect children from exposure to potentially disturbing and harmful materials and from premature exposure to adult experiences, as well as to provide such information as will allow adult South Africans to make informed viewing, gaming and reading choices, both for themselves and for children in their care. These Guidelines set out the criteria which must be applied by the Board and Review Board in making classification decisions. 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.

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 following rights and principles-

- the right to freedom of expression within the law;
- the right of access to information within the law;
- the right of children to be protected from materials that pose a risk of harm;

- the right of the public to be protected from unsolicited exposure to materials which some may find offensive, and
- the principle that classification decisions take account of the human rights values enshrined in the Constitution, especially with regard to the right of everyone to have their dignity respected and protected.

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 is a matter for criminal investigation and prosecution. Similarly the distribution of films, interactive games and publications containing advocacy of harm inciting hatred based on race, ethnicity, gender and religion may amount to a criminal offence.

3 CLASSIFIABLE ELEMENTS¹ AND CONSUMER INFORMATION

3.1. Distribution categories

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

Materials in the *restricted* category are indicated by the letter "X". Only materials classified "X18" may be distributed or exhibited but only by the holders of licences to conduct the business of adult premises, in accordance with the conditions set out in section 24(2) of the Act, and only to persons of or above the age of 18 years. Guidelines for the restricted category are set out in Schedules 1 and 2, read with Schedule 5, Schedules 6 and 7, read with Schedule 9, and Schedule 10 of the Act. Materials classified "XX" may not be distributed or exhibited in public.

Materials in the *unrestricted* category may be distributed or exhibited, in accordance with any age-restriction or condition which may be imposed by the Board, by any person who is registered with the Board as a distributor or exhibitor of films.

Classification 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 contrary to such conditions as may have been imposed on them in terms of a decision of the Board.

3.2. Classifiable elements

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:

- drugs
- language
- nudity

¹ It is important to note that a child's interpretation of an expression, verbal or visual, may be, and often is, different from that of an adult. Children, for instance, may see violence where adults do not.

- **prejudice, or negative stereotyping, based on race, ethnicity, gender or religion or any identifiable group characteristic**
- **sex, and**
- **Violence.**

3.3. Consumer advice

A classification decision may include consumer information about the content of a film, interactive computer game or publication. Consumer information, indicated by alphabetic symbols, alerts the public to particular elements which may be potentially disturbing, harmful or inappropriate for children below a specified age:

- **"B"** information about religious sensitivity
- **"D"** alerts the public to scenes of drug and alcohol abuse
- **"L"** is information about strong language
- **"N"** is for nudity
- **"P"** is advice that the material contains scenes or language that is biased or prejudiced with regard to race, ethnicity, gender, religion or other group-identifiable characteristics
- **"S"** indicates scenes involving sexual conduct, and
- **"V"** warns of violent scenes

An age-restriction may be combined with consumer information to indicate that that film, interactive computer game or publication contains scenes, visual presentations, sequences or descriptions at a level of frequency and intensity that may be disturbing, harmful or inappropriate for children below the specified age.

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. Guidelines for the restricted "X" category of materials are set out in the Act.

Classification decisions are based on 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 only but on the cumulative impact of classifiable elements within the context of the theme or story-line of the material being examined.

4 CLASSIFICATION GUIDELINES

FILMS

Generally, films are classified into categories on the basis of the **impact** of a classifiable element or the cumulative effects of two or more classifiable elements. These guidelines do not apply to films broadcast on television. There are eight classification categories for films, whether intended for exhibition in public or for home-entertainment;

- **"A"** which is an all-ages category

- **"PG"** all ages but parental guidance is recommended for younger or sensitive viewers
- **"10M"** which means that children under the age of 10 years must be accompanied by an adult
- **"13M"/"13PG"** Persons under the age of 13 years must be accompanied by an adult to any film classified "13M", while a DVD or VHS or an interactive computer game classified "13PG" requires "Parental Guidance" for persons under the age of 13 years
- **"10"** restricted to person 10 years and older
- **"13"** is a category restricted to persons 13 years and older
- **"16"** restricted to persons 16 years and older, and
- **"18"** is restricted to "adults only".

NOTES

(i) **"IMPACT"** refers to the potential *effect*, on viewers of different ages or levels of maturity, of a single classifiable element or the cumulative effect of a number of classifiable elements. The adjectives **low, mild, moderate, strong** and **high** describe the *hierarchy* of impact of classifiable elements. A **low impact** classifiable element will have less of an impact or effect on a viewer of any age, whether accompanied or not. Impact may be heightened by, for instance, greater detail, close-ups, slow motion, special effects, such as lighting or sound, frequency, sustained focus and realism. One or two scenes of low-impact violence, for instance, may not be disturbing to children. **But the same low-impact scene repeated a number of times might heighten the impact to require a higher rating.**

(ii) **"BLASPHEMY" ("B")**, defined, for the purpose of classification, as insensitive, offensive, demeaning, derogatory, disrespectful or irreverent expressions about any recognised religion, but not cults or Satanism, but not amounting to the advocacy of harm inciting hatred, is not treated as a classifiable element determining age –restrictions but as a matter for **appropriate consumer information**. Depending on context, the taking of God's name in vain, in any religion, may amount to blasphemy. The sensitivities of certain religions, especially with regard to precepts and practices which may be unique to certain religions, should be noted appropriately. An expression which does not amount to blasphemy but which may constitute religious prejudice is a classifiable element. Blasphemy amounting to the advocacy of hatred and constituting incitement to cause harm is a classifiable element of the Act.

(iii) **"IMITABLE/ CRIMINAL ACTS/TECHNIQUES"** may be treated as a classifiable element to determine age-restrictions where there is a reasonable likelihood that such acts or techniques may be copied or imitated, especially by younger viewers. Criminal techniques and instructional details of illegal or dangerous acts, for instance, may require higher age restrictions.

(iv) **"NUDITY"**, for purposes of classification, may be distinguished from **nakedness in natural non-sexual contexts**, such as breast-feeding and bona fide cultural traditions. **Nudity** for purposes of classification is the deliberate flaunting of a person's sexuality or the undue exposure of a person's intimate parts.

CLASSIFICATION CATEGORIES FOR FILMS INTENDED FOR EXHIBITION IN PUBLIC OR FOR HOME-ENTERTAINMENT

5 CHILDREN: ADVISORY-CAUTIONARY-CONDITIONAL RESTRICTIONS

5.1 "A" ADVISORY

Films in this category will not contain classifiable elements at a level of frequency and intensity that may be disturbing, harmful, upsetting or even inappropriate even for very young unaccompanied children.

IMPACT	Very low and almost insignificant
THEME	Themes are treated in ways that will not threaten a child's sense of security and well-being
DRUGS	A film classified "A" will not contain scenes that may even appear to encourage, glamorise or condone the use of drugs, including cigarettes, and alcohol
LANGUAGE	"A" category films will not contain expressions of offensive vulgarity, racial, gender or sexual abuse, profanity, blasphemy or expressions which are clearly demeaning or disrespectful of human beings
NUDITY	A film classified "A" will not contain scenes of nudity. However, there may be brief and discreet depictions of nakedness in non-sexual contexts, without close-ups or focus on intimate parts of the body
PREJUDICE	There will be no expressions or depictions of prejudice or negative stereotyping, regardless of context, in films classified "A"
SEXUAL CONDUCT	A film classified "A" will not contain scenes of sexual activity, actual or implied, beyond brief expressions of affection, such as kissing or hugging, in non-sexual contexts
VIOLENCE	Films classified "A" may contain very brief and infrequent scenes of unrealistic and very low impact but non-threatening violence or menace or suspense, justified by context and without bloodletting. There will be no scenes of domestic, racial, religious or sexual violence, actual or implied, or of imitable expressions, whether physical, psychological or verbal

5.2 "PG" CAUTIONARY

Films classified “PG” (Parental Guidance) will not contain classifiable elements at a level of frequency and intensity that may be disturbing or harmful, but may contain sequences that may be either upsetting to, or inappropriate for, sensitive younger viewers. Parents and care-givers are in the best position to decide whether or not children in their care may watch a “PG” film.

IMPACT	Low but may require parental guidance for younger, sensitive viewers
THEME	Themes may be complex but treated in ways that will not threaten a child’s sense of security and well-being
DRUGS	A film classified “PG” will not contain scenes that may even appear to encourage, glamorise or condone the use of drugs, including cigarettes, and alcohol
LANGUAGE	“PG” category films will not contain expressions of offensive vulgarity, racial, gender or sexual abuse, profanity, blasphemy or expressions which are clearly demeaning or disrespectful of human beings
NUDITY	A film classified “PG” will not contain scenes of nudity. However, there may be brief and discreet depictions of nakedness in non-sexual contexts, without close-ups or focus on intimate parts of the body
PREJUDICE	There will be no expressions or depictions of prejudice or negative stereotyping, regardless of context, in films classified “PG”
SEXUAL CONDUCT	A film classified “PG” will not contain scenes of sexual activity, actual or implied, beyond brief expressions of affection, such as kissing or hugging, in non-sexual contexts
VIOLENCE	Films classified “PG” may contain scenes of low impact and non-threatening unrealistic violence or menace or suspense, justified by context and without bloodletting. There will be no scenes of domestic, racial, religious or sexual violence, actual or implied, or of imitable expressions, whether physical, psychological or verbal

5.3 “10M” CONDITIONAL RESTRICTION

Children under the age of 10 years may not be allowed to watch a film classified “10M” **unless accompanied by an adult**. Although a “10M” film may contain sequences that may be distressing or upsetting to children under the age of 10 years, the film may be of particular entertainment or educational value even for an under-10-year-old **as long as the child is accompanied by an adult to provide a reassuring counter-balance to the potentially distressing or upsetting scenes**

IMPACT	Low to mild - Sensitive children will need the reassuring company of an adult
THEME	Themes may be complex but the film may be of particular entertainment or educational value and the reassuring company of an adult will counter-balance any scenes which may distress or upset sensitive children
DRUGS	No depictions of illegal drugs or drug abuse except within the context of a clear educational purpose or a clear anti-drug message
LANGUAGE	Mild language but no expressions of racial, gender, religious or sexual abuse unless within a context that shows such expressions to be socially unacceptable
NUDITY	There will be no scenes of nudity but there may be brief depictions of nakedness in non-sexual contexts, without close-ups or focus on intimate parts of the body
PREJUDICE	There may be very brief and infrequent references to prejudice or negative stereotyping within context but the overall message is that such conduct is disrespectful of human beings
SEXUAL CONDUCT	There may be very brief and infrequent scenes of discreetly implied sexual activity, without nudity, and within socially-accepted contexts and related to the development of plot or character
VIOLENCE	There may be very brief scenes of mild, whether physical, psychological or verbal violence but not in domestic, racial, religious or sexual contexts or within contexts that form part of childhood "comfort zones", such as schools or playgrounds. Bloodletting is extremely limited and there is no focus on the effects of violence on humans or animals

5.4 "13M" CONDITIONAL RESTRICTION

Children under the age of 13 years may not be allowed to watch a film classified "13M" **unless accompanied by an adult**. Although a "13M" film may contain sequences that may be disturbing, distressing or upsetting to children under the age of 13 years, the film may be of particular entertainment or educational value even for an under-13-year-old **as long as the child is accompanied by an adult to provide a reassuring counter-balance to the potentially disturbing, distressing or upsetting scenes**

IMPACT	Moderate and younger viewers may need the reassuring company of an adult
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THEME	Themes may be complex, mature and treated in a way that could be disturbing, distressing or upsetting to some younger viewers unless accompanied by an adult to provide a reassuring counter-balance to any distress those younger, sensitive children may experience
DRUGS	There may be scenes of drug and substance use, within context, but the overall message is that drug and substance abuse is unhealthy and not socially-acceptable
LANGUAGE	Mild to moderate language, within context, as part of character or plot development. Expressions of abuse may occur within a context which shows such conduct to be socially unacceptable
NUDITY	There will be no depictions of nudity but there may be brief scenes of nakedness in non-sexual contexts, without close-ups or focus on intimate parts of the body
PREJUDICE	There may be brief scenes of prejudice or negative stereotyping within context to enhance the development of plot or character but the message is clear that such behaviour is disrespectful of human beings and should not be encouraged or condoned
SEXUAL CONDUCT	There may be very brief and infrequent scenes discreetly of implied sexual activity, without nudity and within socially accepted contexts and related to the development of plot or character
VIOLENCE	There may be brief scenes of realistic but moderate, physical, psychological or verbal violence, justified by context, and without focus on the effects of violence on humans or animals or bloody details. Scenes of domestic, racial, religious or sexual violence, whether physical, psychological or verbal may be discreetly implied and justified by context. Violence is not glamorised, condoned or rewarded

5.5 "13PG" CAUTIONARY

This is a classification category that applies to home-entertainment products, such as DVDs, video cassettes and interactive computer games. Films in this category may contain sequences that may be disturbing, distressing or upsetting to sensitive viewers under the age of 13 years. However, a "13PG" film may be of particular entertainment or educational value to children and young persons. Parents and care-givers are best placed to decide whether or not to allow children in their care to watch a "13PG"-rated film

IMPACT Moderate - Adult guidance is strongly recommended for sensitive children under the age of 13 years

THEME	Themes may be complex, mature and treated in a way that could be disturbing, distressing or upsetting to some younger viewers
DRUGS	There may be brief scenes of drug and substance use, within context, but the overall message is that drug and substance use is unhealthy and not socially-acceptable
LANGUAGE	Mild to moderate language, within context, as part of character or plot development. Expressions of abuse may occur within a context which shows such conduct to be socially-unacceptable and wrong
NUDITY	There will be no depictions of nudity but there may be brief scenes of nakedness in non-sexual contexts, without close-ups or focus on intimate parts of the body
PREJUDICE	There may be brief scenes of prejudice or negative stereotyping within context to enhance the development of plot or character but the message is clear that such behaviour is disrespectful of human beings and should not be encouraged or condoned
SEXUAL CONDUCT	There may be very brief and infrequent scenes of discreetly implied sexual activity, without nudity and within socially-accepted contexts and related to the development of plot or character
VIOLENCE	There may be brief scenes of realistic but moderate, physical, psychological or verbal violence justified by context, and without focus on the effects of violence on humans or animals or bloody details. Scenes of domestic, racial, religious or sexual violence may be discreetly implied and justified by context. Violence is not glamorised, condoned or rewarded

6 YOUNG PERSONS: RESTRICTED CATEGORY

6.1 "10"

This is a legally-restrictive category and it is an offence to allow children under the age of 10 years to watch a film classified "10"

IMPACT	Mild but of an intensity that may be disturbing to children under the age of 10 years
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THEME	Themes may be complex, mature and treated in a way that may be upsetting and disturbing even to accompanied children under 10 years
DRUGS	No depictions of illegal drugs or drug abuse except within the context of a clear educational purpose or a clear anti-drug message
LANGUAGE	Mild language but no expressions of racial, gender, religious or sexual abuse unless within a context that shows such expressions to be unacceptable
NUDITY	There will be no depictions of nudity but there may be brief scenes of nakedness in non-sexual contexts, without close-ups or focus on intimate parts of the body
PREJUDICE	There may be brief scenes of prejudice or negative stereotyping within context to enhance the development of plot or character but the message is clear that such behaviour is disrespectful of human beings and should not be encouraged or condoned
SEXUAL CONDUCT	There may be scenes of discreetly implied sexual activity, without nudity and within socially accepted contexts, to enhance plot or character development
VIOLENCE	There may be brief scenes of realistic but mild, physical, psychological or verbal violence justified by context, but without focus on the effects of violence on humans or animals or bloody details. Scenes of domestic, racial, religious or sexual violence may be discreetly implied and justified by context. There are no scenes glamorising, condoning or rewarding violence

6.2 "13"

Legally restricted to persons 13 years and older. It is an offence to allow anyone below the age of 13 years to watch a film classified "13".

IMPACT	Moderate and of an intensity that may be disturbing to children under 13 years
THEME	Themes may be more complex and mature and treated in a way that could be disturbing and upsetting to the sense of security and well-being of children under 13 years

DRUGS	There may be brief scenes of drug and substance use, within context, but the overall message is that drug and substance use is dangerous to one's health and is socially unacceptable
LANGUAGE	Films classified "13" may contain moderate language within context as part of character or plot development. Expressions of offensive abuse may occur but within a context which shows such conduct to be anti-social
NUDITY	There may be brief scenes of nudity in non-sexual contexts, without close-ups or focus on intimate parts of the body, to enhance the development of character or plot
PREJUDICE	There may be brief scenes of prejudice or negative stereotyping, within context, to enhance the development of plot or character but the message is clear that such behaviour is disrespectful of human beings and should not be encouraged or condoned
SEXUAL CONDUCT	There may be brief scenes of mildly implied sexual activity, without nudity, within context, to enhance plot or character development
VIOLENCE	There may be brief scenes of realistic but moderate, physical, psychological or verbal violence justified by context, and without focus on the effects of violence on humans or animals or bloody details. Scenes of domestic, racial, religious or sexual violence may be discreetly implied and justified by context. There are no scenes glamorising, condoning or rewarding violence

7 TEENS: RESTRICTED CATEGORY

7.1 "16"

Films classified "16" are legally restricted to persons 16 years and older. It is an offence to allow any person under the age of 16 years to view a film rated "16"

IMPACT	Strong and of an intensity that may be disturbing to persons under 16 years
THEME	Complex and mature themes may be treated in ways that may be distressing, disturbing and may even be misleading, encouraging anti-social attitudes and behaviour in impressionable minds

DRUGS	There may be scenes of drug and substance abuse, within context, but without the glamorisation of drug and substance use or instructional detail
LANGUAGE	There may be strong language, within context, as part of character or plot development. Expressions of racial or sexual abuse will be infrequent
NUDITY	There may be scenes of nudity but without frontal lingering close-ups and within a context that is not sexually abusive, violent or exploitative
PREJUDICE	There may be scenes of prejudice and negative stereotyping not amounting to the advocacy of hatred based on identifiable group characteristics
SEXUAL CONDUCT	There may be brief scenes of consensual sexual activity justified by context but without lingering close-ups on intimate parts of the body
VIOLENCE	Scenes of realistic violence may occur within a meaningful context and necessary for the development of plot or character. Scenes of domestic, racial, religious or sexual violence are brief, infrequent and justified by context

8 ADULTS: RESTRICTED CATEGORY

8.1 "18"

Films classified "18" may not be exhibited or distributed to persons under the age of 18 years. It is an offence to allow any person under the age of 18 years to view a film rated "18"

IMPACT	Very strong and intended only for adults
THEME	No restrictions on themes and treatment appropriate for adult-viewing only
DRUGS	There are no restrictions on depictions of drug and substance abuse within context
LANGUAGE	No restrictions unless the language amounts to the promotion of hatred based on any identifiable group characteristic and amounts to incitement of harm

NUDITY	No restrictions on nudity unless there is full frontal and lingering close-ups on genitals or the context is one of gratuitous sexual abuse, violence or exploitation
PREJUDICE	There may be expressions of prejudice and scenes of negative stereotyping but not amounting to the advocacy of harm-inciting hatred based on any identifiable group characteristic
SEXUAL CONDUCT	Generally, no restrictions on scenes of sexual activity within context but without lingering close-ups on intimate parts of the body. Non-consensual sex, not amounting to rape as legally defined, may be discreetly implied but only within context and only if necessary for the development of plot and character
VIOLENCE	No restrictions except for explicit scenes of extreme and gratuitous domestic, racial, religious or sexual violence or explicit scenes of the effects of extreme violence in prolonged graphic and gory detail

CLASSIFICATION OF INTERACTIVE COMPUTER GAMES

1 INTRODUCTION

"The latest brain research shows that violent games activate the anger center of the teenage brain while dampening the brain's conscience." Ninth Annual Media Wise Video Game Report Card, David Walsh, PhD

The majority of computer/video games are targeted at the 18+ market and may therefore require more parental guidance even where a game has been given a less restrictive classification than "18". The trend in themes intended for adults, generally, normalize unhealthy social relationships and interactions, with male-on-male violence presented as a way to determine "pecking order". "Gang violence" is glorified and men solve conflicts through violence. Violence is also used to control women and sexual violence is common in many of the most popular games. [In *Grand Theft Auto III*, for instance, players could solicit sex from a "virtual prostitute" and then kill her! And *Grand Theft Auto: San Andreas* contains explicit sex scenes, which led to its banning in Australia, for instance, until the offending scenes were removed.]

Repeated exposure to and participation in games with these themes.....can normalize anti-social behaviour in teenagers and can impact their expectations of each other. Theme is therefore an important classifiable element in computer/video games

The classification of interactive computer games (video games) presents problems which are different to those related to the classification of films and publications. Computer games are *interactive* so that players are not passive viewers but active participants – players are actively engaged in the game and are rewarded for skilful play which, in many games, involves the killing of innocent human beings. Research into the effects of interactive games suggests a high correlation between the playing of video games and aggressive behaviour and desensitisation to violence.

1.1 Classification Categories

There are four classification categories for interactive computer games-

- "PG"
- "13"
- "16", and
- "18".

These categories are not based on how easy or difficult a game is but, like the classifications of films, on how often and how intensely classifiable elements occur.

NOTE

The "**IMPACT**" classifiable elements in video games, given the interactive nature of games, are different from that in films. Interactivity involves incentives and rewards – such as, in some games, rewards for killing even the innocent. In addition to factors which may heighten the impact in films, the interactive nature of video games could mean, for instance, that low-impact violence in a film might have to be regarded as moderate or high impact in a video game. It is important to ensure that violence, sexual activity, nudity and drugs in games approved for children and young persons are not related to incentives and rewards.

2. CLASSIFICATION CATEGORIES FOR INTERACTIVE COMPUTER GAMES

2.1 "PG" Intended for children

Games classified "PG" contains nothing that could be considered harmful or disturbing to children of any age, but parental supervision may be needed for very young children.

Drugs No sequences of drug or substance use, such as alcohol or cigarettes, in any context

Imitable Acts/ Criminal Techniques No sequences of unsafe imitable acts or instructional criminal techniques

Language No strong language regardless of context

Nudity There are no sequences of nudity

Prejudice The game contains no bias or negative stereotyping with regard to race, ethnicity, gender or religion or other group-identifiable characteristics

Sexual Conduct 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

2.2 "13"

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.

Drugs There are no sequences of drug abuse, including alcohol and cigarettes

Imitable Acts/ Criminal Techniques No sequences of unsafe imitable acts or instructional criminal techniques

Language There may be use of moderate language

Nudity There are no sequences of nudity

Prejudice There are no sequences of bias or negative stereotyping based on any identifiable group characteristic

Sexual Conduct There are no sequences of sexual conduct or violence

Violence Sequences 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

2.3 "16"

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.

Drugs No sequences glamorising, condoning or promoting the use of drugs. Drug and substance use is not related to incentives or rewards

Imitable Acts/ Criminal Techniques No sequences of unsafe imitable acts or instructional criminal techniques

Language There may be strong language

Nudity There may be instances of nudity but these are in context and not related to incentives or rewards

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

Sexual Conduct There may be sexual themes. But there are no sequences of violence or threats. There are no scenes which link sexual activity with violence. Sexual activity is not related to incentives or rewards

Violence The game may include sequences of violence but not in graphic detail. Mutilation and dismemberment may occur in animated contexts.

2.4 "18"

This category of game 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.

There are no restrictions on games classified 18 except for elements which may fall under Schedule 6, 7 or 10

GUIDELINES FOR THE CLASSIFICATION OF CERTAIN PUBLICATIONS

1 Introduction

1.1 The following principles guide the classification of publications-

- the right of every person to freedom of expression and access to information within the law
- the right of children to be protected from materials that pose a risk of harm
- the right of the public to be protected from unsolicited exposure to materials which some may find offensive, and
- the principle that classification decisions take account of the human rights values enshrined in the Constitution, especially with regard to the right of every person to have his or her dignity respected and protected.

1.2 The content of a publication submitted for classification is examined within the context of the publication as a whole, as well as the context of Parliament's intention in enacting the *Films and Publications Act* (the Act), as set out in section 2 of the Act.

2 Categories of publications

2.1 The Act recognises two categories of publications which may be subject to classification by the Board-

- (a) A "section 16" publication, excluding *bona fide* newspapers, which forms the subject-matter of a complaint lodged with the Board that that publication be examined and classified, and
- (b) A "submitable" publication which must be submitted for classification prior to distribution because its content includes materials described in paragraphs 4.1(a) (i)-(v) and/or 4.2 below.

3 Definitions of relevant words and phrases

3.1 Words and phrases used in these guidelines shall have the same meanings as similar words and phrases used in the Act, unless the context suggests otherwise, and

- (i) "**real or simulated**" means *real human beings or fictitious persons as products of one's imagination, such as animations, cartoons, drawings or computer-generated representations of human beings*
- (ii) "**explicit**" means *graphic and detailed visuals or descriptions*
- (iii) "**matter of public interest**" means *discussions, debates or opinions on matters pertaining to the common well-being or general welfare of the public or serving the interests of the public and includes discussions, debates and opinions on matters pertaining to religion, belief or conscience*

4 Classification guidelines

Child pornography is not a matter for classification. Section 27(4) of the Act provides that any film or publication submitted to the Board that contains child pornography must be referred to the police for appropriate action.

4.1 "XX"

A publication will be classified "XX" if contains, judged within context a *visual* presentation, simulated or real², of;

- (i) explicit violent sexual conduct
- (ii) bestiality, incest or rape
- (iii) explicit sexual conduct which violates or shows disrespect for the right to human dignity of any person or which degrades a person
- (iv) explicit sexual conduct which constitutes incitement to cause harm, or
- (v) the explicit infliction of or explicit effect of extreme violence which constitutes incitement to cause harm

and it is not a bona fide scientific, documentary, literary or artistic publication; or

- (vi) judged within context, it advocates hatred that is based on race, ethnicity, gender or religion, which constitutes incitement to cause harm *and*
 - it is not a *bona fide* scientific, documentary, artistic, dramatic, literary or religious publication, or
 - it does not amount to a *bona fide* discussion, argument or opinion on a matter pertaining to religion, belief or conscience, or
 - it does not amount to a *bona fide* discussion, argument or opinion on a matter of public interest.

² "Simulated", for the purposes of the Act, refers to images of artificial persons, such as, for instance, images created by computer-graphics ("virtual people"), or cartoons or animations

4.2 "X18"

A publication will be classified "X18" only if, judged within context, it contains-

- (a) a *visual* presentation, simulated or real, of explicit sexual conduct which, in the case of sexual intercourse, includes an explicit visual presentation of genitals, or
- (b) a *predominant and explicit description* of-
 - (i) explicit violent sexual conduct
 - (ii) bestiality, *incest or rape*
 - (iii) explicit sexual conduct which violates or shows disrespect for the right to human dignity of any person or which degrades a person or which constitutes incitement to cause harm, or
 - (iv) the explicit infliction of or explicit effect of extreme violence which constitutes incitement to cause harm

and it is not a bona fide scientific, documentary, literary or artistic publication.

4.3 "18"

A publication may be classified "18" if, judged within context, it contains;

- (a) visual presentations and/or descriptions listed in Schedules 1 or 2, but falls within the exemption provisions set out in Schedule 5, or
- (b) the advocacy of hatred based on race, ethnicity, gender or religion which constitutes incitement to cause harm but the publication is a *bona fide* scientific, documentary, artistic, dramatic, literary or religious publication, or amounts to a *bona fide* discussion, argument or opinion pertaining to religion, belief or conscience or amounts to a *bona fide* discussion, argument or opinion on a matter of public interest, or
- (c)
 - (i) visual presentations or descriptions of acts which would be harmful if imitated by children, or
 - (ii) visual or descriptive instructions which encourage illegal conduct or pertaining to criminal techniques.

4.4 "ADVISORY AND CONDITIONAL RESTRICTIONS ON DISTRIBUTION OR EXHIBITION"

A publication containing material that poses a reasonable risk of harm to children will be classified by the imposition of appropriate conditions to its distribution or exhibition to protect children.

4.5 “NO CLASSIFICATION NECESSARY”

If the overall impact of a publication is not potentially disturbing, harmful or inappropriate for children, the publication will not be subject to any restrictions and no classification will, therefore, be necessary.

NOTE

The “**IMPACT**” of classifiable elements in publications is not always the same as that in films. Verbal expressions are usually of lower impact than the same expressions in visuals. Verbal references to sexual conduct are, generally, of less impact than visual depictions of the same activities. However, the effect of **IMITABLE ACTS, CRIMINAL TECHNIQUES** and **INSTRUCTIONAL DETAILS** may not be very different in so far as verbal, textual and visual expressions are concerned.

GLOSSARY OF WORDS AND PHRASES

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

abuse	maltreatment, assault or threat, whether physical, emotional or psychological
abusive	rude, disrespectful, harmful, showing contempt
bias	prejudice; a slanted and unjust attitude (usually towards minority or outsider groups)
classification	placing in categories or groups according to the frequency and intensity of elements (strong language, nudity, prejudice, sex, and violence)
close-up	an image in graphic detail, as if seen from very near
context	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
discreet	restrained, modest, inoffensive; an image shown from a distance, without lingering on close-up detail
expletive	oath, swearword or curse
explicit	candid, leaving nothing to the imagination; focusing on close-up detail
exploitative	making use of someone or something for selfish or improper reasons
extreme	exceptionally intense, graphic or prolonged fantastical not realistic, not of this world (eg. fairy tales, science fiction)
frequent	often
frequency	how often something occurs
gory	bloody; detailed, graphic images of violence
graphic	vivid, showing all the details
gratuitous	good reason; elements in a film, video or game which add nothing to the development of plot or character
horror	a film, interactive game or publication causing a strong feeling of fear, shock, disgust or dismay
implied	not shown or said directly but strongly suggested or hinted at
incite	arouse, stir up, inflame

instructive	instructing or showing how to do something
intensity	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)
legally restrictive	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 in regard to religious or sacred matters
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, game or publication or article is all about
violence	includes physical, psychological and verbal abuse