



**REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA**

Vol. 537

Pretoria, 12 March
Maart 2010

No. 33019

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PROCLAMATION

by the

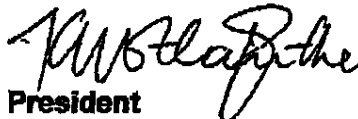
President of the Republic of South Africa

No. 8, 2010

COMMENCEMENT OF THE FILMS AND PUBLICATIONS AMENDMENT ACT, 2009 (ACT 3 OF 2009)

In terms of section 40 of the Films and Publications Amendment Act, 2009 (Act No. 3 of 2009), I hereby determine 14 March 2010 as the date on which the said Act shall come into operation.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this 4th day of March Two Thousand and Ten.


President

By Order of the President-In-Cabinet


Minister of the Cabinet

PROKLAMASIE*van die**President van die Republiek van Suid-Afrika***No. 8, 2010****INWERKINGTREDING VAN DIE WYSIGINGSWET OP FILMS EN PUBLIKASIES, 2009 (WET NO. 3 VAN 2009).**

Kragtens artikel 40 van die Wysigingswet op die Films en Publikasies, 2009 (Wet No. 3 van 2009, bepaal ek hierby 14 Maart 2010 as die datum waarop genoemde Wet in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad op hede die 4de dag van Maart Tweeduisend en Tien.

**President****Op las van die President-in-Kabinet**
Minister van die Kabinet

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GOVERNMENT GAZETTE
 STAATSKOERANT

REPUBLIC OF SOUTH AFRICA
 REPUBLIEK VAN SUID-AFRIKA

Regulation Gazette

No. 9244

Regulasiekoerant

Vol. 537

Pretoria, 15 March
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No. 33026

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GOVERNMENT NOTICES

DEPARTMENT OF HOME AFFAIRS

No. R. 206

15 March 2010

**FILMS AND PUBLICATIONS ACT 65 OF 1996
REGULATIONS ON THE ADVISORY PANEL AND NOMINATION OF
CANDIDATES FOR COUNCIL AND APPEAL TRIBUNAL**

The Minister of Home Affairs, has under section 31(1)(b) of the Films and Publications Act, 1996 (Act No. 65 of 1996) made the regulations in the Schedule.

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Definitions

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned, and unless the context otherwise indicates —

“**advisory panel**” means the panel referred to in section 6(2) and (3) of the Act;

“**Director-General**” means the Director-General of the Department of Home Affairs;

“**Secretariat**” means the staff designated to provide secretarial services to the advisory panel; and

“**the Act**” means the Films and Publications Act, 1996 (Act No. 65 of 1996).

Advisory panel

2. Members of the advisory panel contemplated in section 6(2) and (3) of the Act shall have experience in, or knowledge of, the matters referred to in section 6(4)(b) of the Act.

Nomination of candidates for appointment to council and appeal tribunal

3. (1) The Chairperson of the advisory panel shall, within seven days after the appointment of members to the advisory panel, invite the public to nominate candidates for appointment as members of the Council and Appeal Tribunal.

(2) The invitation contemplated in subregulation (1) shall be extended to the whole of the Republic in the manner and within the period the Minister considers fit.

Manner and time to make nominations

4. (1) Nominations must be submitted to the secretariat within 21 days after the date of the last publication of the invitation for public nominations.

(2) Nominations shall be submitted in writing and shall include—

(a) the full name and contact details of the person being nominated,

(b) a brief curriculum vitae of the person being nominated, and

- (c) a signed statement of acceptance of such nomination by the person being nominated.

Handling of nominations

5. Within 14 days of the closing date for the submission of nominations, the secretariat shall submit all nominations received to the Chairperson of the advisory panel for consideration by the advisory panel.

Consideration by advisory panel

6. (1) The advisory panel shall meet within seven days of receipt by the Chairperson of all the nominations, at a place to be determined by the Minister, to consider the nominations and determine a short list of candidates to be interviewed with a view to advising the Minister of persons suitable for appointment.

(2) The advisory panel shall, within 21 days of determining the short list of candidates—

- (a) conduct interviews of the short-listed candidates, at a place to be determined by the Minister; and
- (b) submit to the Minister a list of candidates considered suitable for appointment as members of the Council or the Appeal Tribunal.

Term of office of advisory panel

7. (1) The advisory panel shall automatically disband 14 days after submission to the Minister of the list of candidates.

(2) The Minister may extend the term of the advisory panel if he or she considers it necessary.

Secretariat to advisory panel

8. The Minister shall designate a member or members of the staff of the Department of Home Affairs to serve as the secretariat to the advisory panel.

Repeal of Regulations

9. The advisory panel Regulations, 2003 published in Government Nos R. 1863 of 15 November 1996, R. 960 of 30 June 2003 and R. 147 of 13 February 2009 are hereby repealed.

Short title

10. These Regulations shall be called the Regulations on the Advisory Panel and Nomination of Candidates for Council and Appeal Tribunal, 2010.

No. R. 207

15 March 2010

FILMS AND PUBLICATIONS ACT 65 OF 1996**FILMS AND PUBLICATIONS REGULATIONS**

The Minister has, in terms of section 31(1) of the Films and Publications Act, 1996 (Act No. 65 of 1996), made the regulations in the Schedule.

SCHEDULE

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PART 1

Definitions

Definitions

1. In these Regulations any word or expression to which a meaning has been assigned in the Act, shall have the meaning, so assigned and, unless the context otherwise indicates—

“adult content” means content in films that is classified as suitable for people above the age of 18 years;

“adult premises” means the premises on which a business is conducted, which has been duly licensed by a licensing authority and exempted by the Board to distribute films classified as “X18”;

“adult video” means a film, in any format, classified as “X18” in terms of section 18 (3)(c) of the Act;

“age rating” means the age restriction imposed on a film;

“commercial video” means a video in any format intended for general distribution or exhibition;

“compliance officer” means an officer contemplated in section 9A(3)(b) of the Act;

“exhibitor”, in relation to a film, means a person who conducts exhibition or screening of films to the public in cinemas, theatres and other public places;

“family video store”, in relation to a film, means a film distribution outlet to which any person may be permitted access;

“home entertainment format”, in relation to a film, means a film in a format intended for viewing through an electronic, mechanical or other device in private;

“licence” means a provisional, temporary or permanent license issued by the Film and Publication Board to—

- (a) distribute films, games and publications;
- (b) exhibit films; and
- (c) distribute certain films and publications contemplated in sections 24 at adult premises;

“non-commercial video” means a video in any format intended for distribution or exhibition either to a particular group of persons or under any particular circumstances;

“public entertainment format”, in relation to a film, means a film in a format that is intended for screening or exhibition to the public in cinemas, theatres and other public places; and

“the Act” means the Films and Publications Act, 1996 (Act No. 65 of 1996).

PART 2

Procedures for Classification of Publications

Request for classification of publication by any person

2. A request for classification of a publication contemplated in section 16(1) of the Act shall be made to the Board on Form FPB/PB, and shall include the following details:

- (a) The publication or a copy thereof or, where it is not practical to submit the publication or a copy thereof, the full address of the place where that publication may either be obtained or examined by the Board;
- (b) the full name and address, including a contact telephone or fax number and, if available, an email address, of the requester, unless the complainant wishes to remain anonymous;

- (c) the title of the publication forming the subject matter of the request;
- (d) the date and number of the edition or issue of the publication ;
- (e) the name and address of the publisher;
- (f) the name and address of the distributor of that publication in the Republic; and
- (g) a brief statement of the request, with reference to page numbers and specific paragraphs or lines of the publication.

Application for classification

3. Any person referred to in section 16(2) of the Act who, for distribution or exhibition in the Republic, intends to create, produce, publish, or advertise any publication contemplated in section 16(2)(a), (b), (c) or (d) of the Act, shall submit such publication for examination and classification to the Board before such publication is distributed, exhibited or advertised on Form FPB/P/, with the prescribed fee.

Procedure for classification of publications

4. (1) The classification committee shall, when examining and classifying a publication—
- (a) examine the publication, page by page, from cover page to last page;
 - (b) scrutinize each page by examining the visual presentation and text in order to identify all classifiable elements; and
 - (c) on completion of the classification—
 - (i) allocate a rating for the publication; and
 - (ii) compile a report.
- (2) If after examination by the classification committee the committee is satisfied that the publication contains material contemplated in section 16(4)(a) and (b) of the Act and a report to that effect has been compiled, the classification decision must be referred to the chief executive officer to deal with the matter in terms of section 16(5) or (6) of the Act, as the case may be.

Display of classification certificate on publications classified X18

5. (1) A publication that is a magazine contained in a wrapper which is classified X18 must have the classification certificate prominently displayed on the bottom right hand corner of the cover.
- (2) If the publication is a book, which is classified X18, the conditions of display of the classification certificate shall be imposed by the classification committee.

Display of publications containing adult content

6. (1) All publications containing adult content shall be enclosed in an opaque wrapper or brown paper bags covering the explicit pictures prior to being displayed in a family video store or any other outlet for distribution.
- (2) All publications containing adult content shall not be displayed within easy reach of children, or next to, or among publications intended for children.
- (3) All publications containing adult content shall immediately be removed from the shelves upon complaint by a consumer until a determination on the publication has been made by the Board.
- (4) A certificate of classification shall be displayed prominently on the bottom right hand corner of the cover of any publication containing adult content.

PART 3*Procedures for Classification of Films and Games***Registration as distributor or exhibitor of films and games**

7. (1) An application for registration as a distributor or exhibitor of films or games as contemplated in section 18(1)(a) of the Act shall be made on—
- (a) Form FPB/D/, in the case of a distributor; and
 - (b) Form FPB/E/, in the case of an exhibitor,
- and be submitted to the Board.
- (2) An application contemplated in subregulation (1) shall be accompanied by the following documents:
- (a) Proof of payment of the prescribed registration fee;

- (b) original copy of Tax Clearance Certificate issued by the South African Revenue Services; and
 - (c) registration number of business in terms of South African laws.
 - (3) The Board shall issue to a distributor or exhibitor—
 - (a) a permanent licence of registration, valid for a period of one year from the date of issue thereof; or
 - (b) a temporary licence of registration, valid for a period of less than three months from the date of issue thereof,
- as the case may be, and may impose any conditions it may deem necessary.

Renewal of licence of registration as distributor or exhibitor

8. (1) An application for the renewal of a licence of registration contemplated in regulation 7(3)(a) or (b) shall be made before the date of expiry or within 30 days from the date of expiry of that licence.
- (2) An application for the renewal of a licence of registration contemplated in subregulation (1) shall be made on Form FPB/RN/ and shall be submitted to the Board, together with the documents mentioned in regulation 7(2).
- (3) If an application for the renewal of a licence of registration as distributor or exhibitor contemplated in regulation 7(3)(a) or (b) is not made before the date of the expiry or within 30 days from the date of expiry of that licence, such distributor or exhibitor shall cease to be registered as a distributor or exhibitor of films or games.

Display of licence and undertaking

9. A licence of registration contemplated in regulation 7(3)(a) or (b) and the written undertaking to comply with the provisions of the Act must be displayed prominently inside the licensed premises.

Application for classification of films

10. (1) An application for classification of a film as contemplated in section 18(1)(b) shall be made on Form FPB/FL/ and submitted to the Board with the prescribed fee.

(2) A film in home entertainment format shall be submitted for classification in the format in which it is intended for distribution.

(3) A film in public entertainment format shall be screened by the classification committee at a venue selected by the applicant and agreed to by the Board and at the expense of the applicant.

(4) Where there have been any changes to a film which has already been classified—

(a) if in home entertainment format, a copy incorporating the changes must be submitted with the application; and

(b) if in public entertainment format, arrangements for the screening of that film to the classification committee, at the expense of the applicant, must be made at a venue and on a date and at a time agreed to by the Board.

(5) Every applicant for the classification of a film shall also furnish, to the satisfaction of the Board, confirmation of his or her right to distribute that film in the Republic. In the absence of such confirmation, the Board may refuse to classify that film and may revoke any certificate of classification which may have been issued with respect to that film.

Application for classification of exempted films

11. An application for classification of a film which has been exempted in terms of sections 22 or 23 of the Act shall, if it is intended for general distribution or exhibition, be made on Form FPB/RC/P/ and submitted to the Board with the prescribed fee.

Classification of music DVD's, educational films and children's films

12. An application for classification of music DVD's, educational films and children's films shall be made on Form FPB/CM/ and submitted to the Board with the prescribed fee.

Display of classification certificate on music DVD's, educational films and children's films

13. A certificate of classification on music DVD's, educational films and children's films shall be displayed on the cover of the music DVD's and films and on the disc of music DVD's and films.

Application for classification of games

14. (1) An application for classification of a game as contemplated in section 18(1)(b) shall be made on Form FPB/GM/ and submitted to the Board with the prescribed fee.

(2) Where a game contains material contemplated in section 18(3)(a), (b), (c) or (d) of the Act, a video tape recording of the game play, in VHS format, must also be submitted with the application.

(3) Where a game does not contain any material contemplated in section 18(3)(a), (b), (c) or (d) of the Act, a full description of the game, together with a copy of any advertisement that is proposed to be used to advertise and promote the game, and a statement to the effect that the game does not contain any contentious material, shall be submitted with the application.

(4) Where the Board decides that a demonstration is necessary for the proper consideration of an application contemplated in subregulation (1), the applicant shall, at a time and place to be mutually agreed upon by the applicant and the Board, demonstrate the game to the classification committee of the Board.

(5) Where a game has been classified, or exempted under the Act, the person who applied for the classification shall provide a copy thereof to the Board, free of charge, in the format in which it will be distributed, to be kept by the Board.

(6) An applicant for the classification of a game shall also furnish, to the satisfaction of the Board, confirmation of her or his right to distribute that game in the Republic.

(7) In the absence of the confirmation contemplated in subregulation (6), the Board may refuse to classify that game and may revoke any certificate of classification which may have been issued with respect to that game.

Display of classification certificate on films and games

15. A classification certificate on films and games shall be displayed on the cover of and disc of the films or games.

Films, games or publications containing child pornography

16. (1) If the classification committee discovers child pornography during any classification process, the film, game or publication classification process shall be handled as follows:

- (a) The classification process shall be stopped;
- (b) the members of the committee shall compile their reports noting the time at which child pornography appeared and submit such reports to the Head of the Classification Unit.
- (c) the Head of the Classification Unit shall take control of the film, game or publication henceforth;
- (c) the Head of the Classification Unit shall, in writing, inform the applicant who submitted the film, game or publication for classification of the decision of the Board to refuse to classify the film, game or publication and of his or her right to appeal to the Appeal Tribunal within 30 days from the date of the notification.
- (d) the Head of Classification Unit shall, after 30 days from the date of the notification to the distributor, and if no notice of appeal has been lodged, refer the matter to the Child Protection Unit of the Film and Publication Board by—
 - (i) submitting copies of the classification committee's reports; and

(ii) record of chain of events and the film, game or publication containing child pornography.

(2) If the appeal is heard and the decision of child pornography is confirmed, the Board shall advise the distributor to surrender all films, games or publications and other material containing child pornography to the Board for handing over thereof to a police official of the South African Police Service for destruction.

(3) The material containing child pornography may not be referred to the South African Police Service by any means other than the physical handover to an official of the South African Police Service.

(4) A person who hands over the material containing child pornography must record the details of the police official of the South African Police Service to whom the material was handed.

PART 4

Adult Premises

Application for exemption to distribute films and publications classified X18

17.(1) Any person who intends to apply for an exemption to distribute films and publications classified X18 shall first obtain a licence issued by a local licensing authority before submitting an application for an exemption on Form FPB/AD/ and submit the application to the Board together with the following documents:

- (a) The licence issued by a local licensing authority;
- (b) proof of payment of the prescribed fee;
- (c) original copy of Tax Clearance Certificate issued by the South African Revenue Services; and
- (d) proof of registration of businesses, with the Department of Trade and Industry or incorporation in terms of South African laws.

(2) Films and publications classified X18 and published in the *Gazette* shall not be distributed or exhibited by or from a family video store.

- (3) Films and publications classified X18 may be distributed only—
- (a) from within licensed premises; and
 - (b) after the distributor has personally established that the consumer is above the age of 18 years.
- (4) Films and publications classified X18 may not be distributed—
- (a) by mail order;
 - (b) on the internet;
 - (c) on mobile phones;
 - (d) on social networking sites; or
 - (e) audio visual entertainment such as iPods, television, or any other means in conflict with the provisions of the Act.
- (5) Notices stating that no persons under the age of 18 years may enter the licensed premises where films and publications classified X18 are distributed shall be prominently displayed on the outer side of the entrance to such premises.

PART 5

General provisions

Application for reclassification

- 18.** (1) An application in terms of section 18B of the Act shall be lodged with the Board on Form FPB /RC/, with the prescribed fee.
- (2) An original copy of the publication shall be submitted with an application for reclassification only where there have been changes to the publication since it was first submitted to the Board, in which case an original copy of the changed version shall be submitted. If it is not practical to submit an original copy of the publication, the full address of the place where the publication may be examined by the Board should be specified.

Appointment and decisions of classification committees

19. (1) The classification committees contemplated in section 10 of the Act shall consist of such number of classifiers as the Board may deem necessary with due regard to the nature of the classification.

(2) The Board must keep record of appointment of classifiers for all classification sessions and decisions of the classification committees.

Applications for exemptions

20. An application for exemption as contemplated in sections 22 and 23 of the Act shall be made on Form FPB/EX/ and submitted to the Board with the prescribed fee.

Display of classification decisions

21. (1) The classification certificate of a film, game or publication that has been classified shall be displayed below the Film and Publication Logo which has the following specifications:

- (a) Height – 10 mm;
- (b) width – 8 mm;
- (c) in colour or black and white; and
- (d) in triangular format.

(2) The certificate contemplated in subregulation (1) may not be reproduced in any format other than in terms of these Regulations and the Act.

Application for authorization to screen trailers with higher ratings in same screening with films with non restrictive ratings

22. An application for approval to exhibit in public, during the same screening session, or to distribute on the same film, an advertisement or a trailer of a film with a more restrictive classification than the featured film shall be made on Form FPB/CN/ and submitted to the Board with proof of payment of the prescribed fee.

Application for copy of decision

23. (1) An application for a copy of a classification decision of the classification committees shall be made on Form FPB/CP/ and submitted to the Board with the prescribed fee.

(2) An application for a copy of a decision contemplated in subregulation (1) may be made—

- (a) by the person who initially submitted the film or game for classification; and
- (b) for a classification decision of the same format as the format which was initially classified.

Application for list of films classified by Board

24. Application for a list of all films classified by the Board shall be made on Form FPB/LF/ and submitted to the Board with proof of payment of the prescribed fee.

Application for appeal

25. (1) An appeal against a decision contemplated in section 20(1) of the Act shall be made on Form FPB/AP/ and submitted to the Board with proof of payment of the prescribed fee within 30 days from the date on which the applicant was notified of the decision of the Board.

(2) The Appeal Tribunal may, at its discretion, require that the film, advertisement or trailer, be re-screened at the expense of the applicant unless a copy of the video or disc, or video or disc version of the film, advertisement or trailer had already been provided to the Board and there have since been no changes to the film, trailer or advertisement.

Notice of contravention

26. (1) A compliance officer may issue a notice of contravention in the form of Form FPB/NC/ to any person who is found to have been in contravention of a provisions of the Act.

(2) The notice of contravention contemplated in subregulation (1) shall contain the following details:

- (a) The date of contravention;
- (b) the provision of the Act contravened;
- (c) a statement explaining the steps taken to determine that there is contravention of the Act; and
- (d) the date of follow up visit.

Notice to remove from display

27. A notice to remove non compliant films, games and publications must be in the form of Form FPB/NR/ and contain the following information.

- (a) The name and physical address of the business;
- (b) the date of the notice;
- (c) the provision of the Act contravened;
- (d) the number and list of titles of films, games and publications to be removed;
- (e) the conditions of such removal; and
- (f) a statement of the right to object to the notice of removal.

Conditions for films, games and publications removed from display

28. Films, games and publications removed from display in terms of regulation 28 must—

- (a) be sealed in a marked seal bag and seal numbers recorded in the notice;
- (b) be stored in safe storage within the premises; and
- (c) not be displayed until a determination has been made by the Board.

Repeal of Regulations

29. The Regulations published in Government *Gazette* Nos R. 752 of 29 May 1998, R. 162 of 23 February 2001, R. 578 of 25 April 2003, R. 179 of 24 March

2005, R. 165 of 20 February 2006, R. 184 of 28 February 2006, R. 622 of 23 June 2006 and R. 642 of 30 June 2006 are hereby repealed:

Short title

30. These Regulations shall be called the Films and Publications Regulations, 2010.

FPB/PB

Annexure 1

Request for classification of publication
(regulation 2)

Film and Publication
87 Central Street Houghton 2198 : Private Bag X2205 Houghton 2041
Tel.: (011) 4830971, Fax (011) 4831084, e-mail:dhanrajcr@fpb.gov.za internet: www.fpb.gov.za

The Film and Publication Board may choose to process your application in this form or possibly online.

Reg. Office No. _____

DATE OF APPLICATION _____ DATE RECEIVED (Office use) _____

APPLICANT _____

POSTAL ADDRESS _____
POSTAL CODE _____

CONTACT PERSON _____

TEL. _____ FAX _____ E-MAIL _____

PUBLICATION TITLE _____

TYPE BOOK/MAGAZINE/other _____

ISSUE OR EDITION _____

NAME OF PUBLISHER IF DIFFERENT FROM APPLICANT _____

SUBJECT OR GENRE _____

AUTHOR IF BOOK _____

DESCRIPTION OF CONTENTS WITH REFERENCE TO PAGE NUMBERS, may use separate page

NUMBER OF PAGES _____

SIGNED _____ DATE _____ CAPACITY _____

FPB/P

Annexure 2

Application for classification of a publication in terms of section 18(2) (regulated)

Film and Publication Board
87 Central Street Houghton 2198 : Private Bag X2205 Houghton 2041
Tel (011) 4830971, Fax (011) 4831084, e-mail:dhanrajcr@fpb.gov.za, internet: www.fpb.gov.za

The Film and Publication Board may refuse to process an application if the form is not fully completed.

Reg Office No

DATE OF APPLICATION DATE RECEIVED (initials)

APPLICANT

POSTAL ADDRESS

CONTACT PERSON

TEL FAX E-MAIL

PUBLICATION TITLE

TYPE BOOK/MAGAZINE/OTHER
ISSUE OR EDITION

NAME OF PUBLISHER IF DIFFERENT FROM APPLICANT

SUBJECT OR GENRE

AUTHOR IF BOOK

DESCRIPTION OF CONTENTS WITH REFERENCE TO PAGE NUMBERS, may use separate page

NUMBER OF PAGES

SIGNED DATE CAPACITY

FPB/D/	Annexure 3 Application for registration as distributor [regulation 7(1)(a)]	Film and Publication Board Private Bag X2205 HOUGHTON 2041 Tel (011) 483 0971 Fax (011) 483 1084 e-mail: Morobaned@fpb.gov.za (086) 645 9277
The Board may refuse to process your submission if this form is not completed in all details		
TYPE OF LICENSE: permanent/temporary/		
APPLICANT/OWNER.....		
IDENTITY NUMBER		
POSTAL ADDRESS (Where license will be posted).....		
.....Postal Code (Compulsory).....		
TEL FAX e-mail.....		
CELL.....		
CONTACT PERSON		
BUSINESS NAME (if different to applicant name).....		
ADDRESS (Physical Address where business is carried out)		
..... PROVINCE		
Tax Ref. No.....		
NATURE OF BUSINESS	Distributor of films & Games	
DOCUMENTS REQUIRED (tick as appropriate): Certified copy of valid tax clearance certificate NB: Validity of certificate will be confirmed with SARS Proof of payment of applicable fee		
APPLICANT'S SIGNATURE		
CAPACITY.....		
DATE.....		
NB: No licence will be issued without all the required documents.		
COMMENTS (Office use)		
Date:		

FPB/E/	Annexure 4
Application for registration as Exhibitor [regulation 7(1)(b)]	
Film and Publication Board Private Bag X2205 HOUGHTON 2041 Tel (011) 483 0971, Fax (011) 483 1084, e-mail: Morobaned@fpb.gov.za (086) 645 9277	
Application for a license as an Exhibitor of Films and Games The Board may refuse to process your submission if this form is not completed in all details	
TYPE OF LICENSE: permanent/temporary	
APPLICANT/OWNER.....	
IDENTITY NUMBER	
POSTAL ADDRESS (Where license will be posted).....	
.....Postal Code (Compulsory).....	
TEL.....	FAX.....
e-mail.....	
CELL.....	
CONTACT PERSON	
BUSINESS NAME (if different to applicant name).....	
ADDRESS (Physical Address where business is carried out)	
..... PROVINCE	
Tax Ref. No.....	
NATURE OF BUSINESS	Exhibitor of films & Games
DOCUMENTS REQUIRED (tick as appropriate): Certified copy of valid tax clearance certificate NB: Validity of certificate will be confirmed with SARS Proof of payment of applicable fee	
APPLICANT'S SIGNATURE	
CAPACITY.....	
DATE.....	
NB: No license will be issued without all the required documents.	
COMMENTS (Office use)	
Date:	

FPB/RN	Annexure 5	
Application for renewal of registration as a distributor or exhibitor of films		
[regulation 8(2)]		
Film and Publication Board Private Bag X2205 HOUGHTON 2041 Tel (011) 483 0971, Fax (011) 483 1084, (086) 645 9277 e-mail: Morobaned@fpb.gov.za		
The Board may refuse to process your submission if this form is not completed in all details		
Reg.no FPB8/.....		
APPLICANT/OWNER.....		
IDENTITY NUMBER		
POSTAL ADDRESS (Where license will be posted).....		
..... Postal Code (Compulsory).....		
TEL	FAX	e-mail.....
CELL.....		
CONTACT PERSON		
BUSINESS NAME (if different to applicant name).....		
ADDRESS (Physical Address where business is carried out)		
..... PROVINCE		
SARS Ref. No..... VAT Reg. No.....		
NATURE OF BUSINESS (tick one or more)	<input type="checkbox"/> Distributor of Adult films	<input type="checkbox"/> Exhibitor of Adult films
	<input type="checkbox"/> Business of adult premises	<input type="checkbox"/> Games Arcade
	<input type="checkbox"/> Other (please describe).....	
DOCUMENTS REQUIRED (tick as appropriate):		
<input type="checkbox"/> Certified copy of tax clearance		
<input type="checkbox"/> Proof of payment of applicable fee		
<input type="checkbox"/> License to conduct the business of adult premises (Adult Premises)		
<input type="checkbox"/> Other (please describe).....		
APPLICANT'S SIGNATURE		
CAPACITY.....		
DATE.....		
NB: No license will be issued without all the required documents.		
COMMENTS (Office use)		
.....		
Date:		

FPB/FL

Annexure 6

Application for classification of films in terms of section 19C(1) (regulation 10)

Film and Publication Board
87 Central Street Houghton 2198 : Private Bag X2205 Houghton 2041
Tel (011) 4830971, Fax (011) 4831084, e-mail:dhanrajcr@fpb.gov.za, internet: www.fpb.gov.za

REG OFFICE no:

DATE OF APPLICATION DATE RECEIVED (DATE) DATE OF PREVIOUS CLASSIFICATION PREVIOUS CLASSIFICATION DECISION

APPLICANT

POSTAL ADDRESS POSTAL CODE

CONTACT PERSON

TEL FAX EMAIL

TITLE (for distribution/exhibition)

PREVIOUS TITLE (if any)

ORIGINAL RE-RELEASE

FORMAT 35MM VIDEO DVD VCD CO-REEL OTHER

RUNNING TIME IN MINUTES, AS SUBMITTED

SUBJECT OR GENRE

DIRECTOR

CAST NAMES

LANGUAGE ORIGINAL DUBBED SUBTITLED

PREVIOUS CLASSIFICATION AND CONSUMER ADVICE CERTIFICATE NUMBER FORMAT

SIGNED DATE CAPACITY

FPB/P

Annexure 7

Application for classification of exempted films (regulation 1)

Film and Publication Board
87 Central Street Houghton 2198: Private Bag X2205 Houghton 2041
Tel (011) 4830971, Fax (011) 4831084, e-mail:dharrajor@fpb.gov.za, internet: www.fpb.gov.za

The Film and Publication Board may refuse to process your application if this form is not fully completed

REG. OFFICE NO.

DATE OF APPLICATION DATE RECEIVED (Office Use)
DATE OF EXEMPTION
BASIS OF EXEMPTION

APPLICANT

POSTAL ADDRESS POSTAL CODE

CONTACT PERSON

TEL FAX E-MAIL

TITLE (for distribution/edition)

PREVIOUS TITLE (if any)

ORIGINAL RE-RELEASE

FORMAT 35MM VIDEO DVD VCD CD-ROM OTHER

RUNNING TIME IN MINUTES (AS SUBMITTED)

SUBJECT OR GENRE

DIRECTOR

CAST INCLUDES

LANGUAGE ORIGINAL DUBBED SUBTITLED

SOUND DATE CAPACITY

FPB/CW

Annexure 8

Application for classification of music DVD's, educational films and children's films
(Regulation 12)

Film and Publication Board
87 Central Street Houghton 2198: Private Bag X2205 Houghton 2041
Tel (011) 4830971, Fax (011) 4831084, e-mail:dhanrajcr@fpb.gov.za Internet: www.fpb.gov.za

The Film and Publication Board hereby invites applications for classification of the following film(s):

Reg. Office no: _____

DATE OF APPLICATION	_____	DATE RECEIVED (DD/MM/YY)	_____
DATE OF EXEMPTION	_____		
BASIS OF EXEMPTION	_____		

APPLICANT: _____

POSTAL ADDRESS: _____
POSTAL CODE: _____

CONTACT PERSON: _____

TEL: _____ FAX: _____ E-MAIL: _____

TITLE (or Distribution/edition): _____

PREVIOUS TITLE (if any): _____

ORIGINAL RE-RELEASE

FORMAT CD/DVD VIDEO DVD VCD CD-ROM OTHER

RUNNING TIME IN MINUTES AS SUBMITTED: _____

SUBJECT OR GENRE: _____

DIRECTOR: _____

CAST INCLUDES: _____

LANGUAGE ORIGINAL DUBBED SUB-TITLED

SIGNED: _____ DATE: _____ CAPACITY: _____

FPB/PB

Annexure 9

Request for classification of games (regulation 14)

Film and Publication
 87 Central Street Houghton 2198: Private Bag X2205 Houghton 2041
 Tel.: (011) 4830971, Fax (011) 4831084, e-mail: dhanrajcr@fpb.gov.za internet: www.fpb.gov.za

The Film and Publication Board may refuse to process your application if the forms are not fully completed.

NAME (ONESIDE) _____

DATE OF APPLICATION _____ DATE RECEIVED (ONESIDE) _____

APPLICANT _____

POSTAL ADDRESS _____

 POSTAL CODE _____

CONTACT PERSON _____
 TEL _____ FAX _____ EMAIL _____

TITLE OF GAME _____
 COUNTRY OF ORIGIN _____ YEAR OF PRODUCTION _____
 PUBLISHER _____ GENRE _____

FORWARD TO CONSOLE ARCADE MOBILE GAME OTHER Y

PROOF OF RIGHT TO DISTRIBUTE GAME IN THE REPUBLIC OF SOUTH AFRICA

DESCRIPTION OF GAME PLAY AND TARGET MARKET

ORIGINAL ADD-ON COMPLETION BUDGET-GAME

ELSPA RATING _____ REASON FOR RATING _____

COBB RATING _____ REASON FOR RATING _____

SIGNED _____ DATE _____ CAPACITY _____

NOTE: 1. Proof of your right to distribute or exhibit this game in South Africa, in the format submitted, must be attached to this form.
 2. Unless exempted from the cash-on-submission basis, payment in full of the applicable amount must be made before this application may be processed. Where payment has been made by direct deposit into the account of the Board, proof of such deposit must be attached to this form.

Annexure 10

FPB/AD/	Film and Publication Board Private Bag X2205 HOUGHTON 2041 Tel (011) 483 0971, Fax (011) 483 1084, e-mail: Morobaned@fpb.gov.za (086) 645 9277
Application for a license as a Distributor of Adult of Adult Films The Board may refuse to process your submission if this form is not completed in all details	
Ref. No. (Office use) :	
APPLICANT/OWNER.....	
IDENTITY NUMBER	
POSTAL ADDRESS (Where license will be posted).....	
.....Postal Code (Compulsory).....	
TEL	FAX
e-mail.....	
CELL.....	
CONTACT PERSON	
BUSINESS NAME (if different to applicant name).....	
ADDRESS (Physical Address where business is carried out)	
..... PROVINCE	
SARS Tax Reference No.....	
NATURE OF BUSINESS (tick one or more)	<input type="checkbox"/> Distributor of Adult films <input type="checkbox"/> Business of adult premises <input type="checkbox"/> Other (please describe).....
DOCUMENTS REQUIRED:	Certified copy of tax clearance certificate NB: Validity of Certificate will be confirmed with SARS Proof of payment of applicable fee License to conduct the business of adult premises (Adult Premises) i.t.o item 2(h) act 71 of 1991 Other (please describe).....
APPLICANT'S SIGNATURE	
CAPACITY.....	
DATE.....	
NB: No license will be issued without all of the required documents.	
COMMENTS (Office use)	
.....	
Date:	

FPB/RC/

Annexure 11

**Application for reclassification of in terms of section 18B
(regulation 18C)**

Film and Publication Board
87 Central Street Houghton 2198: Private Bag X2205 Houghton 2041
Tel (011) 4830971, Fax (011) 4831084, e-mail: dhanrajor@fpb.gov.za internet: www.fpb.gov.za

The Film and Publication Board agrees to process your application if this form is fully completed.

REG. OFFICE No. _____

DATE OF APPLICATION	DATE RECEIVED (Office Use)
DATE OF PREVIOUS CLASSIFICATION	
PREVIOUS CLASSIFICATION DECISION	

APPLICANT _____

POSTAL ADDRESS _____

POSTAL CODE _____

CONTACT PERSON _____

TEL _____ **FAX** _____ **E-MAIL** _____

TELE (for distributor's attention) _____

PREVIOUS TITLE (if different) _____

ORIGINAL **RE-RELEASE**

FORMAT **35MM** **VIDEO** **DVD** **VCD** **CD-ROM** **OTHER** _____

RUNNING-TIME IN MINUTES, AS SUBMITTED _____

SUBJECT OR GENRE _____

DIRECTOR _____

CAST INCLUDES _____

LANGUAGE **ORIGINAL** **DUBBED** **SUB-TITLED**

PREVIOUS CLASSIFICATION AND CONSUMER ADVICE _____ **CERTIFICATE NUMBER** _____ **FORMAT** _____

SIGNED _____ **DATE** _____ **CAPACITY** _____

FPB/EX

Annexure 12

Application exemption in terms of section 22 or 23 (regulation 20)

Film and Publication Board
 87 Central Street Houghton 2198, Private Bag X2205 Houghton 2041
 Tel (011) 4830971, Fax (011) 4831084. e-mail:dhanrajc@fpb.gov.za, internet: www.fpb.gov.za

The Film and Publication Board may refuse to process your application if this form is not fully completed

NAME (Official) _____

DATE OF APPLICATION _____ DATE RECEIVED (Official) _____

APPLICANT _____

POSTAL ADDRESS _____

 _____ POSTAL CODE _____

CONTACT PERSON _____

TEL _____ FAX _____ E-MAIL _____

TITLE (for distribution/exhibition) _____

PREVIOUS TITLE (if different) _____

ORIGINAL RE-RELEASE

FORMAT 15MM VIDEO DVD VCD CD-ROM OTHER

RUNNING TIME IN MINUTES (AS SUBMITTED) _____

SUBJECT OR GENRE _____

DIRECTOR _____

CAST INCLUDES _____

LANGUAGE ORIGINAL DUBBED SUBTITLED

PREVIOUS CLASSIFICATION AND CONSUMER ADVICE _____ CERTIFICATE NUMBER _____ FORMAT _____

SIGNED _____ DATE _____ CAPACITY _____

NOTE: 1 Proof of your right to distribute and/or exhibit this film in South Africa, in the format submitted, must be attached to this form
 2 Unless exempted from the cash-on-submission basis, payment in full of the applicable amount must be made before this application may be processed. Where payment has been made by direct deposit into the account of the Board, proof of such deposit must be attached to this form.
 3 You must provide, free of charge, a copy of this film, as soon as it becomes available in home-entertainment format, to the Board for its records

FPB/CN	Annexure 13
Application for authorization to screen trailers with restricted films	
[Regulation 22]	
Film and Publication Board Private Bag X2205 HOUGHTON 2041 Tel (011) 483 0971, Fax (011) 483 1084, e-mail: Morobaned@fpb.gov.za (086) 645 9277	
The Board may refuse to process your submission if this form is not completed in all details	
TYPE OF EXHIBITOR LICENSE: permanent/temporary/ APPLICANT/OWNER..... LICENSE NUMBER..... FAX.....e-mail..... CELL..... CONTACT PERSON..... ADDRESS (Address where the screening will take place)..... MOTIVATION..... APPLICANT'S SIGNATURE..... CAPACITY..... DATE.....	
COMMENTS (Office use)..... Date:.....	

FPB/CP/

Annexure 14

Application for copy of classification decisions (regulation 23(1))

Film and Publication
87 Central Street Houghton 2198: Private Bag X2205 Houghton 2041
Tel (011) 4830971, Fax (011) 4831084, e-mail:dhanrajr@fpb.gov.za, internet: www.fpb.gov.za

The Film and Publication Board, pursuant to process, will accept applications for copies of classification decisions

FILM/PUBLIC NAME

DATE OF APPLICATION DATE RECEIVED (after 09h)
DATE OF CLASSIFICATION

APPLICANT
IS THE APPLICANT THE ORIGINAL APPLICANT

POSTAL ADDRESS POSTAL CODE

CONTACT PERSON

TEL FAX EMAIL

TITLE

ORIGINAL RE-RELEASE

FORMAT 35MM VIDEO DVD VCD CD-ROM OTHER

RUNNING TIME IN MINUTES (AS SHOWN ON FRONT OF GAME OR FILM)

SUBJECT OR GENRE

DIRECTOR

CAST INCLUDES

LANGUAGE ORIGINAL DUBBED SUBTITLED

SIGNED DATE CAPACITY

FPB/CD/

Annexure 15

APPLICATION FOR LIST OF PUBLISHED, GAMES/PUBLICATIONS

Film and Publication Board
87 Central Street Houghton 2198: Private Bag X2205 Houghton 2041
Tel (011) 4830971, Fax (011) 4831084, e-mail: dharrajr@fpb.gov.za, internet: www.fpb.gov.za

The Film and Publication Board may refuse to process your application if the form is not fully completed.

FILM/PUBLICATIONS

DATE OF APPLICATION **DATE RECEIVED (Office use)**

APPLICANT

POSTAL ADDRESS **POSTAL CODE**

CONTACT PERSON
TELEPHONE **FAX** **E-MAIL**

NEAREST METHOD OF DELIVERY

SIGNED **DATE** **CAPACITY**



Head Office
 87 Central Street • Houghton • 2198
 Private Bag X2205 • Houghton • 2041
 Tel: +27 11 483 0971
 Fax: +27 11 483 1084
 E-mail: information@fpb.gov.za
 Website: www.fpb.gov.za
www.fpbprochild.org.za



Film and Publication Board
 We inform. You choose.

FPB/NC/

**Annexure 17
 Notice of Contravention
 [regulation 26(1)]**

Date: _____

Visit sequence no: _____

Business name: _____

Physical Address: _____

Tel/Fax: _____

RE: NOTICE OF CONTRAVENTION IN TERMS OF THE FILMS AND PUBLICATIONS BOARD ACT 65 OF 1996

Name of Inspector:	Date of Inspection:
<p>I have carried out an inspection of your premises in terms of section 15 of the above mentioned Act.</p> <p>In terms of the abovementioned section you are hereby instructed to take the specified steps below within _____ days from the date of this notice.</p> <p>Should you be unable to meet this deadline you may make representations to this office stating when and how you propose to comply herewith or request an extension of time.</p> <p>Failure to comply with this notice, may result in a penalty being issued against you in terms of s30(4)(a) of the Film and Publication Act, 1996</p>	

Section	Steps to be taken to deal with contravention

INSPECTOR: _____

RECEIVED BY: _____

DATE OF FOLLOW UP VISIT: _____



Head Office
 87 Central Street • Houghton • 2198
 Private Bag X2205 • Houghton • 2041
 Tel: +27 11 483 0871
 Fax: +27 11 483 1084
 E-mail: information@fpb.gov.za
 Website: www.fpb.gov.za
 www.fpbprochild.org.za

FPB/NR/



Annexure 18

**Notice to remove non-compliant films, games or publication
 [Regulation 27]**

Date: _____

Visit sequence no: _____

Seal bag no: _____

Business name: _____

Physical Address: _____

Tel/Fax: _____

NOTICE OF INSTRUCTION TO REMOVE IN TERMS OF S.15 (2) (d) OF THE FILM AND PUBLICATION ACT 65 OF 1996

Name of Inspector:	Date of Contravention Notice:
<p>I have carried out an inspection of your premises in terms of section 15 of the above mentioned Act. In terms of the abovementioned section you are hereby instructed to remove from display all films/games/publications contained in the inventory attached to this notice due to non compliance with the sections of the act referred to below.</p> <p>Conditions of removal from display:</p> <ol style="list-style-type: none"> The films/games/publications are to be sealed in a tamper proof seal bag and stored away. The films/games/publications may not be displayed until a determination has been made by the Board or until non compliance is rectified whichever occurs first. <p>Objection to notice to removal: You may object to the notice by completing the Notice of Objection form and submit same to the Board for determination.</p>	

Sections Contravened	Explanation

INSPECTOR: _____

RECEIVED BY: _____

DATE OF FOLLOW UP VISIT: _____