



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 466

Pretoria, 2 April 2004

No. 26227



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

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GOVERNMENT NOTICE

DEPARTMENT OF HOME AFFAIRS

No. 442

2 April 2004

DEPARTMENT OF HOME AFFAIRS

FILM AND PUBLICATION BOARD

FILMS AND PUBLICATIONS ACT, NO. 65 OF 1996 as amended

REGULATIONS ON FILMS, INTERACTIVE COMPUTER GAMES AND PUBLICATIONS

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

SCHEDULE

Definitions

- 1 In these Regulations, any word or expression to which a meaning has been assigned in the Act, shall have that meaning and, unless the context otherwise indicates, "the Act" means the *Films and Publications Act, No. 65 of 1996*, as amended by the *Films and Publications Amendment Act, No. 34 of 1999*.
- 2 (a) A "new release" refers to a film which is being examined for classification for the first time, regardless of the date of its production;
- (b) A "re-release" refers to a film which, having been previously classified but no longer on circuit, is being re-introduced for distribution and/or exhibition;
- (c) "Home-entertainment format" refers to films in formats allowing for viewing at home through video cassette recorders, DVD players or other such devices;
- (d) "Public-entertainment format" means films in formats intended for public exhibition in cinemas, theatres and other premises to which the public may have access;
- (e) An "adult" film refers to any film which contains a scene or scenes of explicit sexual conduct, as defined in Schedule 11 of the Act, and which may only be distributed and/or exhibited by a holder of a licence to conduct the business of adult premises in terms of section 24 of the Act;
- (f) An "English-language" film means a film with dialogue in the English language and includes a film dubbed into English and/or with sub-titles in English
- 3 The fees that shall be payable in respect of any application, exemption, registration, review or appeal under the Act or Regulations made in terms of the Act, are set out in the Annexure.

Short Titles

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

ANNEXURE

| ITEM NO.: | SERVICES | APPLICABLE TARIFF WEF 1 MAY 2004 |
|-----------|--|---|
| 1 | Registration as a distributor/exhibitor of films | R698.00 + VAT |
| 2 | Classification of a publication upon complaint | No fee |
| 3 | Classification of a publication upon application | Up to R350.00 at the discretion of Executive Committee + VAT |
| 4 | Classification of a new-release of an English-language film in public entertainment format | R1 394.00 + VAT |
| 5 | Classification of a new-release film other than in English in any format | R377.00 + VAT |
| 6 | Classification of a re-release in any format or language | 50% of applicable tariff + VAT |
| 7 | Classification of English-language films in home entertainment format | R14.28 per minute of running time + VAT |
| 8 | Classification of an "adult" film in any format or language | R11.78 per minute of running time + VAT |
| 9 | Classification of a trailer in any format or language | R14.28 per minute of running time + VAT |
| 10 | Classification of an interactive computer game | R1 152.60 + VAT |
| 11 | Classification of a cover or wrapper | R14.28 + VAT |
| 12 | Application for a more lenient classification of a film or interactive computer game | R2 927.40 or double the classification fee, whichever is the higher + VAT |
| 13 | Application for a more lenient classification of a trailer, cover or wrapper | Double the applicable classification fee + VAT |
| 14 | Application for an exemption | Up to R510.00 per title or per application at discretion of the Executive Committee + VAT |
| 15 | Copy of a certificate of classification, exemption or registration | R70.38.00 + VAT |
| 16 | Review in terms of section 32 of the Act | R113.25 per minute of running time + VAT |
| 17 | List of all titles classified by the Board | R564.00 + VAT |
| 18 | List of particular titles classified by the Board | R1.75 per title for the first 100 titles and R0.85 per title thereafter + VAT |
| 19 | Appeal to the Review Board | R2 927.40 or double the classification fee, whichever is the higher + VAT |
| 20 | Copy of Report of Review Board | R127.50 + VAT |

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
 Publications: Tel: (012) 334-4508, 334-4509, 334-4510
 Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
 Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
 Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
 Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
 Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
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