

THE UNITED REPUBLIC OF TANZANIA

DRAFT BILL
for
TO REPEAL THE FILM AND STAGE PLAYS ACT, 1976

**DAR ES SALAAM,
JANUARY, 2013**

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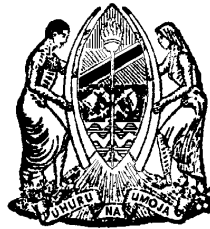
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A DRAFT BILL FOR FILM IN TANZANIA
THE UNITED REPUBLIC OF TANZANIA



An Act to repeal and replace the Film and Stage Plays Act, 1976 with a view to make better provisions for the regulation of Film and to provide for other related matters.

ENACTED by Parliament of the United Republic of Tanzania

PART I

PRELIMINARY PROVISIONS

Short title and commencement

1. This Act may be cited as The Tanzania Film Act, 2013, and shall come into operation on the date of publication in the *Gazette*.

Application

2. This Act shall apply in Tanzania Mainland only.

Interpretation

3. In this Act, unless the Context requires otherwise;
“**Board**” means the Tanzania Film Censorship Board;
“**annual report**” means the annual report of the financial year;
“**Board**” means the Board of Directors of the Board referred to in this Act;
“**censorship**” means review, classify,
“**Chairperson**” means the Chairperson of the Board referred to in Section 7 (2);
“**Chief Executive Officer**” means the Chief Executive Officer of the

Board appointed under this Act;

“Dealer “ means producers, directors, actors, distributors, or any person dealing with film industry;

“Inquiry” means an inquiry instituted by the Board pursuant to Section 14 (1);

“Member” means a Member of the Board and includes the Chairperson and Executive Officer ;

“Film Association” means any grouping dealing with matters relating to Film

“Film” means any Film of sequence of visual or digital images recorded on material or garget of any description, and includes audio-visual productions such as cinematographic film, video, television and interactive media, so as to be capable, by the use of that material -

(a) of being shown as a moving image; or

(b) of being recorded on other material by the use of which it can be shown as a moving Image,

but does not include any production being a report on news or current affairs;

“film industry” means the technological and commercial institutions of films production companies, film studios, cinematography, film production, screen writing, pre-production, post-production, film festivals, distribution and actors, film directors and other film crew personnel,

“Minister” means the Minister for the time being responsible for matters related to Film;

“Script means”

“Venue” means and includes theatres, premises, open areas and any other such areas used for purposes of making or screening Film;

“authorized person” means a person who is authorized in writing by the Board for the purposes of this Part.

“public display” means

“poster” means any printed material designed for Film advertisement.

PART II
THE TANZANIA FILM CERTIFICATION AND CENSORSHIP
BOARD

Establishment
of Board

4. (1) There is hereby established a Board to be known as The Tanzania Film Certification Censorship Board
- (2) The Board shall:
- a) be a body Corporate with perpetual succession and a Common seal;
 - b) in its Corporate name be capable of suing and be sued;
 - c) in connection with the purposes of this Act, be capable of holding, purchasing and otherwise acquiring and disposing of movable or immovable property;
 - d) exercise the powers and perform the functions conferred upon it by or under this Act;
 - e) enter into contract or other transactions and do or suffer to do all such other acts and things, which a body corporate may lawful perform, do or be done;
- (3) The application of the Common Seal of the Board on any document shall be authenticated by the signature of the Executive Officer.
- (4) Every document purporting to be an Instrument issued by the Board sealed with the seal of the Board and authenticated in accordance with subsection (3), shall be deemed to be an Instrument of the Board and shall be received in evidence without any other proof.

Composition of
the board

5. (1)The composition of the Board shall consist of not more than nine (9) members from the following institutions as follows:
- (a) a chairman who shall be appointed by the minister
 - (b) representative from the ministry responsible for film matters
 - (c) Representative from local government Authorities
 - (d) representative from the Attorney General's Office
 - (e) representative from Ministry of Home Affairs
 - (f) representative from Ministry of Home Affairs
 - (g) One representative from Film industry stake holders
 - (h) representative from the Ministry of Foreign Affairs
 - (i) representative from disadvantaged groups

Objectives of
the Board

- 6.** The objectives of the Board shall be to:
- (a) ensure that Film are made according to standards and professionalism;
 - (b) set standards for the Film made in the United Republic of Tanzania;
 - (c) monitor Film Associations
 - (d) promote Tanzania as a location for Film production in the international market;
 - (e) attract Film producers to carry out Film productions in Tanzania;
 - (f) encourage Film producers to employ or make use of Tanzania personnel and facilities for Film production;
 - (a) in collaboration with relevant professional bodies, promote Film industry.

Functions of the
Board

- 7.** The functions of the Board shall be to:
- a) Advise Central Government, Local Government and statutory bodies on all matters pertaining to Film.
 - b) issue guidelines pertaining to Film.
 - c) issue, renew and cancel Film permits.
 - d) issue, renew and cancel licenses to dealer
 - e) regulate rates and charges of film matters
 - f) disseminate information to the public relating to film industry.
 - g) consult with other Censorship authorities or bodies or institutions discharging function similar to those of the Board in the United Republic of Tanzania and elsewhere.
 - h) perform such other function as may be conferred on the Board by this Act or any other law.

PART III

ESTABLISHMENT OF THE COMMITTEES

Establishment
of the
committee

- 8.** (1) The Board shall establish the following Committees:
- (g) The Finance, Policy and Planning Committee
 - (h) The Film Censorship, Classification and Permit Committee
 - (i) The Administration and Public Relations Committee
 - (j) The Film License and Venues Committee

(2) The Functions of the Committees;

(i) **The Finance, Policy and Planning Committee;**

The Finance, Policy and Planning Committee shall;

- (a) perform finance and accounting functions for the Board by maintaining and ensuring budget control;
- (b) ensure that financial management mechanisms are initiated and implemented to reconcile and accommodate the different financial management requirements of the Board;
- (c) co-ordinate with other Committees on budget development and annual financial estimates;
- (d) review the financial management and control systems;
- (e) formulate policy guidelines for the Film in mainland Tanzania;
- (f) develop Strategic Framework for the Board programmes and activities within the overall national strategy; and
- (g) encourage national and international linkages among all stake holders through proper co-ordination;

(ii) **The Film Censorship, Classification and Permit Committee;**

This Committee shall;

- a) undertake censorship of all Film aimed for public exhibition;
- b) examine and censor imported Film under Customs regulations;
- c) register and classify Film for public exhibition;
- d) review all applications for permits;
- e) grant Film permits;
- f) provide technical assistance and information regarding Film permits;
- g) recommend appropriate procedures on how to grant Film permits;
- h) perform any other duty as may be determined by the Board.

(iii) **The Administration and Public Relations Committee;**

This Committee shall;

- (a) produce promotional and advocacy materials of the Board;
- (b) develop and maintain a work relationship with the media for the promotion of Film;
- (c) prepare and develop press releases or press conferences of the Board;
- (d) organize public debates and other meetings to generate discussion on Film; and
- (e) accompanies visitors to the Board and other places.

(iv) **The Film License and Venues Committee**

This Committee shall;

- a) inspect theatres and other venues used for Film screening;
- b) review applications for theatres and venue licenses;
- c) issue theatres and venues licenses;

Appointment of
Chief Executive
Officer

9. (1) There shall be a Chief Executive Officer of the Board who shall be appointed by the Minister on such terms and condition as he shall determine.

(2) The Chief Executive Office shall be appointed from among persons of good standing and recognized for his high level of professionalism, competence and integrity.

(3) Subject to the general supervision and direction of the Board, the Chief Executive Officer, shall be responsible fo:

- (a) the management and operation of the Board.
- (b) the management of the funds, property and business of the Board.
- (c) the administration, organization and control of the officers and staff of the Board in accordance with their terms and condition of appointment.

(4) The Chief Executive Officer shall be the Accounting Officer of the Board and shall not engage in any other occupation or paid employment elsewhere.

(5) The Chief Executive Officer shall be the Secretary of the board.

Other staff of
the Board

10. The Board may on such terms and conditions employ such number of staff to hold appropriate office.

PART IV POWERS AND PROCEEDINGS OF THE BOARD

General Powers
of the Board

11. (1) Subject to the provisions of this Act, the Board shall have powers to do all things which are necessary for or in connection with the performance of its function or to enable it to discharge its duties.

(2) Without limiting the powers conferred under subsection (1), the Board, shall also have the following powers:

- (a) such powers as may be conferred on it by other written laws;
- (b) the power to administer and manage all activities relating to Film.

Power to
regulate rates
and charges

12. (1) Subject to the provisions of this Act the Board shall carry out reviews of rates and charges.

(2) In making any determinations with regards to regulating rates and charges, the Board shall take into considerations:

- (a) the cost of making, producing and supplying Film;
- (b) the desire to promote competitive rates and attract the market and the financial implications of the such determination;
- (c) any other factors the Board may consider relevant.

(3) The Board may by order published in the *Gazette* make rates and charges regulated by the Board.

Powers to
obtain
information

13. (1) **Where the Board has reason to believe that a person is capable of supplying information, producing a document or giving evidence that may assist in the performance of any of its functions the Board may, by summons signed by the Chief Executive Officer of the Board served on that person, requiring that person:**

- (a) to furnish the information in writing, signed by him, in a case of body corporate signed by a competent officer of the body corporate;
- (b) to produce the document to the Board;

(c) to appear before the Board to give evidence.

(2) A summons under this section shall specify the required time and manner of compliance.

(3) The Board may require that any evidence referred to under this section be given on oath or affirmation, and in that case, the Chief Executive Officer, may administer the oath or affirmation.

Power to exempt Film **14.** Without prejudice to the provisions of this Act, the Board may by notice in the *Gazette*, exempt from the provisions of this Act any Film, or any class of motions pictures, generally or by reference to the person or category of persons making such productions.

Power to exempt Film venues **15.** Notwithstanding the provisions of this Act, the Board may in writing exempt certain venues or class of venues within any area from the provisions of the Part.

Delegation **16. (1)** The Board may delegate its power to a member, employee of the Board or to Regional and District committee either generally or otherwise as provided by the Instrument of delegation,

Confidentiality **17. (1)** For the purpose of this Act, any person who gives or discloses any material to the Board, whether under compulsion of law or otherwise, that person may claim confidentiality in respect of the whole or any part of the material.

(2) The Board shall set out its own procedures on how it will disclose its confidential materials or information.

(3) Any person who discloses confidential information other than a person authorized by the Board commits an offence.

PART V

MAKING OF FILM

No Film to be made without permit **18. (1)** Subject to the provisions of this Act, a person shall not direct, take part or assist in the making of Film, whether intended for exhibition or sale either within or outside mainland Tanzania except under and in accordance with the terms and conditions of Film Permit issued by the Board.

(2) A Film Permit shall not be necessary for the making of Film by an amateur for private exhibition to his family and his friends.

Application for
Film permit

19. (1) Every application for a Film permit shall be made to the Board in writing and shall be accompanied by a prescribed fee and full description of the scenes and synopsis or script of the entire Film to be made, notwithstanding that part of the Film is made or to be made outside mainland Tanzania.

(2) If any title, sub-title, text, description, script or other part of a Film is in a language other than Kiswahili or English, the Board may require a translation thereof into Kiswahili or English, certified to its satisfaction, or may submit relevant authority for examination and report of such information to responsible person.

(3) Where the Film include any scenes likely to endanger the safety of any person or property or in which animals are to be photographed, the applicant shall state in his application the precautions proposed to be taken to preserve the safety of any such person or property, or to prevent cruelty or suffering to such animals.

Issuing of Film
Permit

20. (1) The Board may, in its discretion, issue or refuse to issue a Film Permit for which application has been made under this Act, or may issue it subject to the observance of any regulations made under this Act, or to such special conditions and restrictions to be specified in such permit as it may deem fit.

(2) Before issuing a Film Permit the Board may require the applicant to enter into a bond with or without sureties in such sum as the Board may require to secure that the Film, is made subject to any regulations, or special conditions made by the Board under subsection (1) and in accordance with the description, script and other information supplied to the Board, together with any alterations and addition for which permission has been issued under this Act.

(3) The Board may also require as a condition of the issue of a Film Permit that a public officer duly authorized in that behalf shall be present at

the making of the Film

(4) Authorized officer may, in the exercise of his discretion having regard to any special general directions issued to him,

(5) Authorised officer shall intervene to stop the making of any scene which in his opinion is objectionable or endangers the safety of any person or of any property not being in-

(a) possession

(b) disposition of the maker of the Film

(c) which is cruel or causes suffering, to any animal

Subject to the provision of subsection five (5) authorized offices shall in the event of any intervention use reasonable force as shall be necessary to stop making of film

(4) Where a public officer intervenes to stop the making of Film, he shall forthwith notify the Board, of such intervention and the reasons thereof, and the Board may either permit the making of the Film to be resumed or, having first given the holder of the Film Permit an opportunity of being heard, permit the making of the Film to be resumed on such conditions as may deem fit or refuse to permit the making of the Film to be resumed.

Alterations and additions to Film

21. (1) Where it is desired to make any material alterations or additions to the text, script or scenes of a Film Permit has been issued, the holder of the Permit shall apply in writing to the Board for permission to make such alterations or additions, and the application shall be accompanied by the Film Permit and by particulars of the proposed alterations and additions and, if the alterations or additions are in a language other than Kiswahili or English, and Board so requires, a translation thereof into Kiswahili or English certified to its satisfaction.

(2) The decision of the Board on the application shall be endorsed on the Film Permit and if permission is granted there shall also be endorsed any condition which is attached to the permission.

Location and crew fees

22. Any person who wants to make a film within mainland Tanzania shall pay a location and crew fee in a manner prescribed in a regulation

Return profit

23. (1) Any foreigner who receives money from the film produced within Tanzania mainland shall return to the country 5% of the total amount received to the ministry responsible for film.

(2) Any person who contravenes the provision of subsection (1) commits an offence and shall be liable upon conviction to a fine of not less than twenty thousand dollar or its equivalent to Tanzania shillings

PART VI
LICENSING OF FILM VENUES AND DEALERS

Licences to film
dealers and
venues

- 24.** The Board shall, by notice in the *Gazette*, issue licenses;
- (a) to film dealers
 - (b) to film venues.

Venue licenses

25. (1) No person shall use Venue except under and in accordance with the terms and conditions of a Venue license granted by the Board under this Part.

(2) A person shall not produce, distribute or deal with any film without having a license granted by the board,

(3) An application for a dealer license shall be made to the Board for the area where the dealer is situated.

(3) An application for Venue license shall be made to the Board for the area where the Venue is situated.

(3) The Board may refuse to issue a dealer or Venue license or may issue subject to such terms and conditions as it may think desirable.

(4) If the Board shall consider that public health and the safety of persons attending exhibitions at such Venues are adequately provided for, it may issue a Venue license either generally or in respect of any single exhibition for such period not exceeding twelve months as it may think fit.

(5) A venue license may at any time be revoked by the Board upon the breach of any of its terms or conditions prescribed in the regulations.

Supervision to
ensure safety

26. The Board may issue a Venue license upon conditions that the exhibition be conducted under the superintendence of some officer or person designated in the license, and in such case, it shall be lawful, any time, for the officer or person so designated to order such exhibition to cease or to give any other direction which he may think necessary for ensuring the safety of the venue at which the exhibition takes place.

PART VII

CERTIFICATION, CLASSIFICATION AND EXHIBITION OF FILM

Certification
,Classification
and Exhibition
of Film

27. (1) The Board shall examine and classify Film whether made or produced locally or imported and intended for public exhibition.

- (2) The Board shall classify all Film in accordance with the set categories prescribed under the FIRST SCHEDULE.
- (3) The Board shall examine every poster, trailer or description thereof submitted to determine whether it should be approved for exhibition.

Restriction on
exhibitions

28. (1) No person shall direct, or assist or take part in, or permit in any Venues under his control or management, an exhibition of a Film unless a Permit in respect thereof allowing the Film for such exhibition has been issued by the Board and a tax stamp has been affixed thereof.

Restriction on
display of
posters

29. (1) No person shall display, or cause or allow to be displayed or cause to project in a public place, so as to be visible from a public place, any poster unless the Board has first approved the poster for public display or digital projection.

- (2) Where, under paragraph (b) of subsection (1) of section 27 of this Act, has directed that a description only of a poster need be furnished, and a poster advertising the Film or exhibition is displayed in a public place or so as to be visible from a public place, an authorized person may, if he considers that the poster is objectionable or does not conform to the description furnished and production if so requested by the Board, require any person displaying the poster, or causing or permitting it to be displayed, to remove it, delete, alter or obliterate a specified part thereof.

Application for
Permit

30. (1) Every application for Permit shall be made to:
(a) the entire Film to which the application relates;
(b) a copy of every poster intended to be publicly displayed or digitally projected in connection with the Film or its exhibition, or else, where the Board in any particular case so directs, a full description and of the visual and verbal contents thereof.

(2) If the application is made for a Permit in respect of Film or for the approval of a poster, containing writing or speech in a language other than

Kiswahili or English, the Board may require a translation thereof into Kiswahili or English, certified to the satisfaction of the Board and may submit the same for the examination and report of such person or persons as the Board may appoint for that purpose.

Approval for distribution and exhibition of Film

31. Subject to any regulations made in that behalf by the Board under this Act, on completion of the examination of Film the Board may:

- (a) approve it for distribution or exhibition to the public; or
 - (b) approve for such distribution or exhibition subject to such excisions as it thinks proper; or
- (2) On completion of the examination of a poster the Board may;
- (a) approve it for public display; or
 - (b) approve it for public display subject to such deletions or alterations as it thinks proper; or
 - (c) refuse to approve it for public display.
- (3) If the Board approves a Film subject to excisions there from, the Board may itself make, or cause to be made, the excisions and retain in its possession the excised parts.
- (4) The Board shall not approve any Film or poster which in its opinion tends to prejudice the maintenance of public order or offend decency, or the public distribution, exhibition or display of which would in its opinion for any other reason be undesirable in the public interest.

Validity of Permit

32. (1) Where the Board approves a Film or poster it shall issued the applicant a Permit thereof in the prescribed form and such Permit shall authorize the distribution, exhibition or display of the Film poster to which it relates in any part of the country subject to such conditions and restrictions as may therein be specified.

- (2) Where the Board approves a Film or poster as aforesaid subject to excisions, deletions or alterations, any person who:-
- (a) distributes or exhibits such Film from which the parts which the Board directed to be excised, deleted or altered have not been excised, deleted or altered in accordance with the Board's direction; or
 - (b) displays or causes or permits to be displayed in a public place or so as to be visible from a public place, such poster, from which the parts which the Board directed to be excised, deleted or altered have not been excised, deleted or altered in accordance with the Board direction, commits an offence.

Effect of adding matter to a Film after its approval

33. If any matter other than the Permit and the decision made by the Board is added to a Film after it has been approved by the Board, the Film shall be deemed, for the purposes of this Act, to be a Film in respect of which a Permit

has not been issued.

Review of the
decision of the
Board

34. (1) Where the Board has issued a Permit in respect of a Film, whether with or without special conditions or restrictions, and the Minister is of the opinion that the Board should review its decision in the light of prevailing public opinion or other circumstances the Board may, and shall, if so directed by the Minister in writing, review its decision and on any such review its decision and on any such review the provisions of this Act relating to an application for a Permit shall, *mutatis mutandis* apply to such review.

(2) After reviewing the issue of a Permit pursuant to the provisions of subsection (1), the Board may revoke such Permit or any special conditions or restrictions attached thereto or attach such special conditions and restrictions thereto as it deems fit, and such Permit if revoked, shall cease to have effect.

PART VIII FINANCIAL PROVISIONS

Source of
Funds of the
Board

35. The sources of funds of the Board shall consist of:

- (a) fees collected by the Board including fees payable for the issue and renewal of permits and licenses and any other charges stipulated in Regulations;
- (b) all the payment or property due to the Board in respect of any matter incidental to its functions;
- (c) any grants, donations, bequest or other contributions made to the Board;
- (d) profits returns from foreign film makers; and
- (e) money appropriated by Parliament for the purposes of the Board;

Books of
Accounts

36. (1) The Board, shall maintain proper books of accounts and other records relating to its accounts and shall prepare annual statement of accounts including the income and expenditure accounts and the balance sheet in such form and manner as may be prescribed by the Accountant General.

(2) Such books of accounts and other records shall be open for inspection by the Minister or any person duly authorized by him in that behalf.

Auditing

37. (1) The accounts of the Board shall be audited by the Controller and Auditor General.

(2) The Controller and Auditor General and any other person appointed by him in connection with auditing of the accounts of the Board under this

Act, shall have the same rights and privileges and authorities in connection with such auditing as the Controller and Auditor General in relation with the auditing of Government accounts.

(3) Subject to the provisions of (1), the auditor for the Board shall have access at all reasonable times to all books of accounts, records, returns report, and other document relating to the accounts of the Board.

(4) In respect of each financial year, the auditor to the Board shall certify whether or not:

- (a) he has received all the explanation and other information necessary for the performance of his duties;
- (b) the accounts of the Board have been properly kept; and
- (c) according to the explanation and other information received, and the books of accounts, records, returns reports and other document relating to the Board accounts produced to him, the accounts of the Board reflect a true and accurate financial position of the Board.

(5) The accounts of the Board as certified by the Controller and Auditor General or any other person appointed by him on his behalf together with the audit report, shall be forwarded annually to the Board and the Minister.

(6) The Minister shall cause the accounts and the audit report received under subsection (5) to be laid as soon as they are received before the National Assembly.

Annual Reports

38. (1) The Board shall, within three months after the end of each financial year submit to:

(a) the Minister, an Annual Performance Evaluation Report in respect of that year's activities consisting of:

- (i) Financial Statement and the Annual Management Plan
- (ii) an evaluation of the operation of the Board
- (iii) any other information the Board may direct;

(b) the Controller and Auditor General, the accounts of the Board for the financial year and the Annual Performance Evaluation Report referred to in item (i)

(2) The Minister shall lay before the National Assembly the Annual Performance Evaluation Report within two months from the date of receiving the report, or at the next Meeting of the National Assembly within four months from the date of receiving the accounts.

PART IX
MISCELLANEOUS PROVISIONS

Appointment of
inspectors

39. The Minister may in writing appoint an office of the Board or any other person to be an inspector.

Power of entry

40. (1) A police officer, an Officer of the Board or any person authorized by the Minister in writing may, if he has reasonable cause to believe that an exhibition of a Film is being or is about to be made or given on any Venue, the person in charge of those Venues, shall allow him entry to the Venue.

(2) Where a police officer, or an Officer of the Board, is unable to obtain entry to the Venues without a warrant, he may without warrant enter the Venues and inspect the same to ascertain the matters specified under sub-section (1).

(3) Where any such officer or a person as aforesaid is satisfied that exhibition is being made or given in contravention of any provisions of this Act, he may order that the exhibition shall stop and not be further made or given until he complies with to his satisfaction.

(4) Any person who prevents or obstructs any police officer, officer of the Board or authorized person in the performance of his duties, or who fails to comply with an order given by the Board under subsection (3) of this section commits an offence.

Offences and
Penalties

41. (1) Any person who:-

- a) knowingly gives false or misleading information or evidence in purported compliance with a summons issued under this Act;
- b) without reasonable excuse, fails or refuses to give information, or produces any documents, record or reports required under this Act;
- c) without reasonable excuse, refuses to answer a summon or refuses to produce any books of Accounts, plans or give evidence as required by this Act;
- d) interferes with or exerts undue influence, or obstructs any officer or employee of the Board in the performance of his functions or in the exercise of his power under this Act;
- e) connives or colludes to commit a fraudulent act or corrupt act;

f) contravenes or fails to comply with the provisions of this Act, commits an offence and upon conviction shall be liable to a fine not less than ten million, and not exceeding fifty million shillings or to imprisonment for a term not less than five years and not exceeding ten years or to both such fine and imprisonment.

(2) Where any person is convicted of an offence under this Act or any regulations made hereunder, then, in addition to or in lieu of any other penalty, the court by which such person is convicted may:-

(a) where the offence relates to the making of a Film order the confiscation and destruction of the Film or any part thereof in respect to which the offence was committed, and may revoke the Film permit if any, relating to the making of the Film whether the person convicted is the holder thereof or not;

(b) where the offence relates to distribution or exhibition, order the confiscation and destruction of the Film or any part thereof in respect of which the offence was committed, any may revoke any Permit issued under this Act.

(3) Where any Film is made in contravention to the provision of this Act, the dealer and every other person engaged in the making of the Film commits an offence.

(4) Where any Film in respect of which a Film permit has been issued is made otherwise than in accordance with the particulars furnished to the Board or the alterations or additions in respect of which permission has been granted by the Minister under this Act, the dealer, holder of the film permit and any other person engaged in the making of the Film, **commits an offence.**

Offences by corporations, societies, etc

42. Where any offence under this Act or any regulations made there under is committed by a company or other body corporate, or by a society, association or body of persons, every person charged with, or concerned or acting in, the control or management of the affairs or activities of such company, body corporate, society, association or body of persons commits an offence and on conviction shall be liable to be punished accordingly.

Appeals

43. Any person who is aggrieved by a decision of the Board under this Act, may appeal within the prescribed period and in the prescribed manner to the Minister, who may, subject to the provision of this Act, confirm, vary or reverse the decision, and may give such directions in the matter as he deems fit and the Board shall comply with the directions so issued.

Transitional provisions

44. (1) Upon the coming into operation of this Act, all, regulations, rules relating to, and institutions dealing with Film shall continue to have any effect, power, functions, duty in relation to any matter connected with Film.

(2) All property, except that property the Minister may determine, which immediately before the commencement of this Act was vested in the Government for the use of the Central Censorship Board, on the date of Commencement of this Act shall immediately rest in the Board subject to all interests, liabilities, charges and trusts affecting that property.

(3) All authorities, licenses and permits issued or granted under the Film and Stage Play Act and which are valid immediately before the commencement of this Act shall be deemed to have been lawfully issued or granted under the corresponding provision of this Act and shall continue in force until they are revoked or cancelled, and may be varied or amended accordingly.

Repeal of the Film and Stage Plays Act No. 4 of 1976

45. (1) The Film and Stage Plays Act is hereby repealed.

Regulations

46. The Minister may make regulations generally for the better carrying out of the purposes and provisions of this Act, and without prejudice to the generality of the foregoing, may make regulations;

- a) prescribing condition and fees to be paid for any Permit, license under this Act;
- b) prescribing charges for, or for matters incidental to, at the making of a Film and Stage plays,
- c) prescribing the conditions to be observed with regard to the reaction, alteration and equipment of any Venue;
- d) prescribing the conditions to be observed with regard to the health safety of the Venue from fire or other danger, or the safety and control of persons attending at Venues;
- e) regulating the duties, functions, proceedings and the conduct of the business of the Board and the manner in which the examination of Film and posters and other related materials shall be conducted;
- f) prescribing forms for and the manner of making applications for Permits, and licenses under this Act;
- g) providing for the classification of Film by the Board and the

- manner in which such classification shall be made;
- h) prohibiting or restricting the exhibition of any class of Film before persons below any age which may be specified or prohibiting or restricting such exhibition before any person below such age, unless he is accompanied by a parent or guardian or such other conditions as may be specified are complied with;
 - i) making provision with regard to the giving of notice to intending viewers of any conditions and restrictions attached to the exhibition of any Film or any class thereof and the manner in which such notice shall be given making provision with regard to the manner in which and the places and times at which the sale or distribution of such tickets shall be made;
 - j) prescribing the conditions, prohibiting or restricting the participation of any person or category of person in sale or distribution of any ticket or other authorities for admission of person to any public exhibition, and making provision with regard to the manner in which conduct and control of the people and management of place and time at which the sale or distribution of such ticket is made.
 - k) prescribing the procedure for appeals to the Minister under this Act;
 - l) prescribing anything which under this Act is to be or may be prescribed.

Passed in the National Assembly on the2013

KASHILILA
Clerk of the National Assembly

SCHEDULE

Made Under Section

CLASSIFICATION OF FILM

	CLASS OF FILM	AGE OF VIEWER ALLOWED
1.	“WW”	Denotes All Ages
2.	“WW13”	Denotes Children aged 13 years and above
3.	“WM16”	Denotes Children aged 16 years and above
4.	“WZ18”	Denotes Adult Persons aged 18 and above
5.	“MM”	Denotes Special Film
6.	“KK”	Denotes Prohibited or disapproved Film/Not allowed for public consumption and condemned for destruction.

