

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.

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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 refuse to process your application if this form is not fully completed**

<b>Reg Office No</b>			
<b>DATE OF APPLICATION</b>		<b>DATE RECEIVED (Office use)</b>	
<b>APPLICANT</b>			
<b>POSTAL ADDRESS</b>			<b>POSTAL CODE</b>
<b>CONTACT PERSON</b>			
<b>TEL</b>		<b>FAX</b>	<b>E-MAIL</b>
<b>PUBLICATION TITLE</b>			
<b>TYPE: BOOK, MAGAZINE, other</b>			
<b>ISSUE OR EDITION</b>			
<b>NAME OF PUBLISHER/IF DIFFERENT FROM APPLICANT</b>			
<b>SUBJECT OR GENRE</b>			
<b>AUTHOR IF BOOK</b>			

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

<b>NUMBER OF PAGES</b>			
<b>SIGNED</b>		<b>DATE</b>	<b>CAPACITY</b>

FPB/P

Annexure 2

**Application for classification of a publication in terms of section 16(2)  
(regulation 3)**

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 your application if this form is not fully completed.**

<b>Reg Office No</b>	
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<b>DATE OF APPLICATION</b>		<b>DATE RECEIVED (Office use)</b>	
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<b>APPLICANT</b>	
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<b>POSTAL ADDRESS</b>			
		<b>POSTAL CODE</b>	

<b>CONTACT PERSON</b>	
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<b>TEL</b>		<b>FAX</b>		<b>E-MAIL</b>	
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<b>PUBLICATION TITLE</b>	
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<b>TYPE-BOOK, MAGAZINE, other</b>	
<b>ISSUE OR EDITION</b>	

<b>NAME OF PUBLISHER/IF DIFFERENT FROM APPLICANT</b>	
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<b>SUBJECT OR GENRE</b>	
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<b>AUTHOR IF BOOK</b>	
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**DESCRIPTION OF CONTENTS WITH REFERENCE TO PAGE NUMBERS, may use separate page**

<b>NUMBER OF PAGES</b>			
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<b>SIGNED</b>		<b>DATE</b>		<b>CAPACITY</b>	
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FPB/D/	Annexure 3 <b>Application for registration as distributor</b> <b>[regulation 7(1)(a)]</b>	Film and Publication Board Private Bag X2205 HOUGHTON 2041 Tel (011) 483 0971 Fax (011) 483 1084 e-mail: <a href="mailto:Morobaned@fpb.gov.za">Morobaned@fpb.gov.za</a> (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.....		
<b>NB: No licence will be issued without all the required documents.</b>		
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](mailto: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](mailto: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)	Distributor of Adult films	Exhibitor of Adult films
	Business of adult premises	Games Arcade
	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 18(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

<b>Reg Office no:</b>	
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<b>DATE OF APPLICATION</b>		<b>DATE RECEIVED (Office use)</b>	
<b>DATE OF PREVIOUS CLASSIFICATION</b>			
<b>PREVIOUS CLASSIFICATION DECISION</b>			

<b>APPLICANT</b>	
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<b>POSTAL ADDRESS</b>		<b>POSTAL CODE</b>	
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<b>CONTACT PERSON</b>	
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<b>TEL</b>		<b>FAX</b>		<b>E-MAIL</b>	
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<b>TITLE (for distribution/exhibition)</b>	
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<b>PREVIOUS TITLE (if different)</b>	
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<b>ORIGINAL</b>		<b>RE-RELEASE</b>	
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<b>FORMAT</b>	<b>35MM</b>		<b>VIDEO</b>		<b>DVD</b>		<b>VCD</b>		<b>CD-ROM</b>		<b>OTHER</b>	
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<b>RUNNING TIME IN MINUTES, AS SUBMITTED</b>	
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<b>SUBJECT OR GENRE</b>	
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<b>DIRECTOR</b>	
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<b>CAST INCLUDES</b>	
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<b>LANGUAGE</b>	<b>ORIGINAL</b>		<b>DUBBED</b>		<b>SUB-TITLED</b>	
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<b>PREVIOUS CLASSIFICATION AND CONSUMER ADVICE</b>		<b>CERTIFICATE NUMBER</b>		<b>FORMAT</b>	
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<b>SIGNED</b>		<b>DATE</b>		<b>CAPACITY</b>	
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FPB/P

Annexure 7

**Application for classification of exempted films  
(regulation 11)**

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 your application if this form is not fully completed.**

<b>Reg Office no:</b>	
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<b>DATE OF APPLICATION</b>		<b>DATE RECEIVED (Office use)</b>	
<b>DATE OF EXEMPTION</b>			
<b>BASIS OF EXEMPTION</b>			

<b>APPLICANT</b>	
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<b>POSTAL ADDRESS</b>	
	<b>POSTAL CODE</b>

<b>CONTACT PERSON</b>	
-----------------------	--

<b>TEL</b>		<b>FAX</b>	
		<b>E-MAIL</b>	

<b>TITLE (for distribution/exhibition)</b>	
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<b>PREVIOUS TITLE (if different)</b>	
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<b>ORIGINAL</b>	<b>RE-RELEASE</b>	
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<b>FORMAT</b>	<b>35MM</b>		<b>VIDEO</b>		<b>DVD</b>		<b>VCD</b>		<b>CD-ROM</b>		<b>OTHER</b>	
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<b>RUNNING-TIME IN MINUTES, AS SUBMITTED</b>	
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<b>SUBJECT OR GENRE</b>	
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<b>DIRECTOR</b>	
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<b>CAST INCLUDES</b>	
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<b>LANGUAGE</b>	<b>ORIGINAL</b>		<b>DUBBED</b>		<b>SUB-TITLED</b>	
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<b>SIGNED</b>		<b>DATE</b>		<b>CAPACITY</b>	
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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 may refuse to process your application if this form is not fully completed**

<b>Reg Office no:</b>	
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<b>DATE OF APPLICATION</b>		<b>DATE RECEIVED (Office use)</b>	
<b>DATE OF EXEMPTION</b>			
<b>BASIS OF EXEMPTION</b>			

<b>APPLICANT</b>	
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<b>POSTAL ADDRESS</b>			
	<b>POSTAL CODE</b>		

<b>CONTACT PERSON</b>	
-----------------------	--

<b>TEL</b>		<b>FAX</b>		<b>E-MAIL</b>	
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<b>TITLE (for distribution/exhibition)</b>	
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<b>PREVIOUS TITLE (if different)</b>	
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<b>ORIGINAL</b>		<b>RE-RELEASE</b>	
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<b>FORMAT</b>	<b>35MM</b>		<b>VIDEO</b>		<b>DVD</b>		<b>VCD</b>		<b>CD-ROM</b>		<b>OTHER</b>	
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<b>RUNNING-TIME IN MINUTES, AS SUBMITTED</b>	
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<b>SUBJECT OR GENRE</b>	
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<b>DIRECTOR</b>	
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<b>CAST INCLUDES</b>	
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<b>LANGUAGE</b>	<b>ORIGINAL</b>		<b>DUBBED</b>		<b>SUB-TITLED</b>	
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<b>SIGNED</b>		<b>DATE</b>		<b>CAPACITY</b>	
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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 this form is not fully completed**

<b>Ref No (Office use)</b>	
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<b>DATE OF APPLICATION</b>		<b>DATE RECEIVED (Office use)</b>	
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<b>APPLICANT</b>	
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<b>POSTAL ADDRESS</b>	
	<b>POSTAL CODE</b>

<b>CONTACT PERSON</b>			
<b>TEL</b>	<b>FAX</b>	<b>E-MAIL</b>	

<b>TITLE OF GAME</b>			
<b>COUNTRY OF ORIGIN</b>		<b>YEAR OF PRODUCTION</b>	
<b>PUBLISHER</b>		<b>GENRE</b>	

<b>FORAMAT</b>	<b>PC</b>		<b>CONSOLE</b>		<b>ARCADE</b>		<b>MOBILE GAME</b>		<b>OTHER</b>	<b>Y</b>
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**PROOF OF RIGHT TO DISTRIBUTE GAME IN THE REPUBLIC OF SOUTH AFRICA**

DESCRIPTION OF GAME PLAY AND TARGET MARKET							
<b>ORIGINAL</b>		<b>ADD-ON</b>		<b>COMPILATION</b>		<b>BUDGET-LINE</b>	

<b>ELSPA RATING</b>	<b>REASON FOR RATING</b>

<b>ESRB RATING</b>	<b>REASON FOR RATING</b>

<b>SIGNED</b>	<b>DATE</b>	<b>CAPACITY</b>

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: <a href="mailto:Morobaned@fpb.gov.za">Morobaned@fpb.gov.za</a> (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)	Distributor of Adult films	
	Business of adult premises	
	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.....		
<b>NB: No license will be issued without all of the required documents.</b>		
COMMENTS (Office use) .....		
.....		
Date: .....		

FPB/RC/

Annexure 11

**Application for reclassification of in terms of section 18B**  
**[(regulation 18(1))]**

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 your application if this form is not fully completed.**

<b>Reg Office No.:</b>								
<b>DATE OF APPLICATION</b>		<b>DATE RECEIVED (Office use)</b>						
<b>DATE OF PREVIOUS CLASSIFICATION</b>								
<b>PREVIOUS CLASSIFICATION DECISION</b>								
<b>APPLICANT</b>								
<b>POSTAL ADDRESS</b>						<b>POSTAL CODE</b>		
<b>CONTACT PERSON</b>								
<b>TEL</b>		<b>FAX</b>		<b>E-MAIL</b>				
<b>TITLE (for distribution/exhibition)</b>								
<b>PREVIOUS TITLE (if different)</b>								
<b>ORIGINAL</b>		<b>RE-RELEASE</b>						
<b>FORMAT</b>	<b>35MM</b>	<b>VIDEO</b>	<b>DVD</b>	<b>VCD</b>	<b>CD-ROM</b>	<b>OTHER</b>		
<b>RUNNING-TIME IN MINUTES, AS SUBMITTED</b>								
<b>SUBJECT OR GENRE</b>								
<b>DIRECTOR</b>								
<b>CAST INCLUDES</b>								
<b>LANGUAGE</b>	<b>ORIGINAL</b>			<b>DUBBED</b>			<b>SUB-TITLED</b>	
<b>PREVIOUS CLASSIFICATION AND CONSUMER ADVICE</b>				<b>CERTIFICATE NUMBER</b>			<b>FORMAT</b>	
<b>SIGNED</b>		<b>DATE</b>		<b>CAPACITY</b>				

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: dhanrajcr@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**

<b>Ref. No. (Office Use)</b>	
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<b>DATE OF APPLICATION</b>	<b>DATE RECEIVED (Office use)</b>
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<b>APPLICANT</b>	
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<b>POSTAL ADDRESS</b>	<b>POSTAL CODE</b>
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<b>CONTACT PERSON</b>	
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<b>TEL</b>	<b>FAX</b>	<b>E-MAIL</b>
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<b>TITLE (for distribution/exhibition)</b>	
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<b>PREVIOUS TITLE (if different)</b>	
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<b>ORIGINAL</b>	<b>RE-RELEASE</b>	
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<b>FORMAT</b>	<b>15MM</b>	<b>VIDEO</b>	<b>DVD</b>	<b>VCD</b>	<b>CD-ROM</b>	<b>OTHER</b>
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<b>RUNNING-TIME IN MINUTES, AS SUBMITTED</b>	
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<b>SUBJECT OR GENRE</b>	
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<b>DIRECTOR</b>	
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<b>CAST INCLUDES</b>	
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<b>LANGUAGE</b>	<b>ORIGINAL</b>	<b>DUBBED</b>	<b>SUB-TITLED</b>
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<b>PREVIOUS CLASSIFICATION AND CONSUMER ADVICE</b>	<b>CERTIFICATE NUMBER</b>	<b>FORMAT</b>
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<b>SIGNED</b>	<b>DATE</b>	<b>CAPACITY</b>
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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](mailto: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: 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**

<b>FILM/PUBLIC/GAME</b>	
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<b>DATE OF APPLICATION</b>		<b>DATE RECEIVED (Office use)</b>	
<b>DATE OF CLASSIFICATION</b>			

<b>APPLICANT</b>			
<b>IS THE APPLICANT THE ORIGINAL APPLICANT</b>			

<b>POSTAL ADDRESS</b>			
		<b>POSTAL CODE</b>	

<b>CONTACT PERSON</b>			
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<b>TEL</b>		<b>FAX</b>	
		<b>E-MAIL</b>	

<b>TITLE</b>			
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<b>ORIGINAL</b>		<b>RE-RELEASE</b>	
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<b>FORMAT</b>	<b>35MM</b>		<b>VIDEO</b>		<b>DVD</b>		<b>VCD</b>		<b>CD-ROM</b>		<b>OTHER</b>	
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<b>RUNNING-TIME IN MINUTES, AS SUBMITTED, IF GAME OR FILM</b>	
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<b>SUBJECT OR GENRE</b>			
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<b>DIRECTOR</b>			
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<b>CAST INCLUDES</b>			

<b>LANGUAGE</b>	<b>ORIGINAL</b>		<b>DUBBED</b>		<b>SUB-TITLED</b>	
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<b>SIGNED</b>		<b>DATE</b>		<b>CAPACITY</b>	
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FPB/CD/

Annexure 15

**APPLICATION FOR LIST OF CLASSIFIED FILMS, GAMES & PUBLICATIONS**

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 your application if this form is not fully completed

<b>FILM/PUBLIC/GAME</b>	
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<b>DATE OF APPLICATION</b>		<b>DATE RECEIVED (Office use)</b>	
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<b>APPLICANT</b>	
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<b>POSTAL ADDRESS</b>		
	<b>POSTAL CODE</b>	

<b>CONTACT PERSON</b>			
<b>TELEPHONE</b>	<b>FAX</b>	<b>E-MAIL</b>	

<b>PREFERRED METHOD OF DELIVERY</b>	
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<b>SIGNED</b>		<b>DATE</b>		<b>CAPACITY</b>	
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FPB/AP/

Annexure 16

[regulation 25(1)]

**IN THE FILM AND PUBLICATION BOARD APPEAL TRIBUNAL**

**(HELD AT JOHANNESBURG)**

Ref No: \_\_\_\_\_

In the matter between:

\_\_\_\_\_

Applicant

And

**FILM AND PUBLICATION BOARD**

Respondent

**NOTICE OF APPEAL**

1. Be pleased to take notice that the appellant, duly represented by \_\_\_\_\_ in his or her capacity as \_\_\_\_\_ hereby appeals against the decision of the Classification Committee of the Film and Publication Board for the film \_\_\_\_\_ taken on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

Witness:

1. \_\_\_\_\_

\_\_\_\_\_  
FOR APPLICANT

2. \_\_\_\_\_

Dated at \_\_\_\_\_ on this the \_\_\_\_\_ day of \_\_\_\_\_ 201--.

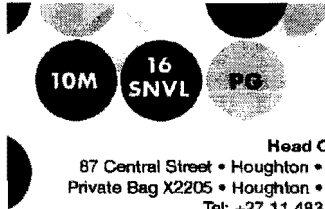
Witness:

3. \_\_\_\_\_

\_\_\_\_\_  
RESPONDENT

4. \_\_\_\_\_

Dated at \_\_\_\_\_ on this the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.



**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



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**

<b>Name of Inspector:</b>	<b>Date of Inspection:</b>
<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><b>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</b></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 0971  
 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**

<b>Name of Inspector:</b>	<b>Date of Contravention Notice:</b>
<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><b>Conditions of removal from display:</b></p> <ol style="list-style-type: none"> <li>1. The films/games/publications are to be sealed in a tamper proof seal bag and stored away.</li> <li>2. 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.</li> </ol> <p><b>Objection to notice to removal:</b>                  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:** \_\_\_\_\_