
First published in the *Government Gazette*, Electronic Edition, on 15th September 2011 at 5:00 pm.

No. S 525

FILMS ACT (CHAPTER 107)

FILMS (EXEMPTION) NOTIFICATION 2011

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
 2. Definitions
 3. Exemption
 4. Conditions
 5. Notification not to limit or affect other written law
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In exercise of the powers conferred by section 40(2) of the Films Act, the Minister for Information, Communications and the Arts hereby makes the following Notification:

Citation and commencement

1. This Notification may be cited as the Films (Exemption) Notification 2011 and shall come into operation on 15th September 2011.

Definitions

2. In this Notification, unless the context otherwise requires —

“exempt film” means any obscene film that has been approved by the Authority for use by the exempt institution and any exempt person for educational and research purposes only;

[S 347/2019 wef 29/04/2019]

“exempt institution” means the Nanyang Technological University of Singapore;

“exempt person” means —

- (a) Mr Adams Wai-Kin Kong for so long as he is employed by the exempt institution and deployed at the School of Computer Engineering; or
- (b) any researcher who —
 - (i) is employed by the exempt institution or engaged by Mr Adams Wai-Kin Kong to assist Mr Adams Wai-Kin Kong in his research work; and
 - (ii) has received the approval of the Authority to use any exempt film for educational and research purposes;

[S 347/2019 wef 29/04/2019]

“use”, in relation to an exempt film, means to possess or exhibit the exempt film.

Exemption

3. Subject to paragraphs 4 and 5, sections 29(2) and (4) and 30 of the Act shall not apply to, or in relation to, the exempt institution or any exempt person in respect of any exempt film that is used for educational or research purposes.

Conditions

4.—(1) The exemption under paragraph 3 shall be subject to the following conditions:

- (a) every exempt film shall be used by the exempt institution or any exempt person for educational and research purposes only;
- (b) the exempt institution shall keep and maintain a register of exempt films containing the title of every exempt film and such other information as may be specified by the Authority;

[S 347/2019 wef 29/04/2019]

- (c) an exempt film shall be used only in such rooms within the premises of the exempt institution as may be approved by

the Authority (referred to in this Notification as the approved rooms), and access to the approved rooms shall be restricted to the exempt persons only;

[S 347/2019 wef 29/04/2019]

- (d) when any exempt film is not exhibited, the exempt film shall be kept or stored in a facility within the premises of the exempt institution which is safe and secure and to which only the exempt persons have access;
- (e) neither the exempt institution nor any exempt person shall reproduce, distribute, promote or advertise on any media or platform any exempt film, or cause any exempt film to be so reproduced, distributed, promoted or advertised;
- (f) Mr Adams Wai-Kin Kong remains in the employment of the exempt institution and deployed at the School of Computer Engineering; and
- (g) the exempt institution shall allow any enforcement officer to enter the premises of the exempt institution at any time to inspect the register referred to in sub-paragraph (b) and to ascertain whether all the conditions of the exemption are complied with.

[S 347/2019 wef 29/04/2019]

(2) If any condition in sub-paragraph (1) is not complied with by the exempt institution or by any exempt person in respect of any exempt film, the exemption in paragraph 3 shall not apply to, or in relation to, the exempt institution and all exempt persons in respect of all exempt films.

Notification not to limit or affect other written law

5. For the avoidance of doubt, nothing in this Notification shall be construed to limit or in any way affect the operation of any other written law in respect of any obscene film or in relation to any act in respect of any obscene film.

Made this 15th day of September 2011.

CHAN YENG KIT
*Permanent Secretary,
Ministry of Information,
Communications and the Arts,
Singapore.*

[MICA K01.018.001V1; AG/LLRD/SL/107/2010/3 Vol. 1]