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First published in the *Government Gazette*, Electronic Edition, on 26 April 2019 at 5 pm.

## No. S 343

### FILMS ACT (CHAPTER 107)

#### FILMS (LICENCE — EXEMPTION) NOTIFICATION 2019

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In exercise of the powers conferred by section 40(2) of the Films Act, the Minister for Communications and Information makes the following Notification:

#### **Citation and commencement**

1. This Notification is the Films (Licence — Exemption) Notification 2019 and comes into operation on 29 April 2019.

#### **Definitions**

2. In this Notification, unless the context otherwise requires —
- “film” does not include any of the following:
- (a) an obscene film;

(b) a party political film;

(c) a prohibited film;

“free-to-air broadcasting service” and “subscription nationwide television service” have the meanings given by the Broadcasting Act.

### **Film importers**

3.—(1) A person who, in the course of business, imports any film is exempt from section 6(1)(a) of the Act.

(2) A person who imports any film for re-export, with or without transshipment in Singapore, is exempt from section 12(1) and (3) of the Act.

### **Importing for licensed distributors**

4.—(1) A person who, in the course of business, imports a video game on behalf of or at the request of another person who is —

(a) a licensee to whom a licence is granted under section 7(2) of the Act to distribute any such video game in the course of any business; or

(b) a class licensee to which a class licence by virtue of the Films (Class Licence for Video Games Distribution) Order 2019 (G.N. No. S 342/2019) applies,

is exempt from section 6(1)(b) of the Act in relation to the person’s distribution to that other person mentioned in sub-paragraph (a) or (b), and from section 12(1) and (3) of the Act.

(2) A person who, in the course of business, imports a film other than a video game on behalf of or at the request of another person who is —

(a) a licensee to whom a licence is granted under section 7(2) of the Act to distribute any such film in the course of any business; or

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- (b) a class licensee by virtue of the Films (Class Licence for Lending by Libraries and Educational Institutions) Order 2019 (G.N. No. S 336/2019),

is exempt from section 6(1)(b) of the Act in relation to the person's distribution to that other person mentioned in sub-paragraph (a) or (b), and from section 12(1) and (3) of the Act.

### **Distributing for public exhibition in cinemas**

5. A person who, in the course of business, distributes any film to another person for public exhibition in cinemas is exempt from section 6(1)(b) of the Act in relation to that distribution.

### **Public exhibition of films broadcast free-to-air, etc.**

6. A person who, in the course of business, publicly exhibits directly any film received by the person from —

- (a) a free-to-air broadcasting service; or
- (b) a subscription nationwide television service (whether using cable or an Internet protocol) with scheduled programming,

provided by another person holding a licence granted under section 8 of the Broadcasting Act, and no other film, is exempt from section 6(1)(c) of the Act in relation to that firstmentioned person's public exhibition of such a film.

### **Distributing or publicly exhibiting exempt film or video game**

7.—(1) A person who distributes or publicly exhibits in the course of any business only —

- (a) exempt films;
- (b) exempt video games; or
- (c) exempt films and exempt video games,

is exempt from section 6(1)(b) and (c) of the Act.

(2) In this paragraph —

“exempt film” has the meaning given by the Films (Classification — Exempt Films Other than Video Games) Notification 2019 (G.N. No. S 338/2019);

“exempt video game” has the meaning given by the Films (Classification — Exempt Video Games) Notification 2019 (G.N. No. S 339/2019).

### **Publicly exhibiting “G”, “PG” or “PG13” film**

**8.**—(1) A person who publicly exhibits, in the course of any business, only relevant films is exempt from section 6(1)(c) of the Act.

(2) In this paragraph, “relevant film” means a classified film other than a video game that is assigned under the Act a classification rating of “G”, “PG” or “PG13”.

### **Distribution by transmission**

**9.** A person who distributes a film by supplying, in the course of any business, the contents of the film only by electronic transmission is exempt from section 6(1)(b) of the Act.

### **Cancellation**

**10.** The Films (Business Activities Exemption) Notification 2008 (G.N. No. S 434/2008) is cancelled.

Made on 22 April 2019.

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*Permanent Secretary,  
Ministry of Communications  
and Information,  
Singapore.*