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

No. S 337

**FILMS ACT
(CHAPTER 107)**

**FILMS
(CLASSIFICATION — EXEMPT LENDING BY
LIBRARIES AND EDUCATIONAL INSTITUTIONS)
NOTIFICATION 2019**

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
 2. Definitions
 3. Higher educational institutions
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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 (Classification — Exempt Lending by Libraries and Educational Institutions) Notification 2019 and comes into operation on 29 April 2019.

Definitions

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

“class licensee” means a person to whom a class licence by virtue of the Films (Class Licence for Lending by Libraries and Educational Institutions) Order 2019 (G.N. No. S 336/2019) applies but does not include a person for the time the application of that class licence is suspended or disapplied under the Act;

“distribution” has the meaning given by the Films (Class Licence for Lending by Libraries and Educational Institutions) Order 2019;

“film” does not include video games;

“relevant archive or institute” means any of the following:

- (a) the Lee Kong Chian Reference Library;
- (b) the Library@Esplanade;
- (c) the Asian Film Archive;
- (d) the National Archives of Singapore;
- (e) the ISEAS – Yusof Ishak Institute;

“relevant unclassified film”, in relation to a class licensee, means any of the following films the acquisition of which by the class licensee is approved by the Authority before the film is first distributed by the class licensee under the Films (Class Licence for Lending by Libraries and Educational Institutions) Order 2019:

- (a) a film which is refused classification because it contains material mentioned in section 16(1)(d) or (e) of the Act;
- (b) a film that, by virtue of section 17(1) of the Act, becomes unclassified because it is modified and no longer an identical copy of a classified film;
- (c) a film that is unclassified for any other reason,

but does not include an obscene film, a party political film or a prohibited film.

(2) A reference in this Notification to a film which is refused classification because it contains material mentioned in section 16(1)(d) of the Act includes a film in respect of which the Board of Film Censors or the Committee of Appeal has, before 29 April 2019, refused to classify on the ground that it is against national security to be classified.

Higher educational institutions

3.—(1) A class licensee by virtue of paragraph 4 of the Films (Class Licence for Lending by Libraries and Educational Institutions) Order 2019 is exempt from section 21(1)(a) of the Act with respect to the distribution, in accordance with the terms of its class licence in that Order, of any relevant unclassified film within the premises of —

- (a) the Nanyang Technological University;
- (b) the National University of Singapore;
- (c) the Singapore Management University;
- (d) the Singapore University of Technology and Design;
- (e) the Singapore University of Social Sciences;
- (f) the Nanyang Academy of Fine Arts;
- (g) the LASALLE College of the Arts; or
- (h) any polytechnic managed and administered by —
 - (i) the Nanyang Polytechnic established under the Nanyang Polytechnic Act (Cap. 191A);
 - (ii) the Ngee Ann Polytechnic established under the Ngee Ann Polytechnic Act (Cap. 207);
 - (iii) the Republic Polytechnic established under the Republic Polytechnic Act (Cap. 270);
 - (iv) the Singapore Polytechnic established under the Singapore Polytechnic Act (Cap. 303); or
 - (v) the Temasek Polytechnic established under the Temasek Polytechnic Act (Cap. 323A).

(2) A librarian or other individual employed by a class licensee mentioned in sub-paragraph (1) to assist in the class licensee's business of providing training, instruction or education at any of the premises in that sub-paragraph is exempt from section 21(1)(a) of the Act with respect to the distribution of any relevant unclassified film, in the course of that individual's employment and in accordance with the conditions of the employer's class licence.

Relevant archives and institutes

4.—(1) A class licensee by virtue of paragraph 6 of the Films (Class Licence for Lending by Libraries and Educational Institutions) Order 2019 is exempt from section 21(1)(a) of the Act with respect to the distribution, in accordance with the terms of its class licence in that Order, of any relevant unclassified film within the premises of —

- (a) the Lee Kong Chian Reference Library;
- (b) the Library@Esplanade;
- (c) the Asian Film Archive;
- (d) the National Archives of Singapore; or
- (e) the ISEAS – Yusof Ishak Institute.

(2) A librarian or other individual employed by a class licensee mentioned in sub-paragraph (1) to assist in the class licensee's business of managing and administering a relevant archive or institute at any of the premises in sub-paragraph (1) is exempt from section 21(1)(a) of the Act with respect to the distribution of any relevant unclassified film, in the course of that individual's employment and in accordance with the conditions of the employer's class licence.

Made on 22 April 2019.

YONG YING-I
*Permanent Secretary,
Ministry of Communications
and Information,
Singapore.*

[MCI K01.002.001.V4; AG/LEGIS/SL/107/2015/16 Vol. 1]