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

No. S 338

FILMS ACT (CHAPTER 107)

FILMS (CLASSIFICATION — EXEMPT FILMS OTHER THAN VIDEO GAMES) NOTIFICATION 2019

ARRANGEMENT OF PARAGRAPHS

Paragraph

1. Citation and commencement
 2. General definitions
 3. Meaning of “exempt film”
 4. Exemption from permit to remove imported films
 5. Exemption from offence of distributing or publicly exhibiting unclassified film
 6. Exemption from offence of publicly exhibiting unclassified film derived from certain television services
 7. Cancellation
-

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 Films Other than Video Games) Notification 2019 and comes into operation on 29 April 2019.

General definitions

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

“cause-related event” means an event (whether or not a gathering or meeting and whether or not consisting of any lecture, talk, address, debate or discussion) of individuals the purpose (or one of the purposes) of which is —

- (a) to demonstrate support for or opposition to the views or actions of any person, group of persons or any government;
- (b) to publicise a cause or campaign; or
- (c) to mark or commemorate an event that is not a community-based cultural event and not any National Day celebration or rally, State funeral or other public event of national significance;

“documentary record” means a non-fictional record of actual persons, events or situations, and includes a program the sole or dominant purpose of which is to depict actual, contemporary events, people or situations in an entertaining way or with a heavy emphasis on entertainment value;

“film” does not include any of the following:

- (a) a video game;
- (b) an obscene film;
- (c) a party political film;
- (d) a prohibited film;
- (e) a film that is against national security to be classified;
- (f) a film that contains material prescribed for the purposes of section 16(1)(e) of the Act;

“free-to-air broadcasting service” and “subscription nationwide television service” have the meanings given by the Broadcasting Act (Cap. 28);

“health-related goods or services” means —

- (a) any health product within the meaning given by the Health Products Act (Cap. 122D);

-
-
- (b) any service relating to the treatment of any ailment, disease, injury, infirmity or condition affecting the human body, the advertising of which is regulated under the Medicines (Advertisement and Sale) Act (Cap. 177) or any other written law; or
 - (c) any tobacco product within the meaning given by the Tobacco (Control of Advertisements and Sale) Act (Cap. 309);

“psychoactive substance” means any opioid, cannabinoid, sedative, hypnotic, cocaine, other psychostimulant, hallucinogen or volatile solvent, but does not include alcohol, coffee and tobacco;

“television series” means 2 or more episodes that are produced wholly or principally for exhibition to the public on television under a single title, that contain a common theme or themes and dramatic elements that form a narrative structure, and that are produced wholly or principally for exhibition together, for one or more markets.

(2) In this Notification, “completed” means —

- (a) for a film that is not a television series or a season of a television series — when it is first in a state where copies of the film can reasonably be regarded as ready to be distributed to the general public;
- (b) for a film that is a television series — the time when the television series is first in a state where it can reasonably be regarded as ready to be distributed, broadcast or exhibited to the general public; or
- (c) for a film that is a season of a television series — the time when the season is first in a state where it can reasonably be regarded as ready to be distributed, broadcast or exhibited to the general public.

Meaning of “exempt film”

3.—(1) In this Notification, an “exempt film” means any of the following films which do not contain any impermissible material referred to in sub-paragraph (2) and, if applicable, sub-paragraph (3):

- (a) a film consisting wholly of a documentary record of —
 - (i) any instrumental music performance, such as but not limited to orchestral or ensemble works and traditional or folk music played using ethnic musical instruments;
 - (ii) any performance of choral music, jazz music, folk songs or other music of ethnic origin, such as but not limited to “Dondang Sayang” and “Dikir Barat”;
 - (iii) any performance of any traditional drama, pantomime or puppet show or any folk puppetry or play, such as but not limited to “Bangsawan”, Chinese “cross-talk”, Shakespearean plays and “Wayang Kulit”;
 - (iv) any ballet, ballroom dance, or traditional or folk dance in their original format, such as but not limited to “Bharatanatyam”, Flamenco and “Ronggeng”;
 - (v) any other classical or traditional dance, play, art form or performance; or
 - (vi) any video artwork;
- (b) a film consisting wholly of a documentary record of any horse-riding, athletic activity or performance involving acrobatics or any sporting event, not including any opening ceremony or closing ceremony, parade or similar activity connected therewith;
- (c) a film consisting wholly of a documentary record of any community-based cultural activity or event, or of any National Day celebration or rally, State funeral or other public event of national significance;
- (d) a film consisting wholly of news bulletins or reports;

-
-
- (e) a film for use pursuant to a branch of knowledge conducted on objective principles involving the systemised observation of, and experiment with, phenomena;
 - (f) a film of a technical or similar nature for use in the course of a business or trade or of a profession;
 - (g) a film whose main purpose is for training, instruction or reference, as a manual, a lesson, an encyclopedia or a guide;
 - (h) a film consisting wholly of any programme that, before the making of the film, was broadcast in Singapore on a free-to-air broadcasting service provided by a person holding a licence granted under section 8 of the Broadcasting Act;
 - (i) a film consisting wholly of one or more episodes of a television series, or from a season of a television series, being a television series or season thereof completed before 1980 anywhere;
 - (j) a film completed before 1966 anywhere;
 - (k) a film made solely for karaoke with images of scenery, wildlife or other activity only;
 - (l) a film consisting wholly of an advertising program or a commercial —
 - (i) that promotes or is designed to publicise any goods (including a film), any brand of products or services but not any health-related goods or services; or
 - (ii) that promotes or is designed to publicise any event which is not a cause-related event;
 - (m) a film consisting wholly of a quiz program or a program of a like nature;
 - (n) a film consisting wholly of a documentary record of —
 - (i) monuments, buildings or architectural works;
 - (ii) wildlife or nature, geological formations or other natural features;

-
-
- (iii) natural or scientific phenomena, or actual events of a medical or scientific nature;
 - (iv) elements or structures of an archaeological or a historical nature; or
 - (v) actual events or persons (historical or contemporary), including actual travel by or a biography of an actual person;
- (o) a film consisting wholly of —
- (i) a demonstration for any task, hobby or project; or
 - (ii) a documentary record of any family event or activity;
- (p) a film consisting wholly of a magic show, a circus performance, or any other show or performance that a reasonable adult will regard as suitable for children below 7 years of age.
- (2) In sub-paragraph (1), “impermissible material” means —
- (a) any matter likely to cause offence to any race or religious group in Singapore;
 - (b) any reference to any religious event or religious teaching or instruction;
 - (c) any —
 - (i) matter directly or indirectly counselling or urging the doing of any unlawful act or providing instruction on the doing of any unlawful act; or
 - (ii) depiction or description of gambling, smoking, alcohol consumption, psychoactive substance abuse or any unlawful conduct;
 - (d) any depiction or description of sex, sexual matters or nudity of any kind (including images of persons in revealing or titillating attire);
 - (e) any coarse language, any frightening or disturbing sequences, or any depiction or description of acts of torture, cruelty or violence (whether or not sexual) or of

abhorrent phenomena, whether natural or pertaining to the supernatural;

- (f) any express or implied reference to, or comment on, any candidate, any political party, any election, any referendum, any member of any Legislature, any government or previous government or any opposition to any government or previous government, whether that candidate, political party, election, referendum, member of any Legislature, any government or previous government or opposition is in Singapore or elsewhere; or
- (g) any matter —
 - (i) to demonstrate support for or opposition to the views or actions of any person, group of persons or any government;
 - (ii) to publicise a cause or campaign; or
 - (iii) to mark or commemorate any event that is not a community-based cultural event, and not any National Day celebration or rally, State funeral or other public event of national significance.

(3) In addition, where the exempt film is intended for public exhibition, “impermissible material” includes any dialogue or commentary (in whole or part) in a Chinese dialect other than Mandarin.

Exemption from permit to remove imported films

4. Section 12(1) and (3) of the Act does not apply to or in relation to any exempt film that is imported by sea, land or air.

Exemption from offence of distributing or publicly exhibiting unclassified film

5.—(1) Section 21(1) of the Act does not apply in respect of the distribution or public exhibition by any person of any exempt film, or the possession by any person with the intention of distributing or publicly exhibiting any exempt film.

(2) In addition, section 21(1) of the Act does not apply in respect of the distribution by electronic transmission of any film.

Exemption from offence of publicly exhibiting unclassified film derived from certain television services

6. In addition, section 21(1) of the Act does not apply in respect of the public exhibition of a film consisting wholly of any programme being broadcast in Singapore on any of the following services provided by a person holding a licence granted under section 8 of the Broadcasting Act and in the following circumstances:

- (a) a subscription nationwide television service (whether using cable or an Internet protocol) with scheduled programming;
- (b) any other television service as part of a programme content of which is classified by that person as “PG13” or lower.

Cancellation

7. The Films (Exempt Video Recordings) Notification 2013 (G.N. No. S 612/2013) is cancelled.

Made on 22 April 2019.

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

[MCI K01.002.001.V4; AG/LEGIS/SL/107/2015/8 Vol. 1]