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No. S 526

FILMS ACT (CHAPTER 107)

FILMS (EXEMPTION) (NO. 2) NOTIFICATION 2011

ARRANGEMENT OF PARAGRAPHS

Paragraph

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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) (No. 2) Notification 2011 and shall come into operation on 15th September 2011.

Definitions

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

“exempt company” means Eros Coaching Pte Ltd;

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

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“exempt person” means —

- (a) Dr Martha Lee Hwi Chern, a director of the exempt company, who works as a counsellor for the exempt company; or
- (b) any employee of the exempt company who has received the approval of the Authority to use any exempt film for educational and counselling purposes;

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“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 company or any exempt person in respect of any exempt film that is used for educational or counselling 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 company or any exempt person for educational and counselling purposes only;
- (b) the exempt company 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;

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- (c) an exempt film shall be used only in such rooms within the premises of the exempt company 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 and clients of the exempt company only;

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- (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 company which is safe and secure and to which only the exempt persons have access;
 - (e) neither the exempt company 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) Dr Martha Lee Hwi Chern remains a director of the exempt company and working as a counsellor for the exempt company; and
 - (g) the exempt company shall allow any enforcement officer to enter the premises of the exempt company 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.

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(2) If any condition in sub-paragraph (1) is not complied with by the exempt company 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 company 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.*

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