

15 October 2019

Briefing Note – Film Classification

1. Purpose of Briefing Note

The purpose of the briefing note is to advise member of the Licensing Sub Committee regarding the procedure for viewing and classifying a film following a request from Bradford on Avon Film society to show a film in February 2020 that does not have a British Board of Film classification (BBFC).

The film called “Marcello, Marcello”, has been distributed around Europe but has never been put on release in the United Kingdom so has not been given an age certification by the BBFC.

Film Synopsis

The film is a romantic comedy, directed by Denis Rabaglia and runs to about 95 minutes. It has received classification in Europe which is the equivalent of a PG certificate. Film synopsis – “In the tradition of his village, to get the girl of his dreams, Marcello has to provide a gift to her father. This comedy follows his efforts to secure a suitably impressive gift”.

2. Background

There are statutory powers in relation to showing of films and classification under Section 20 of the Licensing Act 2003 (the Act) which places a mandatory condition on all premises licences or club premises certificates authorising the public exhibition of films. This section restricts the admission of children (defined in the Act as “persons aged under 18”) to the exhibition of any film unless it has been classified either by a film classification body or, if the licensing authority does not agree with that recommendation, to such other classification recommended by the licensing authority.

The Council’s responsibilities in relation to film classification are now incorporated in the Licensing Act 2003. At the Licensing Committee meeting on 2 September 2019 delegated authority was given to a Licensing Sub Committee to make decisions on film classification.

The Committee also adopted the attached procedure to deal with these matters at the same meeting. Attached as Appendix 1.

3. Procedure

The film has been supplied in DVD format, the film is in German with English subtitles.

The entire film is to be viewed by the Licensing Sub Committee on the 15 October 2019 and assessed it against the latest the British Board of Film Classification guidelines.

The classification must be assessed with a view to promoting the relevant licensing objectives.

The distributor and/or the party requesting the classification together with the premise's licence/club premises certificate holders of all relevant premises licensed for the exhibition of films will be notified of the Sub Committee's decision in writing, which will include reasons for the decision.

4. **The British Board of Film Classification (BBFC)** is the independent regulator of the film and the video industry in the UK. All films that have been classified by the BBFC are given a rating.

The Universal Film Classifications are: Uc | U | PG | 12A | 12 | 15 | 18 | R18



Uc and U Classification

It is impossible to predict what might upset any particular child. But a 'U' film should be suitable for audiences aged four years and over. U films should be set within a positive moral framework and should offer reassuring counterbalances to any violence, threat or horror.

Videos classified 'Uc' are particularly suitable for pre-school children and normally raise no issues of concern.

'PG' Parental Guidance Classification

Suitable for general viewing, but some scenes may be unsuitable for young children

Unaccompanied children of any age may watch. A 'PG' film should not disturb a child aged around eight or older. However, parents are advised to consider whether the content may upset younger or more sensitive children.

12A Classification

Suitable for 12 years and over. No-one younger than 12 may see a '12A' film in a cinema unless accompanied by an adult. No-one younger than 12 may rent or buy a '12' rated video or DVD. Responsibility for allowing under-12s to view lies with the accompanying or supervising adult.

'15' Classification

Suitable only for 15 years and over. No-one younger than 15 may see a '15' film in a cinema. No-one younger than 15 may rent or buy a '15' rated video or DVD.

'18' Classification

Suitable only for adults. No-one younger than 18 may see an '18' film in a cinema. No-one younger than 18 may rent or buy an '18' rated video.

'R18' Classification

Films rated R18 are to be shown only in specially licensed cinemas, or supplied only in licensed sex shops, and to adults of not less than 18 years.

The 'R18' category is a special and legally restricted classification primarily for explicit works of consenting sex between adults. Films may only be shown to adults in specially licensed cinemas, and videos may be supplied to adults only in licensed sex shops. 'R18' videos may not be supplied by mail order.

Attached is a copy of the BBFC latest guidelines - Appendix 2.

5. Summary

To arrange the classification of a film following a request from Bradford On Avon Film Society to show a film in February 2020 that does not have a British Board of Film Classification.

To ensure the film is classified following the attached procedures and in line with the British Board of Film Classification guidelines whilst promoting any relevant licensing objectives.

Linda Holland, Licensing Manager - Public Protection

4 October 2019