

## PROCEDURE FOR THE CLASSIFICATION OF FILMS

1. Occasionally Wiltshire Council receives requests from local cinemas, film producers and /or distributors to show small production unclassified films that due to their small-scale production and limited distribution will not go through the BBFC system. To be screened within the Council area, these films must be presented to the Council's licensing authority so that a classification can be awarded before they can be shown to the public.
2. Such requests will require an undertaking from the applicant that they have satisfied themselves after proper enquiry that no matter to be exhibited contravenes the current interpretation of the Obscene Publications Acts 1959, and 1964 the Copyright Design and Patents Act 1988 or any other relevant legislation and has not been created through the commission of a criminal offence. The licensing authority shall not be liable for any material that has been created through the commission of a criminal offence.
3. The licensing authority can also be requested to classify films that have already been classified by the BBFC under the following circumstances:
  - (a) Where at least three members of the Council give notice to the Head of Public Protection of their wish to call-in a film for classification by the licensing authority; or
  - (b) Where a distributor of a film appeals a decision of the BBFC and requests that the licensing authority classifies the film.
4. Any request to classify a film under the circumstances referred to in paragraphs 1 or 2 above shall be referred to and determined by Officers on behalf of the licensing authority.
5. Any request to classify a film made under paragraph 3(a) above must be accompanied by reasons for calling-in the film. Such requests will be dealt with as expeditiously as possible bearing in mind that films are generally only shown in cinemas for relatively short periods.
6. All requests submitted under the circumstances referred to in paragraphs 1 and 3(b) must:
  - (a) be accompanied by a synopsis of the film and a full copy of the film in DVD format and all films should include English subtitles or provide an English script in order for members to determine the classification; and
  - (b) give a minimum of 6 weeks before the date of a film screening for individual film classification requests, and at least 8 weeks before the date of any film festival. Any late submissions will be considered on a case-by-case basis. However, it is likely that requests will be refused based upon the impact it will cause on the workload of the Licensing Service

7. A report containing a brief synopsis of the film(s) and other relevant information will be completed. The Officers will view the entire film, assess it against the latest BBFC Guidance, and issue the appropriate classification. When considering classification requests, the Officers must do so with a view to promoting the relevant licensing objective(s).
8. 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 Officers decision in writing, which will include reasons for the decision.
9. There is no right of appeal only a review of the decision by way of a judicial review.

**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.

## Film Classification decision by Officers

On receipt of an application and fee for a film classification a worksheet will be created on M3.

**The Council's Licensing  
Officer**



**The film applicant**



**PRIVATE FILM (S)  
Viewing /  
&  
Deliberation**



**Officers announce their  
decision**



**Officers send film(s)  
certification to applicant**

The Licensing Officer will complete Film classification form completing the relevant information prior to viewing film

The Officers may contact the applicant for more information or / and invite to come to the office prior to the viewing. The film applicant or the person representing him/her will be invited to address the officers.

The Officers will view the film(s) and deliberate in order to make their decision, any other person's present will be asked to leave the room.

If applicant wishes they may return or arrive in time for the decision. In all cases the decision will be sent to the applicant in writing within 5 days.

M3 updated, certification and Film classification form saved onto worksheet.