

PW 6494

DAÍL ÉIREANN  
25 NOV 1998  
ON ORDER PAPER

**ANNUAL REPORT**  
**OF THE**  
**FILM CENSOR**  
**FOR 1995**

Houses of the Oireachtas

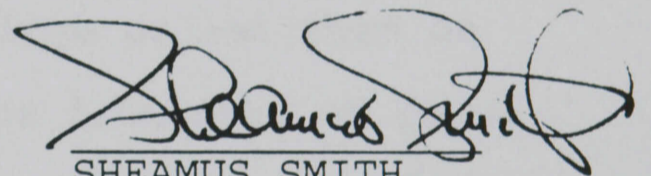
  
SIOBHÁN SMITH  
OFFICIAL CENSOR

SIXTH REPORT OF THE FILM CENSOR UNDER THE  
VIDEO RECORDINGS ACT, 1989.

TO: MS. NORA OWEN, T.D.,  
MINISTER FOR JUSTICE.

I have the honour to submit my Annual Report for the year ended 31st December, 1995.

The Video Recordings Act, 1989 the main purpose of which is to control and regulate the supply and importation of video recordings, was enacted on 27th December, 1989. Section 29 of the Act provides for the making by me and the Censorship of Films Appeal Board of annual and special reports to the Minister for Justice on our activities under the Video Recordings Act, 1989 and the Censorship of Films Acts, 1923 to 1992.



SHEAMUS SMITH.  
OFFICIAL CENSOR.

VIDEO WORKS.

GENERAL.

The Video Recordings Act, 1989 provides for the control and regulation of the supply and importation of video recordings at three different levels. First, it provides for licensing of Wholesale and Retail video outlets. Second, it provides that the Film Censor may, on grounds specified in the Act, prohibit the supply of video works which he considered unsuitable for viewing. Third, it provides for classification of the video works in terms of suitability for viewing by different age groups.

LICENCES.

Licensing was brought into operation on 1st May, 1991. A licence is required for each premises and/or vehicle and/or place from which it is proposed to sell video recordings or let them on hire. Licences are valid for twelve months from date of issue.

The following licence fees are prescribed:-

Wholesale Licence	-	£4,000
Retail Licence	-	£ 100

In 1995, 12 Wholesale and 1,590 Retail Licences (1,507 premises and 83 vehicles) were issued.

The total amount received in 1995 in respect of wholesale and retail licences was £215,700.

PROHIBITION ORDERS.

Section 7 of the Act was commenced with effect from 26 July, 1991. This section provides for the making of an Order prohibiting the supply of a video recording if it is considered that the work is unfit for viewing because:-

(a) the viewing of it would be likely to cause persons to commit crimes, whether by inciting or encouraging them to do so or by indicating or suggesting ways of doing so or avoiding detection,

or

(b) the viewing of it would be likely to stir up hatred against a group of persons in the State or elsewhere on account of their race, colour, nationality, religion, ethnic or national origins, membership of the travelling community or sexual orientation,

or

(c) the viewing of it would tend, by reason of the inclusion in it of obscene or indecent matter, to deprave or corrupt persons who might view it,

or

(d) it depicts acts of gross violence or cruelty (including mutilation and torture) towards humans or animals.

In 1995, prohibitions orders were made in respect of 446 video works, details of which were published in Iris Oifigiuil.

CERTIFICATION, CLASSIFICATION AND LABELLING.

In May, 1994 the Minister made Orders commencing other sections of the Act i.e. the certification, classification and labelling provisions. With effect from 1st September, 1994, all

new release video films must be submitted to the Official Censor for certification and classification prior to their release on the market. Each certificated video must carry a prescribed label showing that it is suitable for viewing by one of the following categories:-

- fit for viewing by persons generally
- fit for viewing generally but in the case of a child under the age of 12 years, only in the company of a responsible adult
- fit for viewing by persons aged 15 years or more
- fit for viewing by persons aged 18 years or more.

The following classification fees were prescribed:-

- |                                                         |        |
|---------------------------------------------------------|--------|
| (a) A video work for release on the rental market       | - £180 |
| (b) A video work for release on the sell-through market | - £ 80 |
| (c) A work which is a preview work or a trailer         | - £ 20 |
| (d) A video work which is an advertisement              | - £ 20 |

The total amount received in 1995, in respect of video classification fees was £169,000.

Video Works presented for classification in 1995		CERTIFICATE GRANTED				
Category of Video Work	NO.	GEN	12RA	15	18	PROHIB
Works for release on the Rental Market	541	44	69	236	181	11
Works for release on the Sell through Market	592	296	132	120	39	5
Trailers/Previews	589	214	99	225	51	-
Advertisements	67	53	9	5	-	-

**REGISTERS.**

Registers of (a) Licence Holders (b) Prohibited Works and (c) Classified Works are available to the Public for inspection free of charge at the Film Censor's Office, 16 Harcourt Terrace, Dublin 2.

**CERTIFICATES FOR COURT PROCEEDINGS.**

Under the Act there is provision for the issuing of certificates providing certain information which is admissible as evidence in any proceedings.

In 1995 the following certificates were issued:-

**Certificates**

**Number of Certificates issued**

Section 23 (3) (b)

Certificates indicating that Video Licences were not in force in respect of certain premises

19

Section 23 (3) (c)

Certificates indicating that Video Licences were in force in respect of certain premises

6

Section 15 (3) (b)

Certificates indicating that Prohibition Orders were in force in respect of certain works

97

Section 15 (3) (c)

Certificates indicating that Prohibition Orders were not in force in respect of certain works

Nil

Section 14 (3) (b)

Certificates indicating that Supply Certificates were not in force in respect of certain works

15

Section 14 (3) (c)

Certificates indicating that Supply Certificates were in force in respect of certain works.

Nil

Houses of the Oireachtas

FILMS.

Films Presented for Classification		Film Censor's Decision	
Category of Films	No. of Films	Certificates Granted	No. of Films Rejected
Drama & Variety Films over 5,000 feet	167	166	1
2,000 to 5,000 feet	1	1	-
Adverts & Shorts Under 2,000 feet	10	10	-
Trailers	198	198	-
Educational	2	2	-
Interest/ Topical/ Travel	-	-	-
TOTAL	378	377	1

The total length of films presented for certification in 1995 was 1,660,189 feet.



The 168 films of 2,000 feet and over came from the following countries:-

United States 112, United Kingdom 10, France 9, Ireland 8, New Zealand 2, Australia 2, Canada 1, Russia 1, Germany 1, China 2, Italy 1.

19 Films were co-produced by the following countries:-

United Kingdom/France 3; USA/France 2; USA/Austria 2;  
USA/France/United Kingdom 2; USA/Ireland 1;  
USA/Scotland/Europe 1; United Kingdom/Germany 1;  
United Kingdom/USA 1; United Kingdom/France/Germany 1;  
United Kingdom/Spain/Germany 1; United Kingdom/Germany/Europe 1;  
Ireland/United Kingdom 1;  
Ireland/Luxembourg/United Kingdom/EU Germany 1;  
Tunisia/France 1.

EU = European Union.

CERTIFICATES GRANTED BY FILM CENSOR IN 1995.

	Educ- ational	General	Parental Guidance	Over 12	Over 15	Over 18	Total
	2	* 27	19	30	61	39	178
With Cuts	-	-	-	-	1	-	1
Total	2	27	19	30	62	39	179

\* Ten of the twenty-seven films which received a General classification fell into the Shorts/Advertisements category.

A total of £118,700 was received in Film Censorship Fees in 1995.

STAFFING.

The Official Censor is responsible for the overall censorship and administration of the Film Censor's Office. Under the Censorship of Films (Amendment) Act, 1992 one whole-time Assistant Censor and seven part-time Assistant Censors were appointed to assist the Official Censor.

The Official Censor deals with censorship of all films and a certain number of video works. The whole-time Assistant Censor is responsible for certification and classification of the video works.

In addition, there is 1 Higher Executive Officer, 1 Junior Executive Officer, 1 Staff Officer, 2 Clerical Officers, 2 Clerical Assistants and 2 Projectionists employed in the Office.

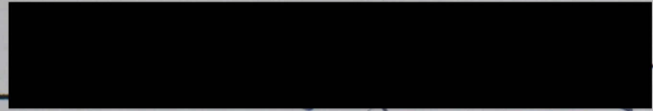


DOCUMENT(S) TO BE LAID BEFORE HOUSE OF OIREACHTAS

SEANAD ÉIREANN  
25 NOV 1998  
ON ORDER PAPER

Clerk of Seanad .....

I enclose copies\* of the undermentioned document(s) to be laid before the House. The information sought below is as set out.



Head of Department or other body

SEANAD  
RECEIVED  
24 NOV 1998  
ÉIREANN

1. Department or other body laying document

Department of Justice, Equality and Law Reform

2. Title of document .. .. .

Annual Report of the Film Censor for 1995

3. If laid pursuant to statute, state Title and section of Act .. .. .

Section 29(1) (a) of the Video Recordings Act, 1989

4. Is there a statutory period in relation to the laying of the document?

If so, give particulars .. .. .

No

5. Is a motion of approval necessary? .. .. .

No

\*Three copies of the document in respect of each House, or six copies where it is to be laid before one House only.

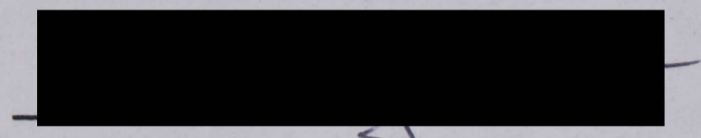
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