

PM 6495

DAÍL ÉIREANN
25 NOV 1998
ON ORDER PAPER

ANNUAL REPORT
OF THE
FILM CENSOR
FOR 1996

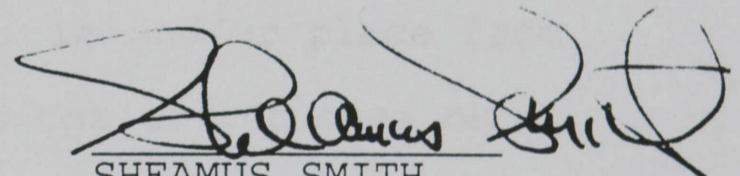
Houses of the Oireachtas

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

TO: Mr. John O'Donoghue, T.D.,
MINISTER FOR JUSTICE, EQUALITY & LAW REFORM.

I have the honour to submit my Annual Report for the year ended 31st December, 1996.

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 1996, 13 Wholesale and 1,648 Retail Licences (1,574 premises and 74 vehicles) were issued.

The total amount received in 1996 in respect of wholesale and retail licences was £211,500.

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 1996, prohibition orders were made in respect of 547 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 (excluding exempted works) 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 trailer	- £ 20
(d) A video work which is an advertisement	- £ 20

The total amount received in 1996, in respect of video classification fees was £187,500.

Exempted Works

Certain video works (e.g. sport, music and religion) are exempt from classification. A detailed description of exempted works is contained in the **Act**.

Video Works presented for classification in 1996		CERTIFICATE GRANTED				
Category of Video Work	NO.	GEN	12RA	15	18	PROHIB
Works for release on the Rental Market	525	17	41	254	204	9
Works for release on the Sell through Market	839	340	226	174	90	9
Trailers/Previews	645	179	138	269	55	4
Advertisements	86	80	2	3	1	-
Total	2,095	616	407	700	350	22

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 1996 the following certificates were issued:-

<u>Certificates</u>	<u>Number of Certificates issued</u>
<u>Section 23 (3) (b)</u> Certificates indicating that Video Licences were not in force in respect of certain premises	20
<u>Section 23 (3) (c)</u> Certificates indicating that Video Licences were in force in respect of certain premises	Nil

Section 15 (3) (b)

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

23

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

17

Section 14 (3) (d)

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

29

FILMS.

Films Presented for Classification		Film Censor's Decision			
Category of Films	No. of Films	Certificates Granted		Rejected	Censor's Decision Appealed
		Without Cuts	With Cuts		
Drama & Variety Films over 5,000 feet	185	182	1	2	4
2,000 to 5,000 feet	1	1	-	-	-
Adverts & Shorts Under 2,000 feet	14	14	-	-	-
Trailers	232	231	1	-	-
Educational	2	2	-	-	-
Interest/ Topical/ Travel	-	-	-	-	-
TOTAL	434	430	2	2	4

The total length of films presented for certification in 1996 was 1,947,680 feet. The total length of the film where the Film Censor's decision was appealed was 51,210 feet.

The 187 films of 2,000 feet and over came from the following countries:-

United States 136, United Kingdom 13, France 7, Ireland 5, Australia 2, Canada 1, Italy 1, Denmark 1, Spain 1, Iran 1.

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

United Kingdom/Canada 2;

USA/United Kingdom 4; USA/Ireland 3; United Kingdom/Europe 1;

Belgium/France 1; United Kingdom/Germany 1; United

Kingdom/France/Germany 1; United Kingdom/Italy/France 2,

Netherlands/Belguim/United Kingdom 1; Netherlands/United

Kingdom/France 1; France/Italy/Germany 1;

France/Germany/Hungary 1.

CERTIFICATES GRANTED BY FILM CENSOR IN 1996.

	Educ- ational	General	Parental Guidance	Over 12	Over 15	Over 18	Total
	2	* 27	22	28	67	43	189
With Cuts	-	-	-	-	1	-	1
Total	2	27	22	28	68	43	190

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

A total of £131,356.10 was received in Film Censorship Fees in 1996.

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.

In addition, there are 1 Higher Executive Officer, 1 Junior Executive Officer, 1 Staff Officer, 2 Clerical Officers, 1 Clerical Assistant, 1 Chief Projectionist/Operator and 1 Projectionist/Operator employed in the Office.

178

(25.11.1998)

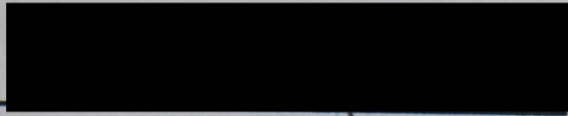
PN 6495

DOCUMENT(S) TO BE LAID BEFORE HOUSE OF OIREACHTAS

Clerk of Dáil

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

DÁIL ÉIREANN
25 NOV 1998
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Head of Department or other body

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RECEIVED
24 NOV 1998

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 1996

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.

S71 (25.11.1998)

PN-6495

DOCUMENT(S) TO BE LAID BEFORE HOUSE OF OIREACHTAS

SEANAD ÉIREANN
25 NOV 1998
ON ORDER PAPER

Clerk of Seanad

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SEANAD RECEIVED
24 NOV 1998
EIREANN

[Redacted]

Head of Department or other body

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 1996
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
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