CHAPTER N40

NATIONAL FILM AND VIDEO CENSORS BOARD ACT

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CHAPTER N40

NATIONAL FILM AND VIDEO CENSORS BOARD ACT

An Act to, among other things, establish the National Film Video Censors Board to regulate the censorship and public exhibition of films and video works and matters connected therewith.

(1993 No. 85.)

(25th August, 1993)

(Commencement).

PART 1

Establishment of the National Film and Video Censors Board, etc.

1. **Establishment of the National Film and Video Censors Board**

(i) There is hereby established a body to be known as the National Film and Video Censors Board (in this Act referred to as "the Board") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name

2. **Functions of the Board**

It shall be the duty of the Board –

(a) to Licence:
(i) a person to exhibit films and video works;
(ii) a premises for the purposes of exhibiting films and video works;
(b) to censor films and video works;
(c) to regulate and prescribe safety precautions to be observed in licensed premises.
(d) to regulate and control cinematographic exhibition; and
(e) to perform such other functions as are necessary or expedient for the full discharge of all or any of the functions conferred on it by this Act.

3. **Membership of the Board**

(1) The board shall consist of the following members to be appointed by the President on the recommendation of the Minister, that is-
(a) a chairman who shall be an eminent Nigerian possessing should knowledge of the Nigerian arts and culture and requisite experience in the film related industry or discipline;
(b) a representative each of all the states of the federation and the Federal Capital Territory, Abuja;
(c) a representative each of the following Federal Ministries, that is-

(i) Information and National Orientation;
(ii) Education;
(iii) Internal affairs
(iv) Culture and tourism;

(d) a representative each of –

(i) the Nigerian Police Force, who shall not be below the rank of superintendent of police
(ii) the Federal Fire service;
(iii) the Nigerian Copyright Commission;
(iv) the Nigerian Customs service

(e) One person to represent each of the following interests, that is—
(i) Youth;
(ii) Women;
(iii) Christian religion;
(iv) Islamic religion;
(v) Traditional religion;

(J) Three other persons (one of whom shall be from any of the Universities in rotation) with at least five years' experience in the film related industry or discipline to be appointed on personal merit; and

(g) The Executive Director of the Board.

(2) The provisions of the First Schedule to this Act shall have effect with respect to the proceedings of the Board and the other matters mentioned therein.
[First Schedule.]

4. Tenure of office of members of the Board

(I) Subject to the provisions of this Act, a member of the Board other than an *officious* member shall hold office for a period of three years from the date of his appointment as a member.

(2) The Minister may, with the approval of the President, at any time remove any member of the Board from office if the Minister is of the opinion that it is not in the interest of the Board or the interest of the public for the member to continue in office and shall notify the member in writing to that effect.

(3) Where the Board is satisfied that the continued presence on the Board of any member is not in the national interest or the interest of the Board it may recommend to the Minister that the member concerned be removed from his office; and if the Minister, after making such inquiries as he considers necessary, approves of the recommendation, he may in writing declare the office of the member vacant.

PART II

Staff of the Board

5. Appointment of the Executive Director

(I) There shall be appointed for the Board, an Executive Director, who shall be appointed by the President, on the recommendation of the Minister.

(2) The Executive Director shall be a person with wide knowledge in the film and video industry.

(3) The Executive Director shall be the chief executive of the Board and shall, subject to the general control of the Board, be responsible for the day-to-day administration of the affairs of the Board.

(4) The Executive Director shall hold office for a term of four years in the first instance and shall be eligible for re-appointment for one further term of three years and no more.

6. Appointment of a secretary to the Board

(I) There shall be appointed by the Board, a secretary who shall perform the following functions—

(a) Keep a register of all films and video works—

(i) Submitted for approval for exhibition throughout Nigeria;
(ii) Approved unconditionally;
(iii) Refused approval subject to such conditions as the Board may impose;

(b) Keep a register of all—

(i) Licensed films and video exhibition premises;
(ii) Film and video distribution companies;
(i) Video shops, centres, clubs or associations;

(c) Keep a register of all film and video exhibitors;

(d) Keep a record of all necessary information of a film or video producer whose work is to be distributed or exhibited in Nigeria;

(e) Keep records of all changes in any register kept under paragraphs *(a), (b), (c)* and *(d)* of this subsection; and

(f) Perform such other duties as the Executive Director may, from time to time, direct.

7. **Appointment of other employees of the Board**

(1) The Board may appoint such other persons as employees of the Board as it may consider necessary.

(2) Where the Board thinks it expedient that a staff vacancy in the Board should be filled by a person holding an office in any of the public services in the Federation, the Board may appoint that person by way of transfer or secondment from the service concerned.

(3) Where a person is seconded pursuant to subsection (2) of this section. he shall be notified of the terms and conditions of the secondment, and the secondment shall be without prejudice to any right which, but for the secondment, would still accrue to him.

(4) A person seconded under subsection (2) of this section may elect to be transferred to the staff of the Board in which case any previous service in the public service shall count as service for the purposes of any pension subsequently payable to the person by the Board.

(5) Where a person is transferred from a public service to the Board—

(a) that person's former service in the relevant public service shall be taken into account in applying the provisions of the Pensions Act; and

[Cap. P4.]

(b) the Pensions Act shall have effect as if that person's service with the Board were service in the relevant public service.

8. Application of the Pensions Act

(I) It is hereby declared that service in the Board shall be approved service for the purpose of the Pensions Act and officers and other persons employed in the Board shall be entitled to such pensions, gratuities and other retirement benefits as are prescribed there under.

(Cap. P4.1)

(2) Nothing in this Act shall prevent the appointment of a person to any office on terms, which preclude the grant of a pension and gratuity in respect of that office.

(3) For the purposes of the application of the provisions of the Pensions Act, any power exercisable under the Act by a Minister or other authority of the Federal Government, except the power to make regulations under section 23 thereof is hereby vested in and shall be exercisable by the Board and not by any other person or authority.

9. Conditions of service of officers and staff

Without prejudice to the provisions of section 8 of this Act, the terms and conditions of service including terms and conditions as to remuneration, allowances, retirement and other benefits of the officers and other employees of the Board shall be such as may be determined by the Board with the approval of the Minister.

PART III

Financial provisions

10. Funds of the Board

(1) The Board shall establish and maintain a fund, which shall consist of—

(a) Such sums as may be lent or granted to the Board by the Government of the Federation, State or local government;

(b) Any fees and charges for services rendered by the Board or publications made by the Board;

(c) All other sums accruing to the Board by way of gift, testamentary disposition or otherwise; and

(d) All other assets that may, from time to time, accrue to the Board.

(2) The Board shall, from time to time, apply the proceeds of the fund established pursuant to subsection (I) of this section—

(a) To the cost of administration of the Board;

(b) For reimbursing members of the Board or any committee of the Board for such expenses as may be expressly authorized by the Board in accordance with the rates approved by the President;

(c) To the payment of salaries, fees or other remuneration or allowances and pensions, gratuities payable to members or employees of the Board.

(3) The fund shall be managed in accordance with rules made by the Minister and without prejudice to the generality of the power to make rules under this subsection, the rules shall in particular contain provisions—

(a) Specifying the manner in which the assets of the fund of the Board are to be held and regulating the making of payments into and out of the fund; and

(b) Requiring the keeping of proper accounts and records for the purposes of the fund in such form as may be specified in the rules.

11. Borrowing power

The board may, with the consent of or in accordance with the general authority of the Minister, borrow on such terms and conditions as the Board may determine, such sums of money as the board may require in the exercise of the functions conferred on it under this Act.

12. Annual estimate and account

1.The Board shall not later than I September in each year submit to the Minister an estimate of its expenditure and income during the next succeeding year.

2. The Board shall keep proper accounts in respect of each year and proper records in relation to those accounts and shall cause its account to be audited within six months after the end of each year by auditor appointed from the list and in accordance with the guidelines supplied by the Auditor- General for the Federation.

PART IV

Proceedings

13. Limitation of suit against the Board, etc.

(1) Notwithstanding anything to the contrary contained in any other enactment, no suit against the Board, a member or an employee of the Board, for any act done in pursuance or exaction of any enactment or law, or of any public duty or authority, or in respect of any alleged negligence or default in the execution of such enactment or law, duty or authority, shall lie or be instituted in any court unless it is commenced within 12 months next after the act, negligence of or in the case of a continuing damage or injury, within 12 months next after the ceasing thereof.

(2) No suit shall be commenced against the Board before the expiration of a period of one month after written notice of intention to commence the suit shall have been served upon the Board by the intending plaintiff or his authorized agent and the notice shall clearly and explicitly state-

(a) The cause of action;

(b) The particulars of the claim

(c) The name and place of abode of the intending plaintiff; and

(d) The relief which he claims

14. Service of document

The notice referred to in section 13 of this Act and any summons, notice or other document required or authorized to be served upon the board under the provisions of this Act or any other enactment or law, may be served by delivering the same to the chairman.

or the Executive Director of the Board or by sending it by registered post addressed to the Executive Director at the principal office of the Board.

15. Restriction on execution against the property of the Board

In any action or suit against the Board, no execution or attachment or process in the nature thereof shall be issued against the Board, but any sums of money which may by judgment of the court be awarded against the Board shall, subject to any directives given by the court where no notice of appeal has been given by the Board in respect of the said judgment, be paid by the Board from the fund of the Board.

16. Indemnity of members and employees of the Board

Every member, agent, auditor or employee for the time being of the Board shall be indemnified out of the assets of the Board against any liability incurred by him in defending any proceedings, whether civil or criminal in which judgment is given in his favour or in which he is acquitted, if any such proceedings has been brought against him in his capacity as such a member, agent, auditor or employee.

PART V

Registration of premises

17. Film and video exhibition licence

(1) Subject to the provisions of this Act no person shall exhibit a film or video work unless he is the holder of a licence granted by the Board under this Act.

(2) No premises shall be used for a film or video exhibition except under and in accordance with a licence granted in respect of the premises under this Act.

(3) The provisions of subsections (1) and (2) of this section shall not apply to—

(a) a film or video exhibition in a premises to which the public is not admitted;

(b) persons employed by the Government of the Federation, State or local government for cinematographic purposes;

© premises owned by the Government of the Federation, State or local government;

(d) premises which is a private dwelling house where the exhibition is not promoted for private gain;

(e) a film or video exhibition aimed at educating, instructing or promoting any business.

18. General safety provisions

No premises shall be licensed for carrying on of a film or video exhibition unless—

(a) the premises is provided with such means of escape in case of fire, as the Federal or a State Fire Service may reasonably require, and such means of escape are maintained in good condition and free from obstruction; or

(b) where the premises forms part of a building and such part is either—

(1) separated from any other part of the building by fire-resisting partitions (including fire-resisting ceiling and floors) and fire-resisting self-closing doors: or

(ii) so constructed that a fire occurring thereon is not likely to spread to other parts of the building and its use for the purposes to which this Act applies are sanctioned in writing by the Board and any conditions attached thereto are complied with:

(c) the premises is provided with adequate means of extinguishing fire, having regard to the amount of inflammable materials in the premises;

(d) the furniture and apparatus in the premises are so arranged as to afford free egress to persons in the premises in the event of fire:

(e) the fittings are as far as is practicable of non-inflammable or fire-resisting materials;

(f) there is kept posted up in large characters in the premises, full instructions as to the actions to be taken in case of fire, and full directions as to the means of escape from the premises in case of fire; and

(g) the fittings of the store-room are as far as practicable of non-inflammable or fire-resisting material.

19. Offences

If at any premises in respect of which a licence is required under this Act a film or video is exhibited without such a licence being held in respect thereof then—

(a) the person concerned in the organization or management of the exhibition;

(b) any other person who, knowing or having reasonable cause to suspect that such exhibition would be so provided at these premises—

(i) allowed the premises to be used for the film or video exhibition;

(ii) let the premises or otherwise made the premises available to any person by whom an offence in connection with *the* film *or* video *exhibition* has been committed,

is guilty of an offence under this Act.

20. Application for licence

An application for the grant of a licence to use a premises for purposes of a film or video exhibition shall be as in Form I of the Second Schedule to this Act and shall contain or be accompanied by—

[Second Schedule. Form I.]

(a) Such information, documents and other materials as the Board may, from time to time, prescribe;

(b) A certificate issued by the Federal or State Fire Service stating that the premises conforms with necessary safety regulations.

21. Issue of licence

The Board shall on being satisfied that—

(a) an application for a licence has been made in the prescribed manner and contains all the information required under section 20 of this Act;

(b) that the premises are constructed and equipped to such standards as may be prescribed;

(c) the applicant is capable of complying with such conditions as may be imposed or attached to the licence;

(d) the prescribed fees have been paid; and

(e) the applicant is a fit and proper person to be granted a licence,

issue on such conditions as may be imposed or attached thereto a licence in respect of the premises;

(2) Notwithstanding the provisions of subsection (I) of this section, the Board may—

(a) refuse to grant a licence; or

(b) at any time modify or vary the terms, conditions and restrictions of or revoke any licence already granted.

22. **Validity of licence**

(1) Unless a licence is revoked under section 21 (2) of this Act, a licence shall remain in force for one year or for such shorter period as the Board may on the grant of the licence determine.

(2) A licence granted to an applicant by the Board in respect of any premises shall not be transferred to another person unless such transfer is approved by the Board.

(3) Where, before the date of expiry of a licence, an application has been made for the renewal or transfer of the licence, the licence shall be deemed to remain in force or, as the case may require, having effect with any such necessary modifications until the determination of the application by the Board.

23. **Cancellation or suspension of licence**

Where the holder of a licence is convicted of an offence under this Act, the court by which he is convicted may cancel any licence held by him under this Act and may, whether or not he is the holder of such a licence, disqualify him from carrying out any film or video exhibition for such period as the court thinks fit.

24. Power of the police or an employee of the Board etc., to enter premises

(1) A police officer or any officer appointed for that purpose by the Board may at any reasonable time enter any premises, whether licensed or not, in which he has reason to believe that a film or video exhibition as aforesaid is being or is about to be exhibited with a view to seeing whether the provisions of this Act or any regulations made there under and the conditions of any licence granted under this Act have been complied with.

(2) An authorized officer of the Federal or State Fire Service may, on giving not less than 24 hours notice to the holder of a licence in respect of a premise enter and inspect the premises for the purpose f ensuring that there are adequate fire

precautions and that the relevant provisions of this Act, so far as they relate to fire precautions, are being complied with.

(3) Where an authorized member of the police force, the Board or the fire service, enters any premises in the exercise of any power under this Act he shall, if required to do so by the occupier of a premises, produce to the occupier an authenticated formal authority to inspect.

(4) Any person who intentionally obstructs the exercise of any power conferred by this section is guilty of an offence and shall be liable on conviction to a fine of N2,500 or to imprisonment for a term of three months.

PART VI

Licensing of distributors and exhibitors, etc.

25. Licensing of distributors and exhibitors

(I) As from the commencement of this Act, no person shall carry on the business of distributing or exhibiting a film or video work, unless he is a holder of a licence granted by the Board under this Act.

(2) An application for a licence for the distribution or exhibition of a film or video work shall be as in Form 2 of the Second Schedule to this Act, on the payment of the prescribed fees.

[Second Schedule. Form 2.]

(3) Subject to the provisions of this Act, a licence authorizing a person to carry on the business of distributing or exhibiting a film or video work shall be limited to the distribution of registered films or video works as the Board may approve from time to time.

(4) A licence granted under the provisions of this section shall specify whether the applicant is authorized to distribute both registered films and video works.

26. Records to be kept by a distributor or exhibitor

A distributor or exhibitor of a film or video work shall cause to he kept at the premises at which the film or video is delivered for distribution or exhibition, a register containing among other things—

(a) the title and registered length of the film or video work;

(b) information regarding whether or not the film or video work is a Nigerian film or video work;

(c) the classification and other details of censorship approval for the film or video work;

(d) the respective dates on which or the period during which the film or video work has been exhibited to the public at the premises; and

(e) such other particulars with respect to the film or video work as may be prescribed for the purpose of identification by regulation made by the Board.

27. Information to be furnished by distributors and exhibitors

A distributor or an exhibitor of a film or video work shall, whenever requested so to do by a person authorized in that behalf by the Board, produce to that person such books or other documents, with respect to a film or video work, being a film or video work to which this Act applies, as the Board may require for the purpose of the enforcement of the provisions of this Act.

28. Registration of a film or video work

(1) As from the commencement of this Act no person shall distribute or exhibit a film or video work unless it is registered with the Board.

(2) An application for the registration of a film or video work shall be as in Form 3 of the Second Schedule to this Act.

(Second Schedule. Form 3.)

29. Register of films and video work

(I) There shall be kept by the secretary to the Board a register of films and video works containing particulars in relation to each film or video work.

(2) The register shall be opened for inspection by members of the public on the payment of the prescribed fees.

(3) The Board shall, on a request by any person and on payment of the prescribed fee, furnish that person with a copy of the entry in the register relating to a particular film or video work, being a copy certified to be true by the Executive Director.

30. Determination of a Nigerian film or video work for purposes of registration

For the purposes of registration under this Act, a film or video work shall be deemed to be a Nigerian film or video work if, and only if, the producer of the film or video work was, throughout the time during which the film or video work was being made, either a Nigerian or a company registered under the Companies and Allied Matters Act.

[Cap. C20.]

31. Correction of register

(1) If, at any time after the registration of a film or video work, the Board, upon making any such inquiries as it thinks desirable, is satisfied that the film or video work either ought not to have been registered or is incorrectly registered in any material particular, the Board shall cause the necessary deletion or correction to be made in the register.

(2) If the Board thinks it proper in the circumstance, the Board shall issue to the distributor or exhibitor of the film or video work, a certificate of registration to replace any such certificate previously issued in respect of the film or video work.

32. Evidence of registration

The registration of a film or video work may be proved by the production of—

(a) The certificate of registration issued; and

(b) A copy of the entry in the register relating to the film or video work, being a copy certified to be true by the Minister to the Board.

PART VII

Censorship of films

33. Censorship certificate

(1) As from the commencement of this Act, no person shall exhibit, cause or allow to be exhibited a film without a censorship certificate issued by the Board for such exhibition.

(2) A person in breach of the provisions of subsection (I) of this section is guilty of an offence and liable on conviction to a fine of N5,000 or to imprisonment for a term of one year.

(3) An application for the censorship and approval of a film shall be as in Form *4* of the Second Schedule to this Act.

[Second Schedule. Form 4.1)

34. Exempted exhibition

(1) Nothing in section 33 of this Act shall apply—

(a) to any film for exhibition in premises to which the public is not admitted;
(b) to any documentary film imported, produced or issued by or on the direction of—
(i) the Federal or State Government;
(ii) the diplomatic representative of a Commonwealth or foreign country,
(iii) the United Nations Organization or any organ of that organization, or any other regional or global organization;
(iv) an educational, scientific or cultural body or society including any broadcasting and television organization.

(2) For the purposes of exempting a film from the provisions of this section, a notice of importation of the film shall be given to the Board within 30 days of such importation for due registration of the film by the Board.

(3) An application for exemption from censorship and approval for exhibition of the film shall be made as in Forms 5 and 6 of the Second Schedule to this Act.

[Second Schedule. Forms 5 and 6.]

(4) The Board may if it deems it fit in each circumstance arrange a viewing of such film or verify any information given to it by the applicant.

(5) Where on an application the Board is satisfied that a film is of the type to be - subjected to censorship, the Board shall apply the provisions of this Act as they relate to censorship.

35. Establishment of Zonal Film Censors Committees

(I) For the purpose of effectively discharging its functions under this Act, the Board shall divide the Federation into such number of operational zones, as it may deem necessary.

(2) Each zone shall have a Zonal Film Censors Committee (in this Act referred to as "the Film Censors Committee") which shall be charged with the duty of examining the content of a film submitted to the Board and intended for public exhibition.

(3) The Film Censors Committee shall consist of at least a representative from each of the States of the Federation within the zone and such other number of persons as may be appointed by the chairman of the Board.

(4) The chairman of the Board shall appoint one of the members of the Film Censors Committee to preside at the meetings of the Committee.

(5) The decisions of the Film Censors Committee shall be by a majority vote.

(6) No person, other than members of the Film Censors Committee shall be present when a film is shown for censorship purposes except the operators and such other persons as may be specifically authorized by the chairman or the Executive Director to attend.

(7) The exhibition of a film for censorship shall be carried out at the expense of an applicant.

36. Censorship criteria

(1) The Film Censors Committee in reaching a decision on a film shall ensure that—

(a) such a film has an educational or entertainment value, apart from promoting the Nigerian culture, unity and interest; and
(b) that such a film is not likely—

(i) to undermine national security; or
(ii) to induce or reinforce the corruption of private or public morality; or
(iii) to encourage or glorify the use of violence; or
(iv) to expose the people of African heritage to ridicule or contempt; or
(v) to encourage illegal or criminal acts;
(vi) to encourage racial, religious or ethnic discrimination or conflict; or
(vii) by its contents to be blasphemous or obscene.

(2) The Film Censors Committee shall not approve a film, which in its opinion depicts any matter, which is—

(a) indecent, obscene or likely to be injurious to morality; or
(b) likely to incite or encourage public disorder or crime; or
(c) undesirable in the public interest.

37. Decision of the Film Censors Committee

(I) The Film Censors Committee may in its absolute discretion approve a film un-conditionally or approve a film subject to such conditions as it may impose.

(2) The Film Censors Committee shall not later than 30 days after its decision notify an applicant of its decision as in Form 7 of the Second Schedule to this Act.

[Second Schedule. Form 7.]

38. Revocation of a film approved subject to condition

(1) Where the Film Censors Committee has approved a film subject to any condition imposed by it, the Film Censors Committee may at any time revoke the approval if it is satisfied such conditions have not been complied with.

(2) The Film Censors Committee shall notify the applicant of such revocation by notice in the prescribed Form 8 of the Second Schedule to this Act and a film in respect of which such a notice of revocation has been issued shall be deemed to be an unapproved film.

(Second Schedule. Form 8.J

(3) A revocation under subsection (I) of this section shall be published in the *Gazette* and other national newspapers.

39. Withdrawal of a film for further censorship

(1) The Film Censors Committee may, at any time, order the withdrawal of a film from exhibition for the purpose of further censorship if it is satisfied that such withdrawal is necessary in the public interest.

(2) A person who exhibits an unapproved film is guilty of an offence and is liable on conviction to a fine of N 10,000 or for a term of two years imprisonment.

40. Alteration, excision of a part of a film

(1) A film to which any matter has been added or excised after it had been approved for exhibition shall be re-submitted for censorship and the previous approval thereof shall be deemed null and void.

(2) Any excised portion of a film shall be retained by the Film Censors Committee for as long as the film remains in Nigeria.

(3) The Film Censors Committee may, in its discretion, retain in its custody any film which it has not approved for exhibition until it is ready for exportation out of Nigeria or its decision is set aside on appeal.

41. Approval, classification of a film

(I) Where the Film Censors Committee approves a film whether subject to condition or otherwise, the Committee shall state in the certificate issued either in full or by the use of the following symbols, that is—

(a) "G" to indicate for general exhibition;
(b) "C" to indicate intended particularly for children;
(c) "NC" to indicate not recommended for children;
(d) "18" to indicate for mature audiences;
(e) "RE" to indicate for restricted exhibition; and

(f) Such other classification as may be prescribed by regulations made by the Board.

(2) A film registered by the Board shall be exhibited exactly in the form and under the name in which it was registered without any alteration or addition.

42. Under age persons

(1) Where a film to which a restricted classification has been assigned is being or about to be exhibited in a registered premises and the exhibitor or a member of the police force suspects on reasonable grounds that a person who is in the registered premises is between the ages of 2 years and 18 years, the exhibitor or a member of the police force may—

(a) require that person to leave the registered premises forthwith; and

(b) where that person fails to comply with paragraph *(a)* of subsection (I) of this section, use reasonable force to remove that person from the registered premises.

(2) Where a film to which a restricted classification has been assigned is being or is about to be exhibited in a registered premises, the exhibitor, an employee of the exhibitor, a member of the police force or an authorized person may—

(a) require a person who seeks admission to or who is in the registered premises to state his correct age; and

(b) where the exhibitor or a member of the police force or an authorized person suspects that the age as stated may be incorrect he may require that person to produce satisfactory evidence of his age.

43. Exhibition of a film classified a "restricted exhibition"

(1) A film classified as "for restricted exhibition" under subsection 41(1) *(e)* of this Act, shall not be exhibited in a registered premises where there is present a person who has not attained the age of 18 years.

(2) A person who contravenes subsection (1) of this section, shall be deemed to be guilty of a separate offence in respect of each person who has attained the age of 2 years but has not attained the age of 18 years, who is present at the exhibition and

44. Reproduction of certificate of approval to be projected

A person who exhibits or causes to be exhibited a film approved by the Board shall, immediately before the exhibition of such film, cause to be projected on the screen on which the picture is to be exhibited, a reproduction of the certificate of censorship approved by the Board for the film and the projection on the screen shall be clearly visible throughout the registered premises.

***45.* Offence and penalty**

(1) A person who contravenes the provisions of section 44 of this Act is guilty of an offence and liable on conviction to a fine of N5,000.

(2) The court by which a person is convicted under subsection (I) of this section, may in addition order the film to he forfeited to the Board.

46. Sample copies of posters, etc.

(I) An application for the censorship of a film shall, in addition to the film submitted, be accompanied by a sample copy of the poster for advertisement of the film.

(2) The Film Censors Committee shall, with regard to the submitted sample copy of a poster, have the same powers and duties with regard to a film submitted for approval.

(3) The decision of the Film Censors Committee, with regard to a submitted sample copy of a poster shall be subject to the like appeal as the Board's decisions in respect of a film submitted to the Board.

47. Posters to be exhibited etc. as approved sample copy

(1) A sample copy approved by the Film Censors Committee shall, in connection with the exhibition of a film so far as it relates to a sample copy used for the purpose of such exhibition, be exactly in the form in which the sample copy was approved and without any addition or alteration.

(2) A sample copy altered or added to shall be submitted for the approval of the Film Censors Committee, and until the sample copy as so altered or added to has again been approved by the Film Censors Committee, it shall be deemed not to have been approved.

48. Advertisement

(1) A poster, photograph, sketch, slide, programme, advertisement, written or printed matter in the nature of an advertisement with respect to a film or extract from a film whether published, distributed or exhibited in a newspaper or film or otherwise shall state the classification of the film as provided under subsection (I) of section 41 of this Act either in full or by the use of the symbols.

(2) The statement or symbol shall be clearly visible having regard to the size of the poster, photograph, sketch, slide, programme, advertisement, written or printed matter and shall comply with such other requirements as may be prescribed from time to time by regulations made pursuant to this Act by the Board.

(3) Every poster, photograph, sketch, slide, programme, advertisement, written or printed matter in the nature of an advertisement with respect to the exhibition of an approved film or extract from the film shall be registered with the Board on payment of a fee prescribed from time to time by regulations made pursuant to this Act by the Board.

49. Offence and penalty

A person who contravenes the provisions of sections 46 and 47 of this Act is guilty of an offence and liable on conviction to a fine of N2,000 and for any subsequent offence is liable to a fine of N3,000.

50. **Issue of certified copy of a censored film**

(1) The chairman and Executive Director may together issue a certified copy of a film if satisfied on the face of a declaration, made by the person who submitted the film for censorship, that the film described in the declaration

(2) is a duplicate, or identical in detail, length and in all other respects to a film which has been passed by the Board for exhibition.

(3) Any person who makes a declaration under this section which is false or incorrect in any material particular is guilty of an offence and is liable on conviction to a fine of
N5,000.

51. Appeal against the Film Censors Committee's decision

(I) An applicant aggrieved by a decision of the Film Censors Committee may appeal by giving notice as in Form 9 of the Second Schedule to this Act, to the Board.

[Second Schedule. Form 9.]

(2) On receipt of the notice referred to in subsection (I) of this section, the Board shall within 60 days, set up a committee, (in this Act referred to as "the Review Committee") to review the grounds of appeal.

52. Membership, decision of a Review Committee

(1) The Review Committee shall consist of the chairman of the Board who shall act as its chairman and such other members of the Board, who are not members of the Film Censors Committee whose decision is the subject of review.

(2) The Review Committee shall exceed by three the number of members of the Film Censors Committee.

(3) The Review Committee's decision shall be by a majority vote, with the chairman having a second or casting vote in the event of an equality of votes.

(4) No decision of the Review Committee shall have effect until it is confirmed by the Board.

PART VIII

Video work

53. Exempted video or recording

(I) As from the commencement of this Act, no person shall distribute, exhibit or supply in Nigeria a video work or recording unless such work or recording is an exempted work under this Act.

(2) A video work is for the purposes of this Act an exempted work if taken as a Whole it is—
(a) designed to inform, educate or instruct; or
(b) concerned with sports; or
(c) a video game.

(3) A video work shall not be classified as an exempted work for the purposes of subsection (2) of this section if, to any significant extent, it—

(a) Depicts explicit sexual activities or acts of force or restraint associated with such activities;

(b) depicts mutilation or torture of, or other acts of gross violence towards humans or animals;

(c) depicts human genital organs or human urinary or excretory functions; or

(d) is designed to stimulate or encourage anything falling within paragraph *(a)* of this subsection or, in the case of anything falling within paragraph *(b),* it is designed to any extent to do so;

(e) is religious and contravenes ethnic prejudices either by word or action.

54. Exempted supply

(I) The supply of a video recording by a person shall be deemed an exempted supply if it is neither a supply for reward; nor a supply in the course or furtherance of a business.

(2) Where on any premises facilities are provided in the course or furtherance of a business for supplying video recordings, the supply by any person of a video recording on those premises shall be treated for the purpose of subsection (1) of this section, as a supply in the course of or furtherance of a business and therefore not exempted.

(3) Where a person (in this subsection referred to as the "original supplier") supplies a video recording to a person who, in the course of a business, makes video works or supplies video recordings, the supply shall be classified as an exempted supply if, it is—

(a) not made with a view to any further supply of that recording; or

(b) so made, but is not made with a view to the eventual supply of that recording to the public or it is made with a view to the eventual supply of that recording to the original supplier; or

(c) designed to provide a record of an event or occasion for those who took part in the event or occasion or are connected with those who did so; or

(d) the supply to a person of a video recording containing only a work to a person who took part in the event or occasion or is connected with someone who did so; or

(e) the supply of a video recording for the purpose only of the exhibition of any video work contained in the recording premises other than a dwelling-house being an exhibition which in Nigeria would be an exempted exhibition within the meaning of subsection (2) of section *53* of this Act; or

(f) the supply of a video recording for the purpose only of submitting a video work contained in the recording for the issue of a classification certificate; or

(g) the supply of a video recording with a view only to its use in training for educational or scientific purposes; or

(h) the supply of a video recording otherwise than for reward, being a supply made for the purpose only of supplying it to a person who previously made an exempted supply of the recording.

***55.* Zonal Video Censors Committee**

There shall be established by the Board for the purposes of the application of this part of this Act, a Zonal Video Censors Committee (in this Act referred to as "the Video

Censors Committee") whose composition, functions and procedure shall be similar to the Film Censors Committee established by section *35* of this Act.

56. Supplying video recording of unclassified work

Where a video recording contains a video work in respect of which no classification certificate has been issued, a person who supplies, distributes or exhibits such a video work is guilty of an offence under this Act.

57. Supplying video recording of classified work in breach of classification

Where a classification certificate issued in respect of a video work specifies that no person who has not attained a specified age shall be supplied with it, any person who is in breach of this specification thereby is guilty of an offence.

58. Supplying a video recording not in conformity with regulation

A person who supplies or offers to supply a video recording or any spool, case, or other thing on or in which the recording is kept which does not satisfy any requirement imposed by regulations made pursuant to this Act is guilty of an offence unless the supply is an exempted supply.

59. Supplying a video recording containing a false indication as to classification

A person who supplies or offers to supply a video recording containing a video work in respect of which no classification certificate has been issued is guilty of an offence if the video recording or any spool, case or other thing on or in which the recording is kept contains any indication that a classification certificate has been issued in respect of that work unless the supply is an exempted supply.

60. Penalties

A person who is guilty of an offence under sections *56, 57, 58* and *59* of this Act is liable on conviction to a fine of N2,500 or for a term of 3 months.

61. Offences by bodies corporate

Where an offence under this Part of this Act is committed by a body corporate and the offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of a director, manager, Minister or other similar officer of the body corporate, or a person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of the offence and liable to be proceeded against and punished accordingly.

62. Entry, search, etc.

(1) If a judge or a magistrate is satisfied by information on oath that there is reasonable ground for suspecting—

(a) that an offence under this Part of this Act has been or is being committed on any premises; and

(b) that there is evidence that an offence has been or is being committed on any premises,

he may issue a warrant under his hand authorising any person authorised in that behalf to enter and search the premises.

(2) A police officer or any other person authorised in that behalf to enter or search any premises in pursuance of a warrant under subsection (I) of this section, may use reasonable force if necessary and may seize anything found therein which he has reasonable grounds to believe may be required to he used in evidence in any proceedings for an offence under this Act.

(3) If a police officer or any other person authorised in that behalf has reasonable grounds for suspecting that a person has committed an offence under this Part of this Act. he may require him to give his name and address and, if that person refuses or fails to do so or gives a name or address which the police officer or any person authorised in that behalf reasonably suspects to be false, the police officer or any other person so authorised in that behalf may arrest him without warrant.

63. Forfeiture

(I) Where a person is convicted of any offence under this Part of this Act, the court may order the video recording admitted in evidence shown to the satisfaction of the court to relate to the offence, to be forfeited.

(2) References in this section to a video recording includes a reference to any spool, case or other thing on or in which the recording is kept.

64. Interpretation to Part VIII

(I) In this Part of this Act, unless the context otherwise requires—

"video work" means any series of visual image (with or without sound)—

(a) produced electronically by the use of information contained on any disc or magnetic tape; and

(b) shown as a moving picture;

"video recording" means any disc or magnetic tape containing information by the use of which the whole or a part of a video work may be produced;

"supply" means supply in any manner, whether or not for reward, and includes supply by way of sale, letting or hire, exchange or loans and references to a supply shall be construed accordingly;

"premises" includes any vehicle, vessel or stall.

(2) For the purposes of this Part of this Act, a video recording contains a video work if it contains information by the use of which the whole or a part of the work may be produced; but where a video work includes any extract from another video work, that extract shall not be regarded for the purposes of this subsection as a part of that other work.

PART IX

Miscellaneous

65. **Regulations**

The Board may, with the approval of the Minister, make regulations generally for the purpose of giving effect to the provisions of this Act.

66. Interpretation

In this Act, unless the context otherwise requires— **"Board"** means the National Film and Video Censors Board established by subsection (I) of section 1 of this Act;

"chairman" means the chairman of the Board;

"distributor" means a person for the time being engaged in the business of leasing, hiring or selling films, video works;

"Executive Director" means the Executive Director of the Board appointed under section 5 (I) of this Act;

"film" includes any record, however made, of a sequence of visual images, which is a record capable of being used as a means of showing that sequence as a moving picture;

"member" means a member of the Board and includes the chairman;

"**Minister**" means the Minister charged with responsibility for information;

"picture" means a picture or other visual image exhibited or capable of being exhibited from a film or video work;

"premises" means any house, room, building, garden, shop or place where any film or video work is exhibited, leased, hired to which admission is or may be procured by payment of money or by ticket or by other means or consideration;

"prescribed fees" means fees prescribed in this Act or by regulations made pursuant to this Act;

"producer" in relation to a film or video, means the person making the arrangements necessary for the production of a film or video work and for the organisation and direction of the scenes to be depicted in the film or video work;

"registered film or video work" means any film or video work approved for registration pursuant to this Act;

"registered premises" means any premises approved for registration pursuant to this Act.

67. Short title

This Act may be cited as the National Film and Video Censors Board Act.

SCHEDULES

FIRST SCHEDULE

[Section 3 (2).]

Proceedings of the Board

1. (1) Subject to this Act and section 2 of the Interpretation Act, the Board may make standing orders regulating its proceedings or those of any of its committees.

[Cap. 123.)

(2) The quorum of the Board shall be the chairman and fourteen other members and the quorum of any committee of the Board shall he determined by the Board.

2. (1) The Board shall meet not less than two times in each year and subject thereto, the Board shall meet whenever it is summoned by the chairman; and if the chairman is required to do so by notice given to him by not less than twenty-one other members, he shall summon a meeting of the Board to be held within fourteen days from the date on which the notice is given.

(2) At any meeting of the Board the chairman shall preside but if he is absent, the members present at the meeting shall appoint one of their number to preside at that meeting.

(3) Where the Board desires to obtain the advice of any person on a particular matter, the Board may co-opt him as a member for such period as it thinks fit; but a person who is a member by virtue of this sub-paragraph shall not be entitled to vote at any meeting of the Board and shall not count towards a quorum.

Committees

3. (1) The Board may appoint one or more committees to carry out, on behalf of the Board, such of its functions as the Board may determine.

(2) A committee appointed under this paragraph shall consist of such number of persons (not necessarily all members of the Board) as may be determined by the Board; and a person other than a member of the Board shall hold office on the committee in accordance with the terms of his appointment.

(3) Subject to section 37 of this Act a decision of a committee of the Board shall be of no effect until it is confirmed by the Board.

4. The validity of any proceedings of the Board or of a committee thereof shall not be affected by any vacancy in the membership of the Board or committee, or by any defect in the appointment of a member of the Board or of a committee, or by reason that a person not entitled to do so took part in the proceedings of the Board or a committee.

5. (I) Any member of the Board and any person holding office on a committee of the Board, who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Board or a committee thereof shall forthwith disclose his interest to the Board and shall not vote on any question relating to the contract or arrangement.

(2) At any time while the office of the chairman is vacant or the chairman is in the opinion of the Board temporarily or permanently unable to perform the functions of his office, a member of the Board duly appointed by the Board shall perform those

functions and references in this Act to the chairman shall be construed accordingly.

(3) At any meeting of the Board, the chairman or in his absence, any member duly appointed by the Board shall preside at the meeting.

Miscellaneous

6. (I) The fixing of the seal of the Board shall be authenticated by the signature of the chairman or of some other member authorised generally or specially to act for that purpose by the Board.

(2) Any contract or instrument which, if made or executed by a person not being a body corporate, would not be required to be under seal may be made or executed on behalf of the Board by the Executive Director or any person generally or specially authorised to act for that purpose by the Board.

(3) Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence and shall, unless and until the contrary is proved, be presumed to be so executed.

SECOND SCHEDULE

(Section 20.]

FORM I

Application for licence of premises

To:
The Executive Director,
National Film and Video Censors Board.

Licence of premises

Premises:……

Address:……

Capacity(No. of seats) ……

Owner ……

Occupier ……

Applicant/status……

Vicinity/neighbourhood of premises……

No./Type of fire extinguishers…… ..

1/We confirm that the premises comply with the provisions of the National Film and Video Censors Board Act in all material particulars and I/we attach herewith the certificate of the Federal Fire Service/State Fire Services confirming compliance with safety requirements for the exhibition of films/video works, having regard to the audience capacity indicated herein.

DATED this……. day ……20……

……
Signature of Applicant

———————————

FORM 2

[Section 25 (2).]

Application for Licence as a distributor/exhibitor

To:
The Executive Director, National Film and Video Censors Board.

1/We hereby apply for a Licence as a distributor/exhibitor of films/video work.

1. Applicant: *(a)* Name ……
   (b) Address……
2. Title of film/video work……
3. Running time ……
4. Classification of film/video work ……
5. Censorship Certificate……
6. Registration No ……
7. Date and place of importation ……
8. *Import Licence (if applicable) [ ] attached; [ ] not attached.
9. *Certificate of copyright assignment or Licence (if applicable) [ ] attached [ ] not attached.
10. Number of duplicates imported or produced……

DATED this …… day of …… 20…… .

……
Signature

Fee payable ……

*Delete one not applicable.

FORM 3

[Section 28 (2).]

Application for registration of film/video work

1. Title of film/video work ……
2. Producer: *(a)* Name……
   (b) Address ……
   (c) Nationality as at the time of making/producing film/video work……
3. Country of production and date……
4. Length/duration……
5. Gauge……

FORM *3—(continued)*

6. Applicant: *(a)* Name .....
(b) Address .....
(c) Capacity .....
Producer/distributor/exhibitor/others (specify) .....
7. If Nigerian film/video work: *(a)* Date of completion .....
(b) Number of duplicates made.....
8. If foreign film/video: *(a)* Date of importation.....
(b) By whom imported.....
(c) Place of importation.....
(d) Number of duplicates imported.....
9. Details of censorship approval:
(a) Date of decision .....
(b) Classification .....
(c) Parts of Nigeria covered.....
(d) Certificate No..... Date issued .....

DATED this ..... day of ..... 20 .....

.....
Signature of Applicant

FORM *4*

[Section 33 (3).]

Application for censorship and approval for exhibition

(To be submitted in triplicates)

1. Title of film.....
2. Producer: (a) Name.....
(b) Address.....
(c) Nationality as at the time of making/producing .....
3. Country of production and date.....
4. Length/duration.....
5. Gauge.....
6. Applicant: *(a)* Name.....
(b) Address.....
(c) Capacity .....
Producer/distributor/exhibitor/others (specify).....

FORM *4—(continued)*

7. If made in Nigeria: (a) Date of completion .....
8. If it is an imported film/video work: (a) Date of importation .....
   (b) By whom imported .....
   (c) Number of duplicates imported .....

9. (a) In what part(s) of Nigeria will the film/video work he exhibited?.....
   *(b)*Distributor in Nigeria.....
   (c) Exhibitor in Nigeria.....
   (d) Premises/venue of exhibition .....

10. Attachments *(where relevant):*
   (a) Fees/receipt
   (b) Custom duties release certificate
   (c) Synopsis
   (d) Censorship certificate from abroad
   (e) Copyright transfer
   (f) Custom certificate of clearing for distribution
   (g) Posters (at *least 3)*

11. (i) Approved
   (ii) Approved subject to conditions *(see attached)*
   (iii) Rejected *(see attached for reasons)*

FORM 5

[Section 34 (3).J

Application for exemption from censorship
(To be submitted in Triplicates)

1. Title of film/video work .....
2. Producer: *(a)* Name.....
   (b) Address.....
   (c) Nationality as at the time of making/producing.....
3. Country of production and date .....
4. Length/duration.....
5. Gauge .....
6. Applicant: *(a)* Name.....
   *(b)*Address .....
   *(c)*Capacity .....

Maker/distributor/exhibitor/others (specify) .....

FORM *5—(continued)*

7. If Nigerian film/video work: (a) Date of completion .....

(b) Number of duplicates made .....

8. If foreign film/video work: *(a)* Date of importation.....

(b) By whom .....

(c) Place of importation .....

(d) Number of duplicates imported .....

9. Basis of request for exemption:

(a) Category of film/video work .....

(b) Producing/importing body .....

(c) Purpose .....

(d) Grounds of request (attach details) .....

10. *(a)* In what parts of Nigeria will the film/video work be exhibited?.....

(b) Distributor in Nigeria .....

(c) Exhibitor in Nigeria .....

(d) Premises/venue of exhibition .....

II. Attachments *(where relevant):*

(a) Registration fee

(b) Synopsis

(c) Posters *(at least 3)*

12. Applicant's signature..... Date.....

FORM 6

[Section 34 (3).]

Notification of decision on application for exemption from censorship

National Film and Video Censors Board

To Applicant:

.....

.....

.....

FORM 6—*(continued)*

Decision on application for exemption from censorship

Film/video work .....

Further to application ..... made on ..... we hereby convey to you the decision of the Board to:.....

FORM 7

[Section 37 (2).]

Decision of the National Film and Video Censors Board of film censors

ON

Name of film/video work .....

I. The above film/video work was viewed on.....

2. The film/video work is—

(a) approved for exhibition anywhere in Nigeria;

(b) approved for exhibition anywhere in Nigeria but it may not be exhibited in..... unless approval thereto is given by.....

(c) approved for exhibition anywhere in Nigeria subject to the excisions or alterations recommended to the applicant (see attached for reasons). The film need not be re-submitted for censorship;

(d) prohibited for exhibition in Nigeria: *(see attached for reasons);*

(e) prohibited for exhibition in its present form but it may he re-submitted for censorship after the excisions or alterations recommended have been carried out by the applicant.

3. It is a condition of the approval given herein that the applicant publishes in all advertisements or announcements in relation thereto that the film is classified as—
(a) "G" to indicate general exhibition;
(b) "C" to indicate intended particularly for young children;
© "NC" to indicate not recommended for children;
(d) "18" to indicate for mature audiences;
(e) "RE" to indicate for restricted exhibition.

4. The poster is:
(i) Approved;
(ii) approved subject to conditions *(see attached for reasons);*
(iii) rejected *(see attached for reasons).*

5. The film/video work is granted exemption from censorship.

6 The Board requests you to supply more information as indicated in the attached memorandum.

FORM *7—(continued)*

7. The Board refuses exemption; you are thereby requested to present the film/video work for Censorship processes. The reason for this decision is stated in the attached.

DATED this …… day of …… 20…

……
Executive Director of the Board

FORM 8
[Section 38 (2).]

Revocation, alteration, variation of decision

National Film and Video Censors Board

To Applicant:

……

……..

……..

Notice of revocation, alteration, variation of decision

Film/video work…….

Whereas the above film/video work was viewed on …… and the decision of this Board was that……

……
This earlier decision was conveyed to you as per……

……

……

The Board has since reviewed this decision and has decided to revoke/alter or vary it.

The Board's new decision is that……

……

……

……

……

……

The reason for the new decision is stated in the attached.

In consequence of this new decision:

(a) The earlier certificate issued to you is revoked.

*(b)*The earlier certificate No. …… of ……issued to you is withdrawn.

FORM 8—*(Continued)*

(C) You are hereby required to surrender to the Board the former certificate.

(d) You arc hereby required to collect a new—

(i) Notification of decision; and
(ii) Certificate.

DATED this ..... day of .....20.....

.....
Executive Director of the Board

FORM 9

[Section 51 (l).]
Notice of appeal

To:
The Executive Director,
National Film and Video Censors Board.

Whereas I am aggrieved by the decision and reasons of the Film/Video Censors Committee consisting of the following persons—

(i) .....
(ii) .....
(iii) .....
(iv) .....
(v) .....

who met on the ..... day of .....to consider the following film/video work—

Name of film/video work.....
.....
The decision of the Board was conveyed to me as per.....
.....
.....
.....
.....
.....

I hereby give notice that I intend to appeal against the said decision.
I have paid into the Treasury the fee of ..... (receipt attached) in respect of the appeal.
The grounds and particulars of appeal are stated in the attached.

DATED this ..... day of ..... 20 .....

.....
Signature of Appellant

CHAPTER N40

NATIONAL FILM AND VIDEO CENSORS BOARD ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Preview of Films And Video Works Regulations

PREVIEW OF FILMS AND VIDEO WORKS REGULATIONS

[S.I. 6 of 2000.]

under section 66

[2nd February, 2000]

[Commencement.]

1. Preview session on films and video works

(1) The producer or presenter of a film or video work who is unable to honour a preview appointment scheduled by the Board shall give to the Board 14 days prior notice of inability to honour the scheduled preview appointment.

(2) Failure to give notice as required under paragraph (1) of this regulation shall result in the cancellation of the appointment, forfeiture of preview fees paid and the booking of a new preview date.

(3) The producer or presenter of a film or video work shall be responsible for the following expenses incurred at a preview session, that is—

(a) the rentage of specialised electronic equipment;

(b) the rentage of cinema hall; and

(c) the transportation costs.

(4) The presentation of a film or video work to the Board on behalf of a producer or presenter shall be done by a presentation team duly constituted in accordance with the provisions of regulation 2 of these Regulations.

2. Membership of presentation team

(1) A presentation team scheduled to appear at a preview session shall be made tip of at least two persons, one of whom shall he a member of the production crew of the film or video work who shall have full technical knowledge of the presentation.

(2) Only registered members of the professional associations of operators within the film and video industry shall he eligible to present finished films and video works to the Board for preview and registration.

(3) Registered membership shall be on the presentation of an identification card to that effect.

3. Application for registration for licence

(1) An application for registration or licensing of a video club, association, video distribution company, video viewing centre, cinema hall and such other related corporate entities in the film and video industry shall he submitted to the Board with copies of the certificate of incorporation.

(2) An application for censorship and approval for the exhibition of a film or video work shall-

(a) be made on the letter-headed paper of the applicant:

(b) include 8 copies of the synopsis of the film or video work:

(c) include 3 posters of the film or video work; and

(d) inc1ude 3 cassette jackets and the trailer.

4. Declaration of copyright ownership and authorisation

(1) The production or presentation of a film or video work brought before the Board for registration, classification and approval shall-

(a) carry a declaration of copyright ownership; and

(b) the date at the end of such production,

before the issuance of a letter of approval for public release from the Board.

(2) Plots, story lines, musical compositions and inserts used in films and video works which are not original to the presenter or the producer shall be backed by copyright authorisation from the original owners of the said plot, story lines, musical compositions and inserts.

(3) The original ownership of copyright materials specified in paragraph (1) of this regulation shall be acknowledged in the credits of the presentation or production of the film or video works.

5. Withdrawal of approval

The Board shall have power to withdraw an approval fox registration of a film or video work if a case of piracy and plagiarising of plots, story lines, musical compositions and inserts is discovered or proven against a producer or presenter of a film or video work while a report for appropriate action shall be filed with the Nigerian Copyrights Commission.

6. Double titles

Language films shall he titled in the language of production of the film or video work and no translation of the title into another language shall be permissible without the prior written approval of the Board.

7. Credits in language of production

Credits displayed in Nigerian language films and video works shall be in the language of production.

8. Retention of preview and approved copies of the video work by the Board

The producer or presenter of a video work shall cause to he deposited with the Board a preview copy of the video work at the end of preview presentation and within 30 days thereafter deposit the retail copy of the video work with its approved packaging with the Board.

9. Classifications symbols to be legible and conform to colour code

Classification symbols used by film and video work operators in the film and video work industry shall be clearly legible, indelible and correspond with the legible and colour code prescribed by the Board as follows—

(a) "G" for general audience — "Brown" colour code;

(b) "C" intended for children — "Green" colour code;

(c) "NC" not recommended for children — "Purple" colour code;

(d) "18" for mature audiences — "Yellow Ochre" colour code;

(e) "RE" restricted exhibition — "Blue" colour code.

10. Labelling of cassette packages and spools

(1) Every cassette package and spool shall carry the classification symbols of the video work for ease of reference as follows—

(a) bottom right of front of package;

(b) above the title on spine of package when vertical;

(c) after the title on top of cassette spool;

(d) after title on spine of cassette spool;

(e) symbol plus explanatory statement in box on lower back of package.

11. **Short title**

These Regulations may be cited as the Preview of Films and Video Works Regulations 2000.