



Government Gazette

REPUBLIC OF SOUTH AFRICA

Regulation Gazette

No. 7653

Vol. 454

Pretoria

25

April

2003

No. 24803



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

GOVERNMENT NOTICE

DEPARTMENT OF HOME AFFAIRS

No. R. 578

25 April 2003

FILM AND PUBLICATION BOARD

FILMS AND PUBLICATIONS ACT, NO. 65 OF 1996
as amended by the
FILMS AND PUBLICATIONS AMENDMENT ACT, NO. 34 OF 1999

FILMS AND PUBLICATIONS REGULATIONS

The Film and Publication Board has, in terms of section 31(2)(c), read with section 2(a), of the *Films and Publications Act, 1996*, as amended, has made the Regulations in the Schedule.

SCHEDULE

Definitions

- 1 In these Regulations, any word or expression to which a meaning has been assigned in the Act or Regulations, shall, unless the context indicates otherwise, have that meaning.
- 2 "The Act" means the *Films and Publications Act, No. 65 of 1996*, as amended by the *Films and Publications Amendment Act, No. 34 of 1999* and "Regulations" means regulations made under the Act.
- 3 "Sexually-explicit materials" means images or descriptions of a person or persons, whether real or simulated, engaged in sexual conduct.

Display of publications containing sexually-explicit materials

- 3 Any publication containing sexually-explicit materials and which is not enclosed in an opaque wrapper, may not be displayed within easy reach of children or next to or among publications intended for children.
- 4 Any publication classified by the Board may only be displayed and/or distributed in accordance with the conditions imposed in terms of a decision of the Board with respect to that publication.
- 5 Publications classified "X18" in terms of a decision of the Board may only be distributed from premises licensed to conduct the business of adult premises but may not be distributed to persons younger than 18 years of age.

Certificate of registration as a distributor and/or exhibitor

- 6 The certificate of registration as a distributor and/or exhibitor, issued by the Board, and, where applicable, the licence to conduct the business of adult premises issued by a licensing authority in terms of the *Business Act, 1991*, must be clearly and visibly displayed in the premises from or in which the distribution and/or exhibition is being conducted.

Short title and commencement

- 7 This regulation shall be called the *Display of Certain Publications Regulations 2003* and shall come into force and effect on the date of its publication in the *Government Gazette*.
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Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
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