KENYA FILM CLASSIFICATION BOARD

PRESENTATION ON..
VISION

To be a world film content regulator.

Mission

To safeguard national values and norms through efficient, effective and professional film regulatory services.
OUR MANDATE

• The Board is mandated to regulate the creation, broadcasting, possession, distribution and exhibition of films in the country with a view to promote national values and morality as enshrined in Article 10 of the Constitution of Kenya, 2010.

• Section 12 (2) of Cap 222 stipulates that No film or class of film shall be distributed, exhibited or broadcast, either publicly or privately, unless the Board has examined it and issued a certificate of approval in respect thereof.
OUR MANDATE

• Further, the Board is empowered by the Kenya Information and Communications Act of 1998, Cap 411A and as amended by the Kenya Information and Communications (Amendments) Act of 2013 and through the Kenya Communication (Broadcasting) regulations 2009 Section 34 (1) (a) to ensure content which depicts, contains scenes or are of the language intended for adult audience are not aired during the watershed period (5a.m. to 10 p.m.)
OTHER LAWS SUPPORTING KFCB FUNCTIONS

• The Constitution of Kenya, 2010
• The National Cohesion and Integration Act, 2008
• The Alcoholic Drinks Control Act, 2010
• The Sexual Offences Act, 2006
• The Children Act Cap 586 Laws of Kenya
• Penal Code Cap 63
BOARD’S CLASSIFICATION FUNCTION

In accordance with Section 15 of Cap 222 the Board regulates the creation, broadcasting, possession, distribution and exhibition of films in the country by:

• Examining every film (any recorded audiovisual medium) including TV programs, video games, infomercials, commercials/adverts, and internet links and every film poster submitted under the Act for purposes of classification;

• Imposing age restrictions on viewership;

• Giving consumer advice, having regard to the protection of women and children.
HOW WE CLASSIFY

The examination and classification process for both films and TV programs is guided by the Film Classification Guidelines which contain six thematic areas, namely:

• Sex, obscenity and Nudity;
• Crime, violence and imitable behavior;
• Occult and horror;
• Drugs, alcohol and other related harmful substances;
• Religion and community; and
• Propaganda for war, hate speech and incitement.
RATING

During examination the frequency and intensity of all the below classifiable elements are put into a scale of 0 – 5: Based on context and this scale the rating is given as indicated.

• 1: Low impact classifiable elements – General Exhibition (GE)
• 2: Mild impact classifiable elements – Parental Guidance (PG)
• 3: Moderate impact classifiable elements - 16
• 4: Strong impact classifiable elements - 18
• 5: Extreme impact classifiable elements – Restricted.
BROADCAST REGULATION

• Broadcast regulation is guided by the principle of watershed period drawn from KICA.

• “Watershed” is used to describe time in television and radio schedules after which material more adult in nature can be broadcast.

• “Watershed Period” means the time between 5:00 a.m. and 10:00 p.m. or such other time as may be prescribed by the Authority, within which content intended for adult audience is not to be aired.
Kenya Information and Communications (Broadcasting) Regulations of 2009 Section 34 stipulates that:

- All programmes broadcast between 5.00am and 10.00pm must be suitable for family listening and viewing.

- Any programmes or movies classified or rated by the Kenya Film Classification Board (KFCB) as General Exhibition (GE), Parental Guidance (PG) or rated 16 may be aired during this period.

- Those rated as 18 are adult only and should strictly be aired after 10 p.m.

- However advertisements are either rated as either suitable or unsuitable for watershed period due to their uniqueness.
Social media

**Definition:** Websites and applications that enable users to create and share content or to participate in social networking. Examples include but are not limited to:

- Facebook
- Twitter
- LinkedIn
- Tumblr
- Instagram
- WhatsApp
What is a digital footprint?
This the data trail left by your interactions in the digital world.

It’s a public record of,

• What you said
• What was said about you
• What you liked or retweeted or shared
• Where you are or have been

Less public record but something you need to remember that there is also a record of

• What you clicked on
• What you have searched for
• Your IP address
Responsible use of social media
To help you protect your digital footprint

• Customize privacy settings and check them regularly
• Consider what you want to achieve and which tools would be best for the job
• Keep your personal and professional identities separate
• Communicate positively
• Avoid sharing of personal information and details- this may be used against you
• Think about what you want social media to say about you
• Google yourself regularly
• Untag yourself from photos or posts that could portray you in a negative way.
What counts as irresponsible

- Irresponsible behavior can include:
- Making derogatory comments about individuals or organizations, even as a joke eg. Recent Facebook comments on CS interior
- Sharing confidential information about others
- Sharing sexually explicit, racist, homophobic or inflammatory material
- Flaming or trolling- deliberately provoking arguments or disruptive behavior
- Making allegations about others
Girl tormented by her Facebook ‘lover’ kills self

Ms Mercy Bundi, 19, left a suicide note, naming the man and giving details of where he assaulted her and why she took her life.

MONDAY SEPTEMBER 28 2015

In Summary

- She said she was traumatised after the man, who identified himself to her as Maroo Ritz, threatened to post her naked photos online for the whole world to see.
- Police are investigating the incident amid reports that there is an increase in insidious crimes that have left thousands of Kanyans suffering in silence.
- On the day Mercy travelled to Mombasa, Maroo posted a photo on Facebook, indicating that he was at the Kinondo Poa Hotel, near the Galu Kinondo Beach.

A college student committed suicide after a foreigner lured her through Facebook and assaulted her, the family revealed on Monday, ending two weeks of silence.

Ms Mercy Bundi, 19, left a suicide note in which she named the man and gave details of where he assaulted her and why she took her life.

“The day we met was the day my problems started. He was not the man I knew on Facebook,” Mercy said in her suicide note.
Golden rules to follow

• The internet does not forget
• If you wouldn't say it to someone's face in a public place don’t say it online
• Don’t rely on privacy settings- anyone who can see your content can download it, copy it, take a screen short then share it publicly
• Always log out of shared machines
Challenges on online content

1. Emerging technologies - new technology has rendered the current legal framework inadequate for example regulation of OTTs, VODs etc

2. Self regulation - Push for open / unregulated internet

3. Lack of a global approach on regulation due to differences in culture and belief for instance content aired by Netflix in Israel and Canada are not the same

4. Infrastructure – inadequate infrastructure to aid in monitoring content that is distributed online
Current situation in Kenya

Regulations and policies

1. Film and stage plays act cap 222
2. ICT policy
3. Programming code
4. Kenya Information and Communication Act
5. The Sexual Offences Act, 2006
7. Penal Code Cap 63
8. Cybercrime and computer related crimes bill still in stage
Collaborations

• The board has successfully launched programs and partnerships with
  
1. Leadership of counties through county sensitization forums
2. Schools through media literacy programs
3. Google and code IP trust in the Web rangers program
4. Global peace foundation
5. Nyumba Kumi community policing initiative
6. Riverwood academy awards to support creation of local content
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• REGIONAL OFFICES
  Mombasa, Kisumu, Kakamega, Kisii, Eldoret, Nakuru, Nyeri, Embu, Garissa
THANK YOU