

**Films (Class Licence for Lending by Libraries and Educational Institutions)
Order 2019**

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FILMS ACT
(CHAPTER 107)

FILMS
(CLASS LICENCE FOR LENDING BY
LIBRARIES AND EDUCATIONAL INSTITUTIONS)
ORDER 2019

In exercise of the powers conferred by section 10A of the Films Act, the Info-communications Media Development Authority makes the following Order:

PART 1

PRELIMINARY

Citation and commencement

1. This Order is the Films (Class Licence for Lending by Libraries and Educational Institutions) Order 2019 and comes into operation on 29 April 2019.

Definitions

2.—(1) In this Order, unless the context otherwise requires —

“appropriate film” means a film that is assigned under the Act a classification rating of “G”, “PG”, “PG13”, “NC16” or “M18”;

“class licensee” means a person to whom a class licence by virtue of this Order applies but does not include a person for the time the application of that class licence is suspended or disapplied under the Act;

“container”, for a film, includes a wrapping, casing, box or other thing in or with which the film is enclosed for the purpose of retail distribution and presentation to a consumer;

“distribution” means —

(a) supplying by lending to an individual in Singapore for a fixed period (whether or not for reward); or

(b) displaying or inviting to treat for an act mentioned in paragraph (a);

“film” does not include any video game;

“National Archives of Singapore” has the meaning given by the National Library

Board Act (Cap. 197);

“National Library Board” means the public authority of that name established under section 3 of the National Library Board Act;

“publicly-funded library” means —

- (a) a library the materials of which are owned by the National Library Board; or
- (b) a library the administration of which is, directly or indirectly and in whole or in part, funded by the Government and which is designated by the National Library Board to be a public-funded library,

but does not include any relevant archive or institute;

“relevant archive or institute” means any of the following:

- (a) the Lee Kong Chian Reference Library;
- (b) the Library@Esplanade;
- (c) the Asian Film Archive;
- (d) the National Archives of Singapore;
- (e) the ISEAS – Yusof Ishak Institute;

“relevant unclassified film”, in relation to a class licensee, means any of the following films the acquisition of which by the class licensee is approved by the Authority before the film is first distributed by the class licensee under this Order:

- (a) a film which is refused classification because it contains material mentioned in section 16(1)(d) or (e) of the Act;
- (b) a film that, by virtue of section 17(1) of the Act, becomes unclassified because it is modified and no longer an identical copy of a classified film;
- (c) a film that is unclassified for any other reason,

but does not include an obscene film, a party political film, a prohibited film;

“storage device” means a device on which a film, or an advertisement for a film, is recorded or stored, such as a tape, disc, cartridge or memory stick.

(2) A reference in this Order to a film which is refused classification because it contains material mentioned in section 16(1)(d) of the Act includes a film in respect of

which the Board of Film Censors or the Committee of Appeal has, before 29 April 2019, refused to classify on the ground that it is against national security to be classified.

(3) In this Order —

- (a) the person who manages and administers the Lee Kong Chian Reference Library or the Library@Esplanade is the National Library Board; and
- (b) the person who manages and administers the National Archives of Singapore is the Director of National Archives.

PART 2

EDUCATIONAL INSTITUTIONS

Class licence for schools and other educational institutions

3.—(1) Unless exempt by or under section 40(1) of the Act, every person (including an instructor or a trainer) who —

- (a) provides at any premises in Singapore —
 - (i) education at a standard that is preschool;
 - (ii) primary, secondary or junior college standard education;
 - (iii) tertiary or post-secondary level education;
 - (iv) vocational training or instruction;
 - (v) special needs education to persons who have physical or mental disabilities; or
 - (vi) an adult or a cultural or community education program that leads to the development of knowledge or skills that are not specific to any particular occupation; and
- (b) distributes any film in the course of the business of providing training, instruction or education at those premises,

is subject to a class licence in connection with that distribution of any appropriate film.

(2) A class licensee by virtue of this paragraph may distribute an appropriate film only under the following conditions:

- (a) the distribution of any appropriate film must occur within any of the

premises mentioned in sub-paragraph (1)(a) and at which the class licensee is providing training, instruction or education at;

- (b) the distribution to an individual of an appropriate film assigned under the Act a classification rating of “NC16” or “M18” must only be after the individual produces acceptable proof of his or her age that is in conformity with the classification of the film.

Class licence for higher educational institutions, etc.

4.—(1) Unless exempt by or under section 40(1) of the Act, every person (including an instructor or a trainer) who —

- (a) provides any education at any of the following premises in Singapore:
 - (i) the Nanyang Technological University;
 - (ii) the National University of Singapore;
 - (iii) the Singapore Management University;
 - (iv) the Singapore University of Technology and Design;
 - (v) the Singapore University of Social Sciences;
 - (va) the Singapore Institute of Technology; *[S 269/2021 wef 20/04/2021]*
 - (vi) the Nanyang Academy of Fine Arts;
 - (vii) the LASALLE College of the Arts;
 - (viii) any polytechnic managed and administered by —
 - (A) the Nanyang Polytechnic established under the Nanyang Polytechnic Act (Cap. 191A);
 - (B) the Ngee Ann Polytechnic established under the Ngee Ann Polytechnic Act (Cap. 207);
 - (C) the Republic Polytechnic established under the Republic Polytechnic Act (Cap. 270);
 - (D) the Singapore Polytechnic established under the Singapore Polytechnic Act (Cap. 303); or