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MEDIA ALERT

FILM AND PUBLICATION BOARD TO REVIEW CLASSIFICATION RATING OF SHOWMAX SERIES

12 March 2022, Centurion. The Film and Publication Board (FPB) is aware of online public concern regarding an episode of the Showmax series, *The Wife*. Showmax currently has an Online Distribution Agreement with FPB, which accredits them to use the FPB Classification Guidelines to self-classify, by aligning the ratings of their content to the FPB rating system. The rating issued by Showmax (based on their correct implementation of the FPB Classification system) would then be the rating of the FPB, to the extent that it is correctly aligned. Notwithstanding the self-classification provisions provided for in section 18C of the Films & Publications Amendment Act (no.11 of 2019), FPB still has the power, as required by the same Act to regularly audit the distributor's compliance with its rating system and hear and/or adjudicate public complaints regarding classified material, if formally raised with the organization's Classification committee in a prescribed manner.

The FPB has, as a preliminary step, brought these to the attention of Multichoice Support Services (Pty) Ltd to allow them an opportunity to respond to these in writing with 7 (seven) days. The Films and Publications Amendment Act (2019) allows for a co-regulation system with online content distributors, where the distributor assigns an age rating and classifiable elements to alert sensitive viewers to these scenes within the content, enabling them to make an informed decision whether to watch or not. The 16 VSNL assigned by Showmax to *The Wife* will be compliance checked against the justification given by Showmax in the classification report that all distributors with online distributor agreements to self-classify need to complete. Should the review of the Classification rating of the episode be found to incorrect, the FPB has the powers in terms of section 18J of the FP Amendment Act to re-classify any material that was previously classified in terms of the Act. The findings of the compliance check will be shared with the media and public.



“As the FPB, we are worried about the distribution and wider circulation of this clip by members of the public via social media,” says FPB Acting Chief Executive Officer, Dr. Mashilo Boloka. “These clips have the potential to cause harm if accessed by children on unregulated online platforms”.

“The Films & Publications Amendment Act does not in any way limit the sharing of content by members of the public **as long as the content is not harmful, illegal and/or prohibited by the Act**”. We will in due course publish guidelines relating to the sharing of content via digital platforms to the members of the public so that they know what is permissible within the new law (Films & Publications Amendment Act). The spread of this material on social media platforms underlines the need for vigilance by the FPB to curb the illegal distribution of harmful and prohibited materials so as to protect the public, including children. We are putting in systems to monitor non-compliance with the new act, including the Online Rapid Response Team and the Enforcement Committee,” Dr Boloka concludes.

Should the public wish to lodge complaints regarding the distribution or circulation of harmful or prohibited content, and or seek more information relating to what is permissible regarding the sharing or distribution of content, they may contact the FPB at the following email address clientsupport@fpb.org.za or hotline@fpb.org.za and/or 012 003 1400 (during Office Hours).

ENDS

For further information:

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Notes to the Editor

The Film and Publication Board (FPB) is the regulator of the creation, production, possession and distribution of films, games, certain publications, and more recently online content. This is done to provide consumer advice that enables adults to make informed viewing, reading and gaming choices for themselves and children in their care; to protect children from exposure to disturbing and harmful material and from premature exposure to adult experiences, and to make the use of children in, and the exposure of children to pornography, punishable.

The organisation derives its mandate from the Films and Publications Amendment Act (2019), which came into operation by Presidential pronouncement on 01 March 2022. The Amendment Act extends the mandate and functions of the FPB to regulating online content, in addition to physical content.

Paramount to the mandate of the FPB is the protection of children and vulnerable citizens. Protecting children under the Act is a proportional balancing of the rights afforded in the South African Constitution and Bill of Rights as it pertains to children. The protection of children as enshrined in the Constitution and Bill of Rights includes physical, mental, emotional, spiritual, or moral harm to be protected from maltreatment, neglect, abuse, or degradation. It further ensures that children's best interest is of paramount importance in every matter concerning a child.