



**Film and
Publication
Board**

Content Regulatory Authority of South Africa.

MANUAL

PREPARED IN TERMS OF SECTION 14 OF THE PROMOTION OF ACCESS TO INFORMATION

ACT, 2 OF 2000 (AS AMENDED),

DATE OF COMPILATION: 01/10/2022
DATE OF REVISION: 30/06/2026

1. LIST OF ACRONYMS AND ABBREVIATIONS

- 1.1 “CEO” Chief Executive Officer
- 1.2 “DIO” Deputy Information Officer
- 1.3 “FP Act” Films and Publications Act, 1996 (Act No. 65 of 1996)
- 1.4 “FPB” Film and Publication Board
- 1.5 “IO” Information Officer
- 1.6 “Minister” Minister of Justice and Correctional Services
- 1.7 “PAIA” Promotion of Access to Information Act No. 2 of 2000 as Amended
- 1.8 “PFMA” Public Finance Management Act No.1 of 1999 as Amended
- 1.9 “POPIA” Protection of Personal Information Act No.4 of 2013
- 1.10 “Regulator” Information Regulator
- 1.11 “SAPS” South African Police Services

2. PURPOSE OF PAIA MANUAL

This PAIA Manual is useful for the public to:

- 2.1 Check the nature of the records which may already be available at FPB, without the need for submitting a formal PAIA request;
- 2.2 Have an understanding of how to make a request for access to a record of the FPB;
- 2.3 Access all the relevant contact details of the persons who will assist the public with the records they intend to access;
- 2.4 Know all the remedies available from the FPB regarding request for access to the records, before approaching the Regulator or the Courts;
- 2.5 The description of the services available to members of the public from the FPB, and how to gain access to those services;
- 2.6 A description of the guide on how to use PAIA, as updated by the Regulator and how to obtain access to it;
- 2.7 If the body will process personal information, the purpose of processing of personal information and the description of the categories of data subjects and of the information or categories of information relating thereto;
- 2.8 Know if the FPB has planned to transfer or process personal

information outside the Republic of South Africa and the recipients or categories of recipients to whom the personal information may be supplied; and

2.9 Know whether the FPB has appropriate security measures to ensure the confidentiality, integrity and availability of the personal information which is to be processed.

3. ESTABLISHMENT OF THE FPB

The Films and Publications Act (No 65 of 1996) as amended establishes the Film and Publication Board.

3.1 OBJECTIVES/ MANDATE

The FPB derives its legislative mandate from the Films and Publications Act 65 of 1996, as amended in 2019. The mandate of the FPB is to protect consumers against harmful and prohibited content as defined in the FPAA, by regulating the creation, production, possession, and distribution of films, games, certain publications, and the internet.

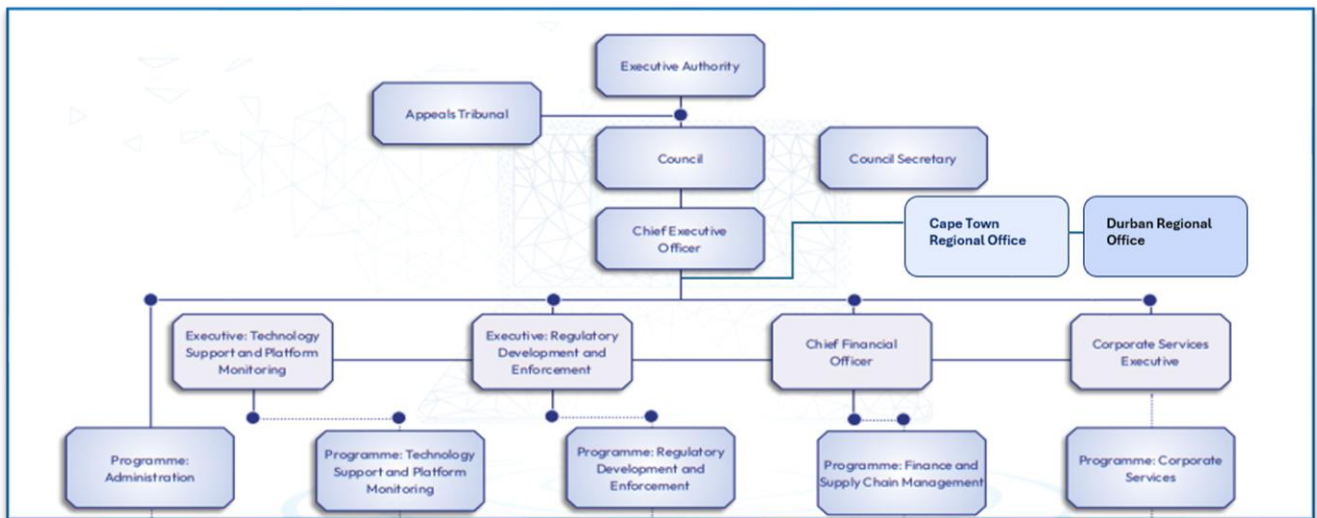
In pursuit of this mandate the FPB:

- Classifies films, games and certain publications to ensure age-appropriateness in their consumption;
- Manages a dedicated hotline where Child Sexual Abuse Material (CSAM) can be reported;
- Assists with CSAM cases referred to the FPB for analysis by the South African Police Services (SAPS);
- Regularly conducts online monitoring for any harmful and prohibited content and directs take down;
- Makes the exploitative use of children in pornographic content of films, games, certain publications and online platforms a priority;
- Regulates the distribution of films, games and certain publications through managing the registration of distributors, exhibitors and online platforms in compliance with the FPAA;
- Conducts online safety education and awareness initiatives;
- Manages a public complaint system for the public to lay complaints regarding non-compliance with any provisions of the Act and classification decisions..

4. STRUCTURE OF THE FPB AND FUNCTIONS

4.1 Structure of the FPB

The FPB has an executive authority, the Minister of Communications and Digital Technologies, and an accounting authority which is constituted by members of Council and the Chief Executive Officer.



4.2 Functions of the FPB

- Classification of films, games, and certain publications.
- Protecting children from harmful, disturbing, or inappropriate content.
- Regulation of online and digital content, including streaming platforms.
- Providing consumer protection and public information to guide informed choices.
- Criminalising possession, production, and distribution of child pornography.
- Enforcing the Films and Publications Act through monitoring and compliance actions.
- Conducting research to ensure alignment with South African societal norms and values.
- Handling public complaints related to harmful or unclassified content.

5. KEY CONTACT DETAILS FOR ACCESS TO INFORMATION OF THE FPB

5.1. Information Officer

Adv. Makhosazana Lindhorst

Tel: 012 003 1400

Email: Makhosazana.lindhorst@fpb.org.za

5.2. Deputy Information Officer

Mr Ephraim Tlhako

Tel: 012 003 1400

Email: ephraim.tlhako@fpb.org.za

5.3. Access to information general contacts

Email: PAIA@fpb.org.za

5.4. National / Head Office

Head Office

Physical address:

2 Eco-Glades

420 Witch Hazel Avenue,

Eco Park, Centurion, 0169

Postal address:

Private Bag X31, Highveld Park, 0169

Phone Number: (012) 003 1400

Fax Number: (012) 661 0074

Electronic mail address: clientsupport@fpb.org.za

Website. www.fpb.org.za

Durban Regional Office

6th Floor, SABC

100 KE Masinga Road

Durban

4001

Phone Number: 013 201 2509

Fax Number: 031 201 2158

Electronic mail address: clientsupport@fpb.org.za

Cape Town Regional Office

209 Beach Road

4th Floor, Sea Point

Cape Town

8060 Phone Number: (021) 418 3083

Fax Number: (021) 418 2376

Electronic mail address: clientsupport@fpb.org.za

6. DESCRIPTION OF ALL REMEDIES AVAILABLE IN RESPECT OF AN ACT OR A FAILURE TO ACT BY THE FPB

The public has the following remedies in respect of an act by, or a failure of the FPB, to act:

- a) To lodge an appeal against the FPB with Minister of Communications and Digital Technologies;
- b) To lodge a complaint with the Information Regulator should you be aggrieved
- c) To commence legal proceedings against the FPB in the relevant court of law

7. GUIDE ON HOW TO USE PAIA AND HOW TO OBTAIN ACCESS TO THE GUIDE

7.1. The Regulator has, in terms of section 10(1) of PAIA, updated and made available the revised Guide on how to use PAIA ("Guide"), in an easily comprehensible form and manner, as may reasonably be required by a person who wishes to exercise any right contemplated in PAIA and POPIA.

7.2. The Guide is available in each of the official languages.

7.3. The aforesaid Guide contains the description of 7.3.1. the objects of PAIA and POPIA;

7.3.1. the objects of PAIA and POPIA;

7.3.2. the postal and street address, phone and fax number and, if available, electronic mail address of

7.3.2.1. the Information Officer of every public body, and

7.3.2.2. every Deputy Information Officer of every public and private body designated in terms of section 17(1) of PAIA and section 56 of POPIA;

7.3.3. the manner and form of a request for-

7.3.3.1. access to a record of a public body contemplated in section 11; and

7.3.3.2. access to a record of a private body contemplated in section 50

7.3.4. the assistance available from the Information Officer of a public body in terms of PAIA and POPIA;

7.3.5. the assistance available from the Regulator in terms of PAIA and POPIA;

7.3.6. all remedies in law available regarding an act or failure to act in respect of a right or duty conferred or imposed by PAIA and POPIA, including the manner of lodging:

7.3.6.1. an internal appeal;

7.3.6.2. a complaint to the Regulator; and

7.3.6.3. an application with a court against a decision by the information officer of a public body, a decision on internal appeal or a decision by the Regulator or a decision of the head of a private body;

7.3.7. the provisions of sections 14 and 51 requiring a public body and private body, respectively, to compile a manual, and how to obtain access to a manual;

7.3.8. the provisions of sections 15 and 52 providing for the voluntary disclosure of categories of records by a public body and private body, respectively;

7.3.9. the notices issued in terms of sections 22 and 54 regarding fees to be paid in relation to requests for access; and

7.3.10. the regulations made in terms of section 92.

7.4. Members of the public can inspect or make copies of the Guide from the offices of the public or private bodies, including the office of the Regulator, during normal working hours. The Guide can also be obtained:

7.4.1. upon request to the Information Officer;

7.4.2. from the website of the Regulator (<https://info regulator.org.za/>)

7.4.3. Address:

Woodmead North Office Park,

54 Maxwell Drive Woodmead, Johannesburg, 2191.

7.5. The Guide can also be obtained-

7.5.1. upon request to the Information Officer or head of the private body, using Form 1 available at <https://info regulator.org.za/paia-forms/>;

7.5.2. upon request, to the Information Regulator, by sending Form 1 (a request for a copy of the Guide) to- PAIACompliance@infoRegulator.org.za; and

7.5.3. from the website of the Regulator (<https://info regulator.org.za/paia-guidelines/>).

8. DESCRIPTION OF THE SUBJECTS ON WHICH THE BODY HOLDS RECORDS AND CATEGORIES OF RECORDS HELD BY THE FPB

Subjects on which the body holds records	Categories of records held on each subject
Administration	<p>CEO's Office:</p> <ul style="list-style-type: none"> • Organisational Strategy • Corporate Governance Information • Organisational policies and procedures • Delegation of Authority • Agreements – Contracts, Service Level Agreements (SLA), Memorandum of Understanding (MoU), etc. <p>Council Secretariat:</p> <ul style="list-style-type: none"> • Relevant statutory reports • Minutes of Council meetings, its Committees and the Executive Committee

	<ul style="list-style-type: none"> • Parliamentary Questions • Declaration of Interests • Delegation of authority <p>Internal Audit:</p> <ul style="list-style-type: none"> • Internal Audit Plans • Internal Audit Reports • Internal Audit Policies and Procedures • Internal Audit Charter • Strategic Risk Register
<p>Technology Support & Platform Monitoring</p>	<p>Operations and Information Security</p> <ul style="list-style-type: none"> • ICT Strategy • Policies and Procedures • ICT Governance Framework • Business Processes • Applications Portfolio – applications documentation and manuals • Disaster recovery plans and related
<p>Finance & Supply Chain Management</p>	<p>Finance:</p> <ul style="list-style-type: none"> • Finance Policies • Budgets • Finance Reports • Payments Reports • Banking details and bank accounts • Debtor and creditors statements and invoices • General ledgers and subsidiary ledgers and reconciliation • Asset Register • Management Accounts • Insurance claim files • Taxation – Income tax returns, VAT returns, PAYE returns and UIF returns <p>Supply Chain Management (SCM):</p> <ul style="list-style-type: none"> • SCM Policies • Supplier Database.

	<ul style="list-style-type: none"> • SCM Reports • Tender related records • Annual financial statements of the FPB <p>Facilities Management:</p> <ul style="list-style-type: none"> • Fleet management documents • Facility management • Lease agreements • Hire agreements • Key control register • Security policy
<p>Corporate Services</p>	<p>Communications and Marketing:</p> <ul style="list-style-type: none"> • Communications and Stakeholder related documents • Corporate Calendar • Annual Reports • Relevant Policies <p>Corporate Legal</p> <ul style="list-style-type: none"> • Litigation and arbitration register • Disputes • Contract register • Compliance reports <p>Human Capital:</p> <ul style="list-style-type: none"> • Policies and Procedures • Personnel/Employee Information • Employment Contracts • Forms and Applications • Collective agreements • Occupational Health and Safety (OHS) Records • Employment Equity (EE) Plans • Sector Education Training Authority (SETA) Reports • Training Reports • Labour disputes

	<ul style="list-style-type: none"> • Grievance procedure • Payslips, IRP5 and related • Labour formation agreements
Regulatory Development & Enforcement	<p>Regulatory Development & Research Analysis</p> <ul style="list-style-type: none"> • Research Reports • Published research articles <p>Investigation and Enforcement</p> <ul style="list-style-type: none"> • Complaints lodged with the FPB • Reports on matters referred to the Enforcement Committee • Appeal tribunal judgements and the reasons thereof <p>Licensing & Compliance:</p> <ul style="list-style-type: none"> • Policies and Procedures. • Distributor Registration and certifications. • Quarterly compliance reports; • Classification documents such as reports, decisions and appeal

9. REQUESTS FOR ACCESS TO INFORMATION

a) Any person other than the public entity or official may request information in terms of the PAIA in which the requester may either be:

- i) Natural person, the person does not have to be a South African citizen or a resident of South Africa;
- ii) Juristic person such as a business; or
- iii) An organization or person acting on behalf of a natural or juristic person.

b) The process for requesting information in terms of the PAIA is as follows:

- i) Complete the request form with all required fields and send the completed form to the address (physical/postal address or email address) of the Information Officer.
 - ii) The formal request form can be requested by sending the request email to the Information Officer.
 - iii) The requestor must provide sufficient particulars on the request form to enable the Information Officer/Deputy Information Officer to identify the record requested and the requester.
 - iv) The requester must state whether the record concerned is preferred in preferred language.
 - v) If the request is made on behalf of another person, the requestor must submit proof of the capacity in which s/he is making the request to the reasonable satisfaction of the Information Officer/ Deputy Information Officer.
- c) The FPB will acknowledge receipt of a request in writing upon receipt of the request and advise within 30 (thirty) days as to whether the requested information is available and the mode of delivery. Should the requestor not receive acknowledgement of receipt of the request within 14 (fourteen) days, it is advisable for the requestor to contact the Information Officer to ensure receipt of the request.
- d) The 30 (thirty) days period referred above within which the FPB is expected to decide on the request, may be extended once for a further period of not more than 30 (thirty) days in accordance with section 26 of PAIA.
- e) Should FPB extend the period in line with section 26 of the PAIA, the FPB shall as soon as reasonable possible within the 30 (thirty) days after receipt of the request, notify the requestor of the extension, reasons and the period of extension. This notification also includes the notification of the requestor's right to lodge an internal appeal or application with a court.
- f) In certain circumstances, the requestor may be required to pay a fee to the FPB before the information requested is made available to the requestor in line with section 22(1) of the PAIA.

10. Fees

- a) PAIA has set out 2 (two) types of fees required to be paid by the requestor prior access to the requested information which is the request fee and an access fee.
- b) In terms of section 22(1) of the PAIA, the Information Officer of a public body to whom a request for access is made, must by notice require a requestor, other than a personal request to pay the prescribed request fee (if any) before further processing of the

request. As defined by PAIA, a personal request refers to “a requestor seeking access to a record containing personal information about the requestor” which the requestor is not required to pay the request fee.

- c) A requestor will be required to pay a request fee of R35, 00 (thirty-five Rand) which may be paid at a time a request is made or when the requestor have been notified to pay the request fee before processing the request further.
- d) When a request for access to a record or records held by the public entity is granted, the requestor also has to pay an access fee for the production of the record or records, and for the search for and the preparation of the records for disclosure.
- e) If the search for and preparation of the record or records takes more than six hours, the public entity may charge R15, 00 (fifteen) for each hour or part thereof.
- f) A requestor may make an application to the High Court to be exempted from the requirement to pay the applicable request fee.
- g) All payments for the request to information should be made in an Electronic Funds Transfer (EFT) to the FPB’s bank account indicated below:

Bank	: ABSA
Account Number	: 4050451190
Branch Code	: 632005
Type of Account	: Current
Reference	: As provided by FPB

- h) Accompanying proof of payment should be sent to the PAIA office.

11. Grounds for Refusal of Access to Records

- a) Chapter 4 of part 2 of PAIA, lists the grounds under which access to information requests may or must be refused by an Information Officer of a public body. These grounds apply to the Manual as if specifically read into it.
- b) The FPB will not allow access to information where the grounds for refusal of access to information listed in Chapter 4 of the PAIA.

12. SERVICES AVAILABLE TO MEMBERS OF THE PUBLIC FROM THE FPB AND HOW TO GAIN ACCESS TO THOSE SERVICES

12.1. Child Protection

The Child Protection team's work is guided by the mandate of the Film and Publication Board which is ensure that children are not exposed to adult content/ age-inappropriate content prematurely and that the use of and exposure of children to child pornography be punishable by law.

The Film and Publication Board; as part of the intervention to curb the creation, distribution and possession of child pornography has:

- A Hotline dedicated to allowing the public an opportunity to report any suspected Child Sexual Abuse Material they come across.
- The Hotline is also dedicated to providing telephonic psychosocial support.

In order to see that Child Sexual Abuse Material is dealt with across the board; the FPB forms part of INHOPE (International Hotline Association). INHOPE affords hotlines across the world the opportunity to report CSAM worldwide in order to ensure that such content is taken down and/or reported to law enforcement across the world (through INTERPOL). Members of the public may report Child Sexual Abuse Material (CSAM), and any form of harmful or violent content online to our Hotline web portal using <https://apps.fpb.org.za/hotline/> or call **0800 148 148** or **Hotline WhatsApp number on 083 428 4767.**

12.2. Content Classification

The mandate of the Film and Publication Board is to regulate the creation, production, possession and distribution of films, games and certain publications to-

1. Provide consumer advice to enable adults to make informed viewing, reading and gaming choices, both for themselves and for children in their care;

2. protect children from exposure to content that can be potentially disturbing, harmful or inappropriate for children below a specified age; protect children from premature exposure to adult experiences, and
3. make the use of children in and the exposure of children to pornography punishable.

The guiding principles of the classification decision in determining and assigning of appropriate age ratings and consumer advisories must consider the context, impact and release format of the material.

The process of classification entail constituting a Classification Committee consisting of three members representative of the larger South African society in its racial, linguistic, gender and age categories.

Members of the public can contact the Classifications Team at 012 003 1400 or via email: classification@fpb.org.za.

12.3. Compliance Monitoring

FPB Compliance Officers visit distributors and exhibitors both physically and online of films, games and certain publications in order to ensure that outlets are properly registered with the board and that compliance with the Act is adhered to in terms of sections 27 and 28. These sections prohibit the possession or distribution of child pornography to children. Exception in terms of section 24 is granted for the distribution or viewing of X18 pornographic materials where the holder of the licence complies with provisions of the Act to conduct his/her business in an adult only premises.

Members of the public may report distributors who are unlawfully distributing unclassified material to client support services on clientsupport@fpb.org.za or **0800 000 555**.

12.4. Public Complaints

The FPB receives and processes complaints about unclassified, prohibited content, or potential prohibited content, in relation to service being offered online by any person, including commercial online distributors and non-commercial online distributors.

Complaints which may be investigated by the FPB:

The FPB has the jurisdiction to conduct or cause to be conducted any investigation –

- (a) on receipt of a complaint, into any alleged contravention of the Act;
- (b) on its own accord, into any alleged contravention of the Act.

Members of the public may contact submit complaints about online content on clientsupport@fpb.org.za, submit a form online: <https://complaints.fpb.org.za/> or **012 003 1400**.

12.5 Licencing and Registration

The FPB provides a streamlined process for receiving, approving, and handling applications for registration, renewal, and classification. Members of the public can submit their applications through multiple convenient channels: by submitting forms online (<https://apps.fpb.org.za/fpbonlineV3/views/SelfRegisterDistr.aspx>), via email clientsupport@fpb.org.za, via telephone on 012 003 1400 or by delivering them in person at any of our regional offices or our head office.

13. PUBLIC INVOLVEMENT IN THE FORMULATION OF POLICY OR THE EXERCISE OF POWERS OR PERFORMANCE OF DUTIES BY THE FPB

Public involvement with the FPB happens through:

Provision for public participation – include not limited to legislations, internal processes, DCDDT agencies, LEAs

- Public comment on draft regulations and guidelines
- National forums and roundtables for direct engagement
- Written submissions in response to public notices
- Ongoing dialogue with stakeholders

14. PROCESSING OF PERSONAL INFORMATION

14.1. Purpose of Processing

The purposes for which FPB processes personal information includes but is not limited to:

- a) rendering of services to our clients;

- b) employee administration;
- c) transacting with our suppliers and third party service providers;
- d) maintaining records;
- e) recruitment;
- f) general administration;
- g) financial requirements;
- h) compliance with legal and regulatory requirements; and
- i) facilities management.

14.2. Description of the categories of Data Subjects and of the information or categories of information relating thereto

Categories of Data Subjects	Personal Information that may be Processed
Natural Persons	Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity Number and confidential correspondence
Juristic Persons	Names of contact persons; Name of legal entity; physical and postal address; contact details (contact number(s), fax number, email address); registration number; financial, commercial, scientific or technical information and trade secrets
Employees	Gender, pregnancy; marital status; Race age, language, educational information (qualifications); financial information; employment history; ID number; physical and postal address; contact details(contact

	number(s), fax number, email address); criminal behaviour; well-being and their relatives (family members) race, medical, gender, sex, nationality, ethnic or social origin, sexual orientation, age, physical or mental health, well-being, disability, religion, conscience, belief, culture, language, biometric information of the person
Service Providers	Names and surname; contact details (contact number(s), fax number, email address); Residential, postal or business address; Unique Identifier/Identity Tax Documentation

14.3. The recipients or categories of recipients to whom the personal information may be supplied.

Category of personal information	Recipients or Categories of Recipients
Identity number and names, for criminal checks	South African Police Services
Qualifications, for qualification verifications	South African Qualifications Authority
Credit and payment history, for credit information	Credit Bureaus
Identity number, names, physical address	Service providers

14.4. Planned transborder flows of personal information.

The FPB may from time to time need to transfer personal information to service providers and other third parties located in a country outside of South Africa, including for the purposes of executing its legislative mandate or for the FPB's administration purposes (including employee administration).

Where personal information is transferred outside of South Africa, the FPB will take steps to ensure that such transfer is subject to laws, binding corporate rules or binding

agreements that provide an adequate level of protection and uphold principles for reasonable and lawful processing of personal information in terms of POPIA.

14.5 General Description of Information Security Measures to be implemented by the responsible party to ensure the confidentiality, integrity and availability of the information.

The FPB implements and maintains reasonable technical and organisational measures to protect personal information, including by way of the implementation of policies, procedures and controls aimed at preventing any unauthorised access to, loss or destruction of personal information. The FPB has a wide range of security measures designed to mitigate data security breaches, accidental loss or destruction of, or damage to, personal information. These include the storage of personal information relating to clients and employees in locked cabinets within the FPB's Head Office; IT systems such as encryption software, password protection software. Restricted access, levels of authority, and separation of duties are in place for dealing with all personal information.

The FPB has and will continue to take steps to ensure that third party providers who process personal information on behalf of the institution apply appropriate safeguards in compliance with POPIA.

15.AVAILABILITY OF THE MANUAL

15.1 This Manual is made available in the following three official languages-

- 15.1.1. English.
- 15.1.2. Afrikaans
- 15.1.3. Sepedi
- 15.1.4. Isizulu
- 15.1.5. Tshivenda

15.2 A copy of this Manual or the updated version thereof, is also available as follows:

- 15.2.1 on the FPB Website (www.fpb.org.za);
- 15.2.2 at the head office of the FPB for public inspection during normal business hours;

15.2.3 to any person upon request and upon the payment of a reasonable prescribed fee; and

15.2.4 to the Information Regulator upon request.

15.2.3 A fee for a copy of the Manual shall be payable per each A4-size photocopy made.

16. UPDATING OF THE MANUAL

The FPB will, if necessary, update and publish this Manual annually.

Issued by



Adv. Makhosazana Lindhorst
Acting Chief Executive Officer