

**IN THE ENFORCEMENT COMMITTEE OF THE FILM AND PUBLICATION
BOARD (FPB)**

Film and Publication Board (FPB)

Applicant

and

IWANTCLIPS

1st Respondent

Gatsby Enterprises LLC

2nd Respondent

Case No: 021/2025/RD/CALIFORNIA

Date of hearing: 11 May 2026

MEMBERS OF THE ENFORCEMENT COMMITTEE

Judge Thokozile Masipa - Chairperson

Ms Malini Maharaj - Member

Dr. Adv Nzumbululo Silas Siphuma - Member

OFFICE OF THE ENFORCEMENT COMMITTEE

Mpho Mooketsi - Registrar

LEGAL REPRESENTATION

For the Applicant

Ms Ntweleng Baloyi

For the Respondent

(No Appearance)

DECISION

Judge Thokozile Masipa

INTRODUCTION

[1] This matter centres around the Respondent's alleged noncompliance with statutory registration and classification requirements set out in section 18(1)(a) and 18(1)(b) respectively, of the Films and Publications Act 65 of 1996 as amended ("the FP Act").

THE PARTIES

[2] The Applicant is the Film and Publication Board, a statutory content Regulatory Authority in South Africa established in terms of section 3 of the FP Act.

[3] The Applicant was established for purposes of protecting the public, in particular children, from exposure to harmful and undesirable content. It shall be referred to as the "FPB", the "Board" or "Applicant".

[4] The First Respondent is **IWANTCLIPS** which conducts business and/or is situated at 7190 Sunset Blvd, Suite 1423, Hollywood, California, United States of America.

- [5] The Second Respondent is **GATSBY ENTERPRISES LLC** conducting business and/or situated at 7190 Sunset Blvd, Suite 1423, Hollywood, California 90046, United States of America.

THE ALLEGED NONCOMPLIANCE

- [6] The Applicant alleged that the Respondents were in contravention of section 18(1)(a) and (b) of the FP Act in that they failed to register with the Applicant as distributors/exhibitors of films and failed to submit their films to the Applicant for classification.

THE RELIEF SOUGHT

- [7] The Applicant sought relief in the following terms:
- 7.1. Order interdicting and restraining the Respondents from unlawfully distributing, exhibiting or making available any unclassified film content for streaming within the Republic of South Africa in contravention of section 18(1)(a) and (b) read with sections 24A (1), 24A (2), and 24A (3) of the FP Act through its website <https://auth.iwantclips.com/login?appkey=iwc> prod and <https://iwantclips.com/> or any other digital platform accessible within the Republic of South Africa without being registered to do so with the Applicant.
 - 7.2. Directing the Respondents to pay a fine in the amount of R150 000 (one hundred and fifty thousand rand) for distributing films or publications in public within the Republic of South Africa without being registered with the Applicant as a distributor as prescribed in terms of section 24A (1) of the FP Act. Such payment of fine to be effected by the Respondents within forty-five days upon receipt of this Order.
 - 7.3. Directing the Respondents to pay a fine in the amount of R500 000 (five hundred thousand rand) for distributing unclassified films or publications in public within the Republic of South Africa as prescribed in terms of section

24A (2) of the FP Act. Such payment to be effected by the Respondents within forty-five (45) days upon receipt of this Order.

- 7.4. The Respondents pay a fine in the amount of R750 000 for not being the holder of a licence to conduct the business of adult premises, and with regard to films and games, not being registered with the Board as a distributor or exhibitor of films or games. Such payment of fine to be effected by the Respondents within forty-five (45) days upon receipt of this Order.
- 7.5. Directing the Respondents to pay the costs in respect of the whole or part of the proceedings and
- 7.6. Further and/or alternative relief.

RESPONDENT'S DEFENCE

[8] There was no response from the Respondent. In addition, there was no appearance on behalf of the Respondents at the hearing. For that reason, the defence of the Respondents is unknown.

FACTUAL BACKGROUND

[9] On 18 September 2025, Ms. Nosiseko Mtshemla, a Compliance Officer of the Film and Publication Board, conducted an online compliance inspection on the website of IWANTCLIPS <https://iwantclips.com/store/914083>

[10] During the inspection the Compliance Officer discovered that the Respondents were distributing and/or streaming various movies and films. These included adult content accessible to members of the public in the Republic of South Africa, including children.

[11]The distribution and the streaming were done without the Respondents having registered with the Applicant as distributors/exhibitors of films. During the same inspection, the Compliance Officer also discovered that the Respondents had not submitted their films to the Applicant for classification. This was in contravention of section 18(1)(a) and (b) respectively.

[12]The Compliance Officer also issued and served the Respondents with a Notice of Contravention. The Notice afforded the Respondents thirty (30) days to remedy the noncompliance or request an extension if unable to meet the deadline.

[13]On 19 November 2025, the Applicant conducted a follow up online inspection on the website of the Respondent. On this occasion, the Applicant discovered that the Respondents had still not complied with the provisions of the FP Act.

[14]On the 27 October 2025, a courtesy email was sent to the Respondents email address namely:— DMCA@IwantClips.com advising them that the matter was now being referred to the Enforcement Committee for adjudication.

EVIDENCE DISCUSSION AND ANALYSIS

Service

[15]Proof of proper service is crucial in unopposed applications such as the present. All the notices and documents were issued and served on the Respondents via the email address found on the Respondent's website.

[16]In serving the said documents, the Applicant complied with Rule 5 of the Enforcement Committee Rules. In addition, it is clear that the email address used for service is the very same email that is used by members of the public who support the Respondent's business. It is, therefore, highly unlikely that the email concerned would be incorrect or non-functional.

Merits

[17]The Applicant alleged that the Respondents failed to comply with both section 18(1)(a) and 18(1)(b) in that they had not registered with the Applicant as distributors/exhibitors of films and they had not submitted their films to the Applicant for classification, respectively.

[18]In support of the allegations the Applicant provided documentary evidence as well as screenshots of the Respondents' website displaying various films that are being distributed.

[19]None of the allegations were denied and none of the evidence was contradicted. In addition, it is clear from the screenshots that the films are not classified.

[20]The Enforcement Committee considered the evidence before it and found it formidable.

[21]In the absence of any evidence to the contrary, the evidence by the Applicant is accepted as true and reliable.

FINDING

[22]In the premises, the Enforcement Committee makes the following finding:

[23]The Respondents are in contravention of section 18(1)(a) in that they failed to register with the Applicant as distributors/exhibitors of films.

[24]The Respondents are in contravention of section 18(1)(b) of the FP Act in that they failed to submit their films to the Applicant for classification.

ORDER

[25] Accordingly, the Enforcement Committee grants an Order in the following terms:

- 25.1. The Respondents are interdicted and restrained from unlawfully distributing, exhibiting or making available any unclassified film content for streaming within the Republic of South Africa in contravention of section 18(1)(a) and (b) read with sections 24A (1), 24A (2), and 24A (3) of the FP Act through its website <https://auth.iwantclips.com/login?appkey=iwc> prod and <https://iwantclips.com/> or any other digital platform accessible within the Republic of South Africa without being registered to do so with the Applicant.
- 25.2. The Respondents shall pay a fine in the amount of R150 000 (One Hundred and Fifty Thousand Rand) for distributing films or publications in public within the Republic of South Africa without being registered with the Applicant as a distributor as prescribed in terms of section 24A (1) of the FP Act.
- 25.3. The Respondents shall pay a fine in the amount of R500 000 (Five Hundred Thousand Rand) for distributing unclassified films or publications in public within the Republic of South Africa as prescribed in terms of section 24A (2) of the FP Act.
- 25.4. The Respondents shall pay a fine in the amount of R750 000 (Seven Hundred and Fifty Thousand Rand) for not being the holder of a licence to conduct the business of adult premises.
- 25.5. Such payment of fine shall be deposited by the Respondents into the bank account of the Film and Publication Board namely: ABSA Bank within forty-five (45) days upon receipt of this Order.

Account Holder: Film and Publication Board

Account Number: 4050451190

Bank: ABSA

25.6. Proof of payment of the fine shall be submitted to the CEO of the Film and Publication Board within forty-eight (48) hours of payment at the following email address:- Makhosazana.lindhorst@fpb.org.za

25.7 The Respondents shall pay the costs in respect of the proceedings.

TMMasipa

ENFORCEMENT COMMITTEE

Judge Thokozile Masipa – Chairperson

Ms Nalini Maharaj – Member

Dr. Adv Nzumbululo Silas Siphuma – Member

Date: 30 July 2026