

## The Cinematograph Censorship Rules, 1951.

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[ Amendment : 18.06.1989 ]

### I.-PRELIMINARY.

1. These rules may be called “The Cinematograph Censorship Rules, 1951”.
  2. In these rules:-
    - (a) “Act” means the Cinematograph Act, as amended by subsequent enactments;
    - (b) “Board” means the Union of Myanmar Board of Film Censors constituted under sub-section (1) of section 7 of the Act;
    - (c) “Chairman” means the Chairman of the Board or, in his absence, the Chairman elected under Rule 13.
- <Amendment 18.06.1989>

### II.-CONSTITUTION OF CINEMATOGRAPH ACT FUND.

3. There shall be a Local Fund as defined under Article 218 of the Civil Account Code, Volume I, to be called the “Cinematograph Act Fund” into which all sums recoverable under the Act shall be credited and from which all expenditure incurred in carrying out the purposes of the Act shall be met. Any deficit in the receipts of the fund may be made good by a grant from the budget of the Rangoon Town Police.

### III.-CONSTITUTION AND MANAGEMENT OF THE BOARD.

4. The Board shall consist of a Chairman and fourteen other members appointed by the President of the Union of Myanmar of whom ten shall be non-officials. The Commissioner of Police, Rangoon, shall be the Chairman of the Board. The Board may appoint special censors, not being members of the Board, to examine any special film in the case of which it considers this course advisable.
- <Amendment 18.06.1989>
5. The tenure of the membership of the Board shall expire on the 31st December of each year.
  6. The office of the Board shall be attached to the office of the Commissioner of Police, Rangoon.
  7. The strength and remuneration of the establishment maintained by the Board for carrying out the purposes of the Act shall be subject to the sanction of the President, but the Board shall in all other respects have full powers with regard to the members thereof.
  8. The Board shall-

- (a) submit an annual budget to the President showing the estimated receipt and disbursements of the Board for the ensuing year, and
- (b) submit an annual report to the President reviewing the work done by the Board during the past calendar year.

#### **IV.-MEETINGS OF THE BOARD.**

- 9. The Board shall ordinarily meet once a week on a fixed day and at a fixed hour to be notified to the public by the Chairman but may meet more often if required.
- 10. (1) An extraordinary meeting may be convened by the Chairman of his own motion and shall be so convened on a written requisition signed by not less than four members of the Board. Notice shall be issued to every member not less than three days (or, in cases of great urgency only, one clear day) before the date fixed for the meeting.  
(2) The notice shall state the business to be transacted at the meeting and no business other than that so stated shall be transacted except with the consent of the majority of the members present.
- 11. Any urgent matter may, if the Chairman thinks fit, be circulated at any time to the members for their opinion.
- 12. At every meeting of the Board seven members shall form a quorum.

#### **V.-PROCEDURE AT MEETINGS.**

- 13. Every meeting shall be presided over by the Chairman of the Board or, in his absence, by a Chairman elected at the meeting.
- 14. In the case of an equality of votes, the Chairman shall have a second or casting vote.
- 15. At each meeting the Board shall-
  - (1) consider the business placed by the Chairman before the meeting, and any other business under the Act that the members present may agree to consider;
  - (2) pass orders on the reports of films examined;
  - (3) hear any representations from the producers, importers of films or their authorized agents, or from the members of the public in respect of the Board's decision or examine any matter in regard to a film already certified as suitable for public exhibition; and
  - (4) record their proceedings in such form as may seem advisable.

#### **VI.-POWERS AND DUTIES OF MEMBERS WITH REGARD TO PLACES LICENSED UNDER THE ACT.**

16. (a) A member of the Board shall have power to enter any place licensed under the Act for the purpose of seeing that the provisions of these rules are being carried out.
- (b) All places licensed under the Act in Rangoon shall be visited at least once in three months by a member of the Board during the time of public exhibition of films and any contravention of the Act or the rules thereunder or of the conditions and restrictions subject to which any licence or certificate has been granted under the Act shall be brought in writing to the notice of the Chairman.

#### **VII.- REMUNERATION OF MEMBERS OF THE BOARD.**

17. The members of the Board shall be paid a fee of Rs.30 each for every meeting of the Board which they attend, and the special censors shall be paid at the rate of Re.1 per thousand feet of film examined. Such charges shall be debited to the Cinematograph Act Fund.

#### **VIII.-CERTIFICATE OF FILMS.**

18. When the producer or importer of a film or his authorized agent or the proprietor or manager of any place, whether licensed under the Act or not, proposes to exhibit a film, he shall submit a statement in writing to the Chairman of the Board giving the following particulars:-
- (a) The length of the film.
  - (b) The name and class of the film (e.g., drama, comic, scientific, topical, advertisement).
  - (c) The name of the person or company by whom the film is produced.
  - (d) The place where he desires to exhibit the film.
  - (e) If the film has previously been submitted to any other authority outside the Union of Myanmar and withdrawn without permission before that authority decided to grant or refuse a certificate or to grant it with excisions-
    - (i) the name of such authority, and
    - (ii) the date of such application.

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19. In the case of any drama film which has previously been certified by an authority outside the Union of Myanmar, he shall attach to the application a typed or printed copy in Myanmar and English of the synopsis or of a description of the subject of the film, and a copy of the certificate granted by that authority and may proceed to exhibit the film as soon as he receives the permission of the Chairman to do so.

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20. In the case of a film which is a copy of one for which a certificate has previously been issued under the Act to another applicant, or of one which was certified by the Voluntary Board which certified films before this Act came into force, the Board may at its discretion dispense with the examination.
21. In all other cases not falling under Rules 19 and 20, where a film has not previously been certified by the Union of Myanmar Board of Film Censors a sub-committee consisting of not less than two members shall be appointed to examine the film on the date and time stated in the application or on the earliest date convenient to the sub-committee appointed, and the applicant shall be informed of the date and time so fixed.
- <Amendment 18.06.1989>
22. In the case of a film which is examined under Rule 21 the result of the examination shall be reported to the Chairman of the Board as soon as possible, and if the report is favourable, the Chairman shall issue a certificate.
23. If the sub-committee are unable to recommend that the film shall be certified as it stands the Chairman shall cause the report to be placed before the Board at its next meeting for the decision of the Board.
24. The Board may decide either that the film shall not be exhibited at all or that it may be exhibited after certain parts have been deleted. In the former case it shall inform the applicant of its decision, and the applicant may appeal to the President within thirty days. In the latter case, a certificate will be issued after the parts objected to have been deleted from the film. The deleted parts shall be handed over to the Board by whom they shall be kept for one year and then destroyed.
25. When a certificate has been issued for a film, the certificate shall be valid only for that copy of the film which has been examined. If the applicant is in possession of more than one copy of the film for which a certificate has been issued, a duplicate copy of the certificate will not be issued unless or until the Board is satisfied that the duplicate film is the exact replica of the film certified. These duplicate copies will each be serially numbered thus 2, 3, 4, 5, 6, etc., the number 1 being reserved for the original certificate. Should any of these certificates be genuinely lost or destroyed, duplicates correspondingly numbered 1A, 2A, 3A, etc., will be supplied on receipt of a satisfactory statement from the Producing or Importing Company showing how the necessity for the issue of a duplicate has arisen.
26. Where a film is certified after parts of it have been deleted, the certificate shall be endorsed with a description of the parts required to be omitted and with a statement of the exact length or lengths cut

out. A clearly visible triangle shall be drawn in the left hand bottom corner of every certificate bearing such an endorsement.

27. When a film has been notified as uncertified either under section 7, sub-section (6), or under section 7, sub-section (7), of the Act, the owner of the film may apply anew for certification after excising the objectionable parts or fulfilling such conditions as the Board or the President may require. In all such cases the usual examination fee shall be charged.
28. If the Board is of opinion that a film is not suitable for public exhibition, the person applying for the certificate shall be informed within a period of three days of the decision of the Board.
29. If, however, on purely political grounds, a film is not considered suitable for public exhibition, the decision of the Board with reasons therefor shall be submitted to Government for orders before any communication is made to the person applying for the certificate.
30. All certificates granted by the Board shall bear the signature of the Chairman. The prescribed mark of the Board shall be a film copy, "trailer certificate" of this certificate long enough to be clearly legible, such trailer shall be affixed to the film certified and always exhibited with it. In the case of a serial, if passed clear, one trailer certificate shall serve for the whole serial and need only be exhibited at the beginning of the first episode; but, if in the whole serial a single scene, part of a scene or title has to be removed, in addition to the first episode, each episode from which any portion or title has been removed shall have a separate trailer certificate and every such trailer certificate shall bear the triangle.
31. In exceptional and urgent cases, provisional certificates may be granted by the Chairman on his own authority subject to confirmation by the Board at the first meeting following the date on which such certificate was granted.

#### **IX.-FEES FOR CERTIFICATION.**

32. The ordinary fee for the examination and certification of a film shall be at the rate of Rs. 5 for every thousand feet or fraction of a thousand feet. However, in respect of 16mm. film the fee for examination and certification shall be at the rate of Rs. 12-8-0 for every thousand feet or fraction of a thousand feet.
33. No separate fees shall be charged for the certificate, but a fee of Re. 1 shall be charged for each duplicate issued.
34. In addition to ordinary fee, a supplementary fee of Rs. 5 per thousand feet or fraction of a thousand feet may be charged at the discretion of the Board in the case of provisional certificates granted under Rule 31 subject to a maximum of Rs. 25.

35. No fees shall be charged for the examination or re-examination of films of purely educational character which are not shown for commercial purposes.

**X.-REGISTER OF FILMS EXAMINED.**

36. The board shall maintain a register in which shall be entered the following particulars, viz,-

- (a) the name of every film examined under the Act;
- (b) the name of the person applying for the certificate;
- (c) the name of the person or company producing or releasing the film;
- (d) the date of examination;
- (e) the order of the Board on the report of such examination; and
- (f) the number and date of certificate issued, if any, together with a copy of any endorsement made on such certificate.

**----- Footnote -----**

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**----- Attachment -----**

[ ATTACH LIST 1 ] 01 FORM OF LICENCE.