

PROCEDURE FOR THE CLASSIFICATION OF FILMS

1. The licensing authority can be requested to classify films that have not been classified by the British Board of Film Classification (BBFC). Such requests will require an undertaking from the applicant that he has satisfied himself after proper enquiry that no matter to be exhibited contravenes the current interpretation of the Obscene Publications Acts 1959, and 1964 the Copyright Design and Patents Act 1988 or any other relevant legislation and has not been created through the commission of a criminal offence. The licensing authority shall not be liable for any material that has been created through the commission of a criminal offence.
2. The licensing authority can also be requested to classify films that have already been classified by the BBFC under the following circumstances:
 - (a) Where at least three members of the Council give notice to the Head of Community Safety and Environmental Health of their wish to call-in a film for classification by the licensing authority; or
 - (b) Where a distributor of a film appeals a decision of the BBFC and requests that the licensing authority classifies the film.
3. Any request to classify a film under the circumstances referred to in paragraphs 1 or 2 above shall be referred to and determined by the Licensing Sub-Committee, on behalf of the licensing authority.
4. Any request to classify a film made under paragraph 2(a) above must be accompanied by reasons for calling-in the film. Such requests will be dealt with as expeditiously as possible bearing in mind that films are generally only shown in cinemas for relatively short periods.
5. In order to avoid the appearance of bias or predetermination, any Member who called-in the film for classification may not sit on the Licensing Sub-Committee for that purpose.
6. All requests submitted under the circumstances referred to in paragraphs 1 and 2(b) must:
 - (a) be accompanied by a synopsis of the film and a full copy of the film in DVD format; and
 - (b) give a minimum of 28 days notice of the proposed screening, and the licensing authority will seek to classify the film within that time period.
7. Where requests are submitted under the circumstances referred to in paragraph 2(a) it is not expected that a copy of the film will be provided by the Members. It is also accepted that it may not be possible to give 28 days notice before the proposed screening.
8. A report containing a synopsis of the film and other relevant information will be submitted to the Licensing Sub-Committee. The Sub-Committee will view the entire film, assess it against the latest BBFC Guidance, and issue the

appropriate classification. When considering classification requests, the Sub-Committee must do so with a view to promoting the relevant licensing objective(s).

9. The distributor and/or the party requesting the classification together with the premises licence/club premises certificate holders of all premises licensed for the exhibition of films will be notified of the Sub-Committee's decision in writing, which will include reasons for the decision.