

The Film and Video Classification Act, 2016

The Film and Video Classification Act, 2016 repeals *The Film and Video Classification Act* which was passed in 1985, and replaces it with updated modernized legislation. This Act is administered by the Saskatchewan Film Classification Office within the Financial and Consumer Affairs Authority (FCAA).

Two key components of this administration are the registration and classification requirements. Distributors and retailers must register with the Saskatchewan Film Classification office, and ensure any films they are selling or exhibiting have been classified prior to any showings. The primary objective of classification is to assist viewers in making informed choices while exercising individual responsibility and discretion in selecting films for themselves and their children.

Most jurisdictions in Canada have similar, if not identical, classification schemes. The Director of Film Classification's function in part, is to approve or disapprove films and videos for distribution and exhibition in Saskatchewan and classify them to determine the age group that is permitted to view or rent them. The director also has discretion to restrict approval and classification of a film to a particular exhibitor, time of exhibition or location.

Classification is required (unless otherwise exempted) before a film is exhibited, distributed, rented, or sold in Saskatchewan. This includes film exhibition, retail sales of DVD's, or lending. It applies to both commercial and non-commercial locations. Some exemptions from classification include films owned or sponsored by:

- A church or religious society if the film is designed for purposes of worship or religious instruction;
- An educational institution if the film is designed for educational purposes; or
- Films designed for advertising, demonstrating or instructing in the use of commercial or industrial products.

If there is a dispute or question as to whether or not a film qualifies for an exemption, it can be referred to the FCAA by the director, the owner of the film, or any interested person. A decision of the director can be appealed to the FCAA within 30 days of the director's decision. Upon hearing the appeal, the FCAA has the authority to confirm the director's decision, vary the decision, substitute the FCAA's decision for the director's decision or make any other order the FCAA considers appropriate.

A person cannot distribute or exhibit a film in Saskatchewan unless they are registered with the Saskatchewan Film Classification Office within the FCAA. Registration is continuous provided that the applicant submits an annual report to the Director of Film Classification.

The Saskatchewan Film Classification Office also has authority to:

- Investigate into a matter arising from the Act and Regulations;
- With a warrant, or on reasonable grounds without a warrant, seize a film or video which has not been approved or classified;
- Seek compliance through the Courts;
- Issue summary offence tickets for certain offences, including:
 - Failing to display classification ratings;
 - Exhibiting, distributing, selling or renting a film that is not classified;

- Permitting any person under the specified age for a film to view, purchase, lease or exchange that film;
- Failing to segregate adult only films from other films for the purpose of preventing persons under 18 from viewing them;
- Failing to display signage prohibiting entrance to persons under 18 where adult only films are sold, rented or leased; and
- Allowing persons under 18 to enter premises where adult only films are sold.

Any person in Saskatchewan may file a complaint with the Saskatchewan Film Classification Office if it is believed a breach of the Act has occurred.

For more information:

[Financial and Consumer Affairs Authority of Saskatchewan \(FCAA\)](#)

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