

DEVELOPMENT AND CLASSIFICATION OF FILM BILL, 2016

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DEVELOPMENT AND CLASSIFICATION OF FILM
ACT, 2016

AN ACT to provide the legal framework for the production, regulation, nurturing and development of the Ghanaian film industry, and for the distribution, exhibition and marketing of films and for related matters.

PASSED by Parliament and assented to by the President:

National Film Authority

Establishment of National Film Authority

1. (1) There is established by this Act a body corporate with perpetual succession to be known as the National Film Authority.

(2) For the performance of its functions, the Authority may acquire and hold movable and immovable property, dispose of property and enter into a contract or any other transaction.

(3) Where there is hindrance to the acquisition of property, the property may be acquired for the Authority under the State Lands Act, 1962, (Act 125) and the cost shall be borne by the Authority.

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The objects of the Authority

2. The objects of the Authority are to
 - (a) evolve a dynamic, economically self-sustaining and culturally conscious film industry in the country in the national interest;
 - (b) promote the creation of a conducive environment for the local production, distribution, exhibition and marketing of films;
 - (c) encourage the use of films to project the identity and image of the Republic and its people within and outside the country;
 - (d) promote and facilitate co-production between local and foreign producers; and
 - (e) regulate foreign participation in the Ghanaian film industry to ensure its benefit to Ghanaian film practitioners.

Functions of the Authority

3. To achieve the objects the Authority shall
 - (a) advise the Minister on matters affecting the film industry;
 - (b) facilitate the establishment of a circuit for the distribution and marketing of locally produced films throughout the country, Africa in general and the world at large;
 - (c) promote the use of films for public education on national integration, unity and cohesion and the mobilisation of the people for behavioural and attitudinal change to enhance national development;
 - (d) represent the country in its relations with other countries in matters related to the film industry;
 - (e) ensure
 - (i) the development and administration of a code of ethics for the film industry;
 - (ii) the establishment and maintenance of a National Film Archive;
 - (iii) the maintenance of optimal technical standards for productions;
 - (iv) compliance with the laws regulating copyright and disbursement of royalties in conjunction with the Copyright Administrator;

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- (f)* conduct or commission research that is necessary on films and the film industry in the country and the world at large;
- (g)* set standards for training and accreditation of practitioners in the film industry;
- (h)* oversee the Film Development Fund;
- (i)* act as an arbiter in disputes related to the production, distribution, exhibition and marketing of films;
- (j)* promote the distribution, exhibition and marketing abroad of local films;
- (k)* establish a committee to pass and classify films before the films are distributed, exhibited or marketed;
- (l)* register and license
 - (i)* premises intended for the exhibition of films; and
 - (ii)* libraries and shops which sell or rent out films;
- (m)* determine the registration and licensing fees to be paid with the approval of Parliament;
- (n)* discourage the exhibition of films that expose children and other vulnerable groups to physical or moral hazards;
- (o)* ensure that films do not portray any race, nationality, ethnic, religious or vulnerable groups like persons with disability, the aged, women or children in a demeaning manner;
- (p)* ensure that films do not offend the sensibilities of any section of the society or arouse ethnic, social or religious misunderstanding or hostility;
- (q)* regulate the importation, distribution and marketing of foreign films;
- (r)* take steps to safeguard the interests of authors and rights owners in respect of the downloading and use of their films and related products on the internet; and
- (s)* exploit the potential of film as an awareness-building medium to encourage the creation of a common identity for Ghanaians, Africans and people of African descent, throughout the world by
 - (i)* ensuring that scripts and productions reflect the dignity and pride of African people and promote the positive aspects of their culture,