

Films (Amendment) Bill

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Bill No: 2/1998

Read the first time: 14th January 1998

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Films (Amendment) Bill

Bill No. 2/1998

Read the first time on 14th January 1998.

An Act to amend the Films Act (Chapter 107 of the 1985 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Films (Amendment) Act 1998 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Films Act is amended —

- (a) by inserting, immediately after the definition of “Chairman”, the following definition:

“ “child” means a person who is below the age of 14 years;”;

- (b) by inserting, immediately after the definition of “distribute”, the following definitions:

“ “election” means an election under the Parliamentary Elections Act (Cap. 218) or the Presidential Elections Act (Cap. 240A);

“electronic transmission” includes facsimile transmission, electronic mail or other similar kinds of communication but excludes broadcasting;”;

- (c) by deleting the definition of “film” and substituting the following

definition:

“ “film” means —

- (a) any cinematograph film;
- (b) any video recording, including a video recording that is designed for use wholly or principally as a game;
- (c) any other material record or thing on which is recorded or stored for immediate or future retrieval any information that, by the use of any computer or electronic device, is capable of being reproduced or displayed as wholly or partly visual moving pictures,

and includes any part of a film, and any copy or part of a copy of the whole or any part of a film;”;

- (d) by inserting, immediately after the definition of “Licensing Officer”, the following definition:

“ “obscene”, in relation to a film, means a film the effect of which or (where the film comprises 2 or more distinct parts or items) the effect of any one of its parts or items is, if taken as a whole, such as to tend to deprave or corrupt persons who are likely, having regard to all relevant circumstances, to see or hear the film;”;

- (e) by inserting, immediately after the definition of “owner”, the following definition:

“ “party political film” means a film —

- (a) which is an advertisement made by or on behalf of any political party in Singapore or any body whose objects relate wholly or mainly to politics in Singapore, or any branch of such party or body; or
- (b) which is made by any person and directed towards any political end in Singapore;”;

- (f) by deleting the full-stop at the end of the definition of “Secretary” and substituting a semi-colon, and by inserting immediately thereafter the following definitions:

“ “supply”, in relation to a film, includes —

- (a) supply not only in its physical form but also by means of the electronic transmission of the contents of the film;
- (b) supply by way of exchange or loan; or
- (c) in relation to a film comprising a material record or thing on which is recorded or stored any information for immediate or future retrieval by the use of any computer or other electronic device, transferring or reproducing or enabling another to transfer or reproduce by electronic transmission the whole or part of the contents of the film onto another such material record or thing for immediate or future retrieval by such similar means;

“video recording” means any disc, magnetic tape or solid state recording device containing information by the use of which one or more series of visual images may be produced electronically and shown as a moving picture;

“young person” means a person who is 14 years of age or above and below the age of 16 years.”; and

- (g) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsections:

“(2) For the purposes of this Act, a film is directed towards a political end in Singapore if the film —

- (a) contains wholly or partly any matter which is intended or likely to affect voting in any election or national referendum in Singapore; or
- (b) contains wholly or partly either partisan or biased references to or comments on any political matter, including but not limited to any of the following:
 - (i) an election or a national referendum in Singapore;
 - (ii) a candidate or group of candidates in an election;

- (iii) an issue submitted or otherwise before electors in an election or a national referendum in Singapore;
- (iv) the Government or a previous Government or the opposition to the Government or previous Government;
- (v) a Member of Parliament;
- (vi) a current policy of the Government or an issue of public controversy in Singapore; or
- (vii) a political party in Singapore or any body whose objects relate wholly or mainly to politics in Singapore, or any branch of such party or body.

(3) For the avoidance of doubt, any film which is made solely for the purpose of —

- (a) reporting of current events; or
- (b) informing or educating persons on the procedures and polling times for any election or national referendum in Singapore,

is not a party political film.”.

Amendment of section 6

3. Section 6(2) of the Films Act is amended —

- (a) by deleting “\$5,000” and “\$20,000” and substituting “\$10,000” and “\$40,000”, respectively; and
- (b) by deleting the words “6 months” and substituting the words “12 months”.

Amendment of section 14

4. Section 14 of the Films Act is amended —

- (a) by deleting the words “any film (other than a videotape or video disc)” in the third and fourth lines of subsection (3) and substituting the words “any cinematograph film”; and