



Province of Alberta

FILM AND VIDEO CLASSIFICATION ACT

**FILM AND VIDEO
CLASSIFICATION REGULATION**

Alberta Regulation 263/2009

With amendments up to and including Alberta Regulation 37/2018

Office Consolidation

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Alberta Queen's Printer
Suite 700, Park Plaza
10611 - 98 Avenue
Edmonton, AB T5K 2P7
Phone: 780-427-4952
Fax: 780-452-0668

E-mail: qp@gov.ab.ca
Shop on-line at www.qp.alberta.ca

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(Consolidated up to 37/2018)

ALBERTA REGULATION 263/2009

Film and Video Classification Act

FILM AND VIDEO CLASSIFICATION REGULATION

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Interpretation

1(1) In this Regulation, “Act” means the *Film and Video Classification Act*.

(2) For the purposes of section 1(g) of the Act, “film” includes a film delivered and projected digitally, whether by satellite or a storage device.

Distribution licence fee

2(1) The fee payable for a distribution licence under section 6 of the Act is \$540.

(2) If the term of the distribution licence is for less than a full calendar year, the fee payable is 1/12 of the amount set out in subsection (1) for each month of the term of the licence.

(3) An educational, religious or non-profit organization registered under the *Societies Act* or under the equivalent legislation of a province other than Alberta is exempt from the requirement to pay the fee set out in subsection (1).

Classification scheme for films

3(1) For the purposes of section 4(1)(c) of the Act, the Executive Director may classify films in accordance with the classification scheme set out in this section.

(2) The Executive Director may give a film one of the following classifications:

- (a) General (G);
- (b) Parental Guidance (PG);
- (c) 14A;
- (d) 18A;
- (e) Restricted (R).

(3) In this section,

- (a) “General (G)” means that the film is suitable for viewing by all ages;
- (b) “Parental Guidance (PG)” means that
 - (i) the film may not be suitable for viewing by persons under 14 years of age, and
 - (ii) parental guidance is advised;
- (c) “14A” means that
 - (i) the film is suitable for viewing by persons 14 years of age or older,
 - (ii) the film may contain violence, coarse language or sexually suggestive scenes, or all of those, and
 - (iii) where a person under 14 years of age is viewing the film, an adult must accompany that person while viewing the film;
- (d) “18A” means that
 - (i) the film is suitable for viewing by persons 18 years of age or older,
 - (ii) the film may contain explicit violence, frequent coarse language, sexual activity or horror, or all of those, and

- (iii) where a person under 18 years of age is viewing the film, an adult must accompany that person while viewing the film;
- (e) “Restricted (R)” means that
 - (i) the film is not suitable for viewing by persons under 18 years of age,
 - (ii) no person under 18 years of age may be admitted to a theatre or any other place to view the film, and
 - (iii) the film may contain brutal or graphic violence, frequent sexual activity or intense horror or other disturbing content, or all of those.

(4) A classification under this section may include one or more of the advisories set out in the Schedule.

Fees for classification

4(1) The following fees are payable for the classification of a film:

- (a) for the first copy of a film, \$2.40 for each minute or part of a minute;
- (b) for each additional copy of a film, \$1.20 for each minute or part of a minute;
- (c) for the first or each additional copy of a trailer or commercial used to advertise a film, \$12.

(2) An educational, religious or non-profit organization registered under the *Societies Act* or under the equivalent legislation of a province other than Alberta is exempt from the requirement to pay the fees set out in subsection (1).

AR 263/2009 s4;37/2018

Exemption from requirement for classification fees

5 A distributor that is an educational, religious or non-profit organization registered under the *Societies Act* or under the equivalent legislation of a province other than Alberta is exempt from the requirement to pay classification fees under section 9 or 10 of the Act.

Exemption from requirement for classification

6 A film is exempt from the requirement to be classified where

- (a) the film is not intended to be made available to the public or exhibited in a theatre, and
- (b) no admission fee is to be charged or admission is gained by a voluntary donation.

Designation of classification agencies

7(1) The Motion Picture Classification Corporation of Canada is designated as a classification agency for the purpose of classifying video films that are not intended to be exhibited in a theatre, excluding adult video films referred to in section 13(2)(b) of the Act.

(2) The Entertainment Software Ratings Board is designated as a classification agency for the purpose of classifying video games.

How classification is to be indicated

8(1) Where a distributor or the operator of a theatre advertises specific showings of a film, the advertisement, whether printed, voice-recorded or located on an internet website, must prominently include the classification given to the film in Alberta.

(2) Where the operator of a theatre exhibits a film in the theatre, the operator must prominently display at the box office, ticket office or point of admission to the theatre the classification given to the film in Alberta.

(3) Where a video exchange operator sells, rents or otherwise makes available to the public a video film, the packaging of the video film must prominently display the classification given to the video film by the applicable classification agency referred to in section 7.

Segregation of adult video films

9 A video exchange operator shall segregate adult video films from other video films by storing the adult video films in a separate area

- (a) that is not in public view, and
- (b) to which minors are not given access.

Appeal of decision of Executive Director

10(1) The decision of the Executive Director as to the classification of a film under section 3 may be appealed to the Minister.

- (2) A notice of an appeal must
- (a) be in writing,
 - (b) contain reasons for the appeal, and
 - (c) be submitted to the Minister within 30 days following the date of the decision being appealed.

Coming into force

11 This Regulation comes into force on the coming into force of the Act.

12 Repealed AR 37/2018 s4.

Schedule

Content Advisories

Brutal Violence — The film contains visually explicit portrayals of violence that may be characterized by extreme brutality, bloodletting or tissue damage, or both, and may include images of torture, horror or war.

Coarse Language — The film contains profanity, threats, slurs, sexual references or sexual innuendo.

Crude Content — The film contains the presence of material or humour that is unrefined or coarse and that may be seen as harsh, rude or offensive.

Disturbing Content — The film contains elements pertaining to distress, suffering or other disturbing elements. This includes the implication or threat of physical or psychological violence, or both, even when violence is not depicted.

Explicit Sexual Content — The film contains the presence of sexual acts, shown in full, clear, unequivocal and realistic detail, that may or may not be gratuitous to the film.

Frightening Scenes — The film contains the presence of images that might shock or frighten a person. These scenes might be found in the thriller, suspense or war genre.

Gory Scenes — The film contains the presence of graphic images of bloodletting or tissue damage, or both, and includes horror or war representations. The degree, frequency and intensity of these images will be factors in the classification decision.

Language May Offend — The film contains language that may be offensive to some groups. For example, sacrilegious language such as goddamn. This advisory is also used for PG films that contain expletives.

Mature Subject-matter — The film contains the presence of images or storylines that may be disturbing or incomprehensible to minors. The film may contain portrayals of domestic violence, racism, religious matters, death or controversial social issues.

Not Recommended For Children — The film may include scenes that reflect a more mature situation, such as drug use or abuse.

Not Recommended For Young Children — The film may be inappropriate for young children. For example, the subject-matter could include the death of a family pet, a complicated family breakdown or images considered frightening or disturbing for the very young.

Nudity — The film contains the presence of images of full frontal, partial or rear nudity. May be an advisory in several film classifications, depending on the context of the nudity, clarity, detail, repetition, and whether the nudity is in a non-sexual or sexual context.

Sexual Content — The film contains the presence of images of, or verbal references to, sexual themes, sexual innuendo, fondling, implied sexual activity or simulated sexual activity, depending on the classification category to which it is affixed.

Sexually Suggestive Scenes — The film contains scenes that imply rather than depict that sexual activity is taking place or has occurred.

Sexual Violence — The film advises of the degradation of an individual in a sexual manner, and may contain images of non-consensual acts with the intent to inflict harm, for example, simulated sexual assault or the use of threat to force compliance in sexual activity, or both.

Substance Abuse — The film contains descriptive scenes depicting the use of illegal substances, the excessive use of tobacco or the use of alcohol resulting in impairment.

Violence — The film may refer to restrained portrayals of non-graphic violence, portrayals of violence with some bloodletting or tissue damage, or both, and frequent more prolonged portrayals of violence resulting in bloodletting or tissue damage, or both. The degree, frequency and intensity of the acts of violence will be factors in the classification decision.

NOTE: The words “Crude” and “Gory” may be applied in combination with other advisories, such as “Crude Sexual Content”, “Crude Coarse Language” or “Gory Brutal Violence” to indicate a higher level of sexual content, course language or violence, as the case may be.



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