

The Bangladesh Censorship of Films Rules 1977

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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANLADESH

MINISTRY OF INFORMATION AND BROADCASTING

NOTIFICATION

Dated, the 9th June, 1977

No. S. R. O. 179-L/77. - In Exercise of the powers conferred by section 10 of the Censorship of Films Act, 1963 (XVIII of 1963), and in supersession of the Censorship of Films Rules, 1972, the Government is pleased to make the following rules, namely: -

THE BANGLADESH CENSORSHIP OF FILMS RULES, 1977

1. Short title. - These rules may be called the Bangladesh Censorship of Films Rules, 1977.
2. Definitions. - In these rules, unless there is anything repugnant in the subject of context, -
  - (a) "Act" means the Censorship of Films Act, 1963 (XVIII of 1963) ;
  - (b) "Applicant" means a person applying for a film to be certified for public exhibition;
  - (c) "Board" means the Authority where it consists of a Board of two or more persons;
  - (d) "Chairman" means the Chairman of the Board and includes the person for the time being performing the functions of the Chairman;
  - (e) "Committee" means a Committee appointed under rule 9 for examination of films.
  - (f) "Film Inspector" means a Film Inspector of the authority;
  - (g) "Form" means a Form Annexed to these rules;

(h) "Licensed place" means a place licensed under section 3 of the Cinematograph Act, 1918 (II of 1918), for the exhibition of cinematograph films;

(i) "Member" means a member of the Board and includes the Chairman and the Vice-Chairman.

(j) "Secretary" means the Secretary of the authority and included the person for the time being performing the functions of the Secretary;

(k) "Section" means a section of the Act; and

(l) "Vice-Chairman" means the Vice-Chairman of the Board and includes the person for the time being performing the functions of the Vice-Chairman.

3. Directive to one-person authority. - Where the authority, to be called Bangladesh Film Censor Board, consists of one member, such directives shall govern it as the Government may, from time to time, give for the due discharge of its functions.

4. Term of the Board. - The term of the Board constituted under section 3 shall be one year from the date on which it is constituted.

Provided that, notwithstanding the expiration of its term, the Board shall continue to function until a new Board is constituted.

5. Appointment and functions of Chairman, Vice-Chairman, Secretary, etc.- (1) The Board shall consist of the Secretary, 1 [Ministry of Information] and such member of other members as the Government may deem fit to appoint.

(2) The Government shall appoint the Secretary, 2[Ministry of Information] to be the Chairman.

(3) The Government shall appoint a Vice-Chairman from amongst the members who are in the service of the Republic (hereinafter called the official members).

1. Substituted for the words 'Ministry of Information and Broadcasting'.

2. Ditto.

(4) The Government shall appoint a Secretary and such number of Film Inspectors as it may deem fit to appoint and they shall work 3 [a secretariat of the Board] under the direct control and supervision of the Chairman and the Vice-Chairman.

(5) The Chairman, Vice-Chairman, Secretary and Film Inspectors shall, in addition to the functions specified in these rules, exercise such powers and perform such functions as the Government may, from time to time, direct.

(6) The Chairman may direct that any of his powers and functions under these rules shall, subject to such conditions, if any, as may be specified by him, be exercised or performed also by the Vice-Chairman.

6. Headquarters. - The office of the authority shall be at Dhaka.

7. Absence of Chairman. - The Vice-Chairman shall act as Chairman during the absence of the Chairman from the headquarters or whenever he is unable to exercise his powers or perform his duties under these rules owing to illness or any other cause.

8. Meeting of the Board. - (1) Subject to the provisions of sub-rule (4) of rule 16, no business of the Board shall be transacted except at a meeting of the Board at which not less than one-third of the total number of members are present.

(2) Every meeting of the Board shall be presided over by the Chairman or in his absence, by the Vice-Chairman or, in the absence of both, by a member elected for the purpose by the members present from amongst the official members present.

(3) All decisions of the Board shall be taken by a majority of the member present and voting, but the person presiding shall not vote except when there is an equality of votes in which case he shall have a casting vote.

4[(4) The Board shall meet as frequently as required.]

(5) An extraordinary meeting may also be convened if the Chairman or the Vice-Chairman is requested to do so in writing by not less than one-third of the total member of members.

(6) The Secretary shall give at least three day's clear notice of an ordinary meeting to each member:

Provided that an extraordinary meeting may be called by giving one day's notice to the members.

(7) The Chairman or the Vice-Chairman, in consultation with the Chairman, may co-opt any person in a particular meeting of the Board and the person so co-opted shall be entitled to participate in the deliberations of the Board at that meeting but shall have no right to vote.

9. Committee for examination of films. - (1) For the purpose of examining and certifying films, the Board may be divided into Committees with such number of members as may be appointed by the Chairman:

Provided that, no business of a committee should be transacted except at a meeting at which a quorum of three members is present.

3. Inserted by article 1 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

4. Substituted by article 2 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

(2) All decisions of the Committees shall be taken by a majority of the members present and voting, but the person presiding shall not vote except when there is an equality of vote in which case he shall have a casting vote.

(3) If, for any reason, the Chairman is unable to attend a meeting of a Committee of which he is a member, he may be represented by the Vice-Chairman.

(4) For the meetings of a Committee, the Secretary shall give at least one day's clear notice to the members of the Committee:

Provided that a meeting may be called even at a shorter notice if the Chairman or the Vice-Chairman is of opinion that any matter needs urgent consideration of the Committee.

(5) The Chairman or the Vice-Chairman in consultation with the Chairman, may co-opt any person in any meeting of a Committee and such person shall be entitled to participate in the deliberations of the Committee but shall have no right to vote.

(6) Subject to the provisions of sub-rule (7) of rule 8 and sub-rule (5) of this rule, no person other than a member shall be allowed to be present when a film is being examined by the Board or a Committee:

Provided that a member may be accompanied by his spouse but such spouse shall have no right to take part in the deliberations.

10. Record of Proceedings.- The Board shall keep a record of the proceedings of meetings of the Board and Committees in such form as may be laid down by it with the approval of the Government.

11. Remuneration of members and Secretary of the Board and members of Appellate Committee.- The Secretary and every member of the Board and an Appellate Committee and a co-opted member, if any, attending a meeting of the Board or of a Committee of which he is a member or of the Appellate Committee shall be paid a 5 [remuneration of such an amount as may be fixed by the Government from time to time] and the expenditure involved shall be met from the sanctioned budget grant of the Board:

6 [ ]

12. Accounts.- The accounts of the authority shall be maintained and audited in such form as may be laid down by the Government.

13. Principles to be followed in examination of films.- The authority shall follow the following broad principles and shall also act in accordance with such instructions as may be issued from time to time by the Government in examining and certifying films for public exhibition:-

(a) the film shall not impair or is not likely to impair the moral standards of the audience by extenuating vice or crime or by depreciating social values;

(b) the story, incident or dialogue in the film shall not offend or is not likely to offend the sentiments of any section of the public; 7[ ]

(c) the effect of the story, incident or dialogue of the film on the Children under twelve years of age shall not be or is not likely to be harmful ;

5. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-ক দ্বারা প্রতিস্থাপিত।

6. Omitted by article 3(b) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

7. Omitted by article 4(a) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

8 [ (d) the film shall not in any way impair the national ideology, namely, absolute trust and faith in the almighty Allah, nationalism, democracy and socialism meaning economic and social justice;

(e) the Film is not a plagiarised one;

(f) observe the third country rule so as to avoid impairing good relations between Bangladesh and other nations ]

14. Application for certification of film for exhibition.- (1) Any person who desires a film to be certified as suitable for public exhibition shall submit an application, in writing, to that effect.

(2) Every such application shall be made in Form I.

(3) If any information or particular in the application submitted under sub-rule (1) is found to be incorrect or false, the Secretary shall report the matter to the Chairman, who shall give the applicant an opportunity of filling an explanation, and if, in his opinion, the explanation so filed is unsatisfactory or where no explanation is filed the Chairman9[in consultation with the member] may reject the application and may, by an order in writing, debar the applicant from filing any application under the is rule for such period as he may specify.

(4) Every application in respect of films shall be addressed to the Secretary.

(5) Every application shall be accompanied by -

10[(a) A treasury challan of the examination fee deposited in the Bangladesh Bank under the head of Account of the Board at the rates laid down in the following table:-

Size of film

Length of film

Scale of fees

I. 35 m. m

(2-D,3-D, Cinemascope Vista-vision)

(I)

Where the length of the film does not exceed 500 feet.

Taka. 1000

(II)

Where the length of the film does not exceed 3000 feet.

Taka. 4000

(III)

Where the length of the film exceeds 3000 feet but does not exceed 13,0000 feet.

Taka 4000 plus taka 1500 per 1000 feet or a fraction there of exceeding 3000 feet.

(IV)

Where the length of the film exceeds 13,000 feet.

Taka 19,000/- plus Taka 3000/- per 100 feet or a fraction thereof exceeding 13,000 feet. In case of foreign films Taka 19,000/- plus. Taka 2000/- per 100 feet or a fraction thereof exceeding 13,000 feet.

II. 16 m. m

(I)

Where the length of the film does not exceed 1200 Feet

Taka 1000 per 400 feet or a fraction thereof.

(II)

Where the length of the film exceeds 1200 feet.

Taka 3000 plus Taka 1000 per 400 feet or a fraction thereof exceeding 1200 feet.

(b) A receipt of the screening fee deposited in a Scheduled bank or in the Bangladesh bank as advised by the Board at the following rates, if the film is to be examined at any particular projection hall of the Government. The screening fee represents the charge for service rendered by the projection hall by way of screening of films:-

8. Inserted by article 4(b) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.
9. Inserted by article 5(a) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.
10. এস,আর,ও নম্বর ৩৯, আইন/২০০৮, তারিখ ২০-০২-২০০৮ এর অনুচ্ছেদ-ক দ্বারা প্রতিস্থাপিত।

Size of film

Length of film

Scale of fees

I. 35 m. m

(2-D,3-D, Cinemascope Vista-vision)



Up to 2000 feet.

Above 2000 feet.r

Taka 1000

Taka 6000

II. 16 m.m

Up to 2000 feet.

Taka 1000

Above 2000 feet.

Taka 2000

Provided that if one more licensed places are fixed by the Government for the purpose of screening of films, the applicant shall show the film in one such licensed place and pay to the owner of the licensed place an amount mutually agreed upon between the owner of the licensed place and the Government:}]

- (c) (i) a copy of the dialogue or shooting script in respect of locally produced films;
- (ii) a copy of the press book in respect of the imported films.
- (iii) a copy of the press book or three typed or printed copies of the synopsis of the film together with full text of songs, if any, in respect of the locally produced films;
- (iv) an affidavit in the form specified in Form II testifying to the originality in respect of a locally produced film:

Provided that, in the case of a newsreel, documentary or short film the Chairman may, if he is satisfied that the applicant is unable for reason beyond his control, to furnish the said documents together with the application direct that the document be furnished within such period after the examination of the film as he may specify, or that the sub-mission of such documents be dispensed with;

(d) import documents, that is to say, the Clearance Permit, Import License or Permit and Bill of Entry in respect of the imported film and an affidavit in the form specified in Form III to establish the legality of import of the imported film:

Provided that in the case of films of foreign missions in Bangladesh their mode of import may only be specified and no affidavit shall be necessary;

(e) a print of the film.

(6) When a film in respect of which an application has been made under this rule contains any portion of any other film in respect of which an appeal under sub-section (5) of section 4 was earlier rejected or which was earlier decertified by the Government the authority may require the applicant to submit the film to which the application relates along with such other film, and the applicant shall submit his film with a new name along with the print of the original film or, in the case of an imported film, along with the portions of the film excised there from.

(7) If, after a film has been certified for public exhibition it is found at any time that any information or particular submitted under this rule is incorrect or false, the film shall be liable to suspension and the applicant shall also be liable to punishment under section 8.

11[14A. Preservation of Video Cassette; - (1) The Authority shall preserve a Video Cassette of every film for the purpose of record with the cost of recording such film being borne by owner/proprietor of the film.

(2) Recording of such Video Cassette shall be arranged by the authority by its own equipments and manpower and the owner or proprietor of such film shall pay a sum of Taka one thousand as service charge through Treasury chalan to be deposited in Bangladesh Bank or in a scheduled Bank under the Head of Account of the authority.]

11. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-গ দ্বারা সংযোজিত।

15. Fixation of time and place for examination of film. - (1) One receipt of an application under rule 14 and the fees laid down therein, the secretary shall, in consultation with the Chairman, fix the date, time and place for examination of the film and intimate the applicant accordingly.

(2) The Secretary shall inform the members about the censorship programme.

16. Procedure regarding certification of newsreels, feature films and trailers thereof. - (1) If a film is examined by the Board, the decision on the certification of the film shall be in accordance with the decision of the Board.

(2) If a film is examined by a Committee, the Committee shall make a report thereon to the Chairman in such form as may be determined by the Government for the purpose.

(3) The report shall be placed before the Chairman as early as may be practicable and the Chairman shall decide on the basis of the report whether-

(a) the film shall be certified as suitable for unrestricted public exhibition with or without excisions 12 [and such excision decided by the Chairman shall be made in the office of the Board ] or for public exhibition restricted to adults only with or without excision; or

(b) the film shall not be certified for public exhibition:

Provided that after considering the Committee's report and before coming to a decision, the Chairman may direct that the film be re-examined by any other Committee which has not examined it earlier or by the Board:

Provided further that, before the film is so re-examined the Chairman may give to the applicant an opportunity to represent his case before him and in the case of a foreign film, to excise or delete from it, in the office of the Board, the portions, the excision or deletion of which would, in his opinion, meet the objections raised by the Committee.

(4) If the film is re-examined by a Committee, the Chairman shall, on the basis of the report of the Committee, refer the film to the 13[full Board] in which not less than two-thirds of the total number of members shall be present for examination in the

case of an unfavourable recommendation by the Committee re-examining the film, or in the case of a conflict between the findings of the two Committees.

(5) If the Board finally decides that the film is not suitable for public exhibition the application for certification of the film shall be rejected and the applicant informed accordingly giving reason for the rejection.

(6) If the Board or, as the case may be, the Chairman, on the basis of the report of a Committee, decides that the film is suitable for unrestricted public exhibition with or without excision, a "U" certificate signed by the Chairman or the Vice-Chairman or, in the absence of both, by the Secretary, shall forthwith be granted to the applicant in Form IV.

(7) If the Board or, as the case may be, the Chairman, on the basis of the report of a Committee, decides that the film is suitable for public exhibition only to adults, that is to say, persons not below eighteen years of age, with or without excision, "A" certificate signed by the Chairman or the Vice-Chairman or in the absence of both, by the Secretary, shall forthwith be granted to the applicant in Form V.

(8) If the Board decides that the film is unsuitable for public exhibition unless specified portion thereof is excised, the applicant shall be informed accordingly and, if he consents to such excision and forfeiture of the portion objected to, the portion so specified shall be excised and forfeited to the Government and a certificate shall, subject to the provisions of sub-rule (9), be granted which shall bear a clearly visible triangle drawn at the left-hand bottom corner of the certificate in respect of the rest of the film with an endorsement stating the description of the portion excised and forfeited together with their exact length.

12. Inserted by article 6(a) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

13. Inserted by article 6(b) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

(9) Before a certificate sub-rule (8) is granted -

(a) the applicant shall be required to give a declaration in Form VI; and

(b) the Secretary or the Film Inspector shall examine at the expense of the applicant the particular reel or reels wherein the portion objected to occurs in order to satisfy itself that the required excision has been correctly and properly made.

(10) The portion of the film and of all copies thereof surrendered under sub-rule (8) shall be preserved by the Board for a period of six months and destroyed thereafter.

(11) If the applicant does not agree to the excision and forfeiture required under sub-rule (8) or does not give the declaration as required under sub-rule (9), the application

for certification of the film shall be rejected and the applicant shall be informed accordingly.

17. Certification of films of foreign missions in Bangladesh. - On receipt of an application under rule 14 from a foreign mission in Bangladesh for certification of a 16 mm or 35 mm print of newsreel, documentary or a feature film for screening at private gatherings, a Committee shall examine the film and in case of its being suitable for exhibit on shall issue a certificate in Form IV and in case of a newsreel, or documentary, there shall be put a rubber stamp to the effect that the film is for "non-commercial" exhibition by a diplomatic mission only and in the case of a feature film special certificate may be issued indicating the date and place of public exhibition of the film;

Provided that no examination fee and screening fee shall be charged in respect of such film.

14 [17A. Missions to obtain permission for holding film shows. -(1) Foreign Missions intending to hold film shows or film festivals in any place, other than their diplomatic premises. Information Centers or Cultural Centers, on their own or in association with local film societies shall obtain prior permission from the Bangladesh Film Censor Board.

(2) Foreign Missions shall not allow its films to be used for charity shows by any organization except with the prior permission of the Government.]

18. Alteration in a certified film. - (1) If, after certification, a film is altered by excision, addition, dubbing or otherwise, it shall cease to be an uncertified film and shall not be exhibited unless it has been re-examined by the authority and a fresh certificate issued in respect thereof in accordance with these rules.

(2) Application for such re-examination shall be submitted in Form VII.

(3) On receipt of an application under sub-rule (2), the Chairman shall appoint a Committee to examine, at the expense of the applicant, the reel or reels in which the portion added or altered occurs;

Provided that, the Committee may re-examine the entire film.

Provided further that the examination fee chargeable in respect of a film altered as aforesaid shall, notwithstanding the fact that the entire film is re-

examined, be calculated with reference only to the reel or reels in which the portion added or altered occurs:

Provided further that if, in case of addition or alteration in an already certified film the length limit of such film exceeds 13,000 feet, the fee for re-examination shall be charged at the rate laid down in sub-rule (5) of rule 14.

19. Appeal to the Government.- (1) Every appeal to the Government under sub-section (5) of section 4 shall be in Form VIII.

14. Inserted by article 7 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

(2) Every film in respect of which an appeal is prepared referred shall be examined by an Appellate Committee consisting of such member of member to be appointed by the Government. The Secretary Ministry of Cabinet Affairs who shall be designated by it to be President thereof shall head the Committee and the Chairman shall act as the Convener of the Appellate Committee.

(3) Immediately after the examination of the film the members of the Appellate Committee shall record their views stating clearly whether they agree with the views of the Board or not and the report of the Appellate Committee shall be submitted to the Government.

(4) In case the Appellate Committee disagree with the findings of the Board the reasons for such disagreement shall also be mentioned in the report made under sub-rule (3).

(5) The decision of the Government taken on the basis of the report of the Appellate Committee shall be communicated in writing to the Board for compliance.

20. Revised Version of uncertified films.- After a film has been declared uncertified by the Government, the applicant may present a revised version of his film to the authority in Form IX . 15.[ ]

21. Re-examination of certified films.- (1) If, in the case of a certified film, an order of suspension together with a statement of the reasons therefore is received from the authority or a Deputy Commissioner under section 5 or a representation is made any individual or group of individuals, it shall, at the direction of the Government, be examined by the authority.

(2) Where the authority decides that a film be re-examined or where the Government directs the Board under sub-rule (1) to re-examine the film, the Secretary shall arrange for the re-examination of the film by the Board as soon as practicable:

Provided that no examination fee and screening fee shall be charged in respect of a film so re-examined.

(3) The original applicant or the person to whom the right of ownership on distribution in the film has passed shall, on receiving a written notice from the Secretary, arrange to deliver a print of the certified film within such time as may be specified in the notice for re-examination of the film by the Board.

(4) After examination of the film, the Board shall forward its opinion to the Government and the Government may pass such orders thereon as it deem fit.

(5) No order under this rule shall be made to the prejudice of the applicant unless he has been given an opportunity of representing his case to the Government.

22. Trailer of censor certificate to be affixed with films, etc. - (1) When a certificate is granted under these rules, a film copy of the same, in the form of a trailer not less than fifteen feet or six feet in length according as the film is 35 mm and above or 16 mm, shall be affixed to the film and always exhibited with it.

Provided that, in case of a film of a foreign mission in Bangladesh meant for non-commercial and non-theatrical exhibition, such trailer need not be affixed to the

film but the mission shall show to the Secretary or the Film Inspector the original certificate on demand.

15. Omitted by article 8 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

(2) A true copy of the certificate shall be kept for purpose of inspection at the licensed place where the film is being exhibited.

23. Prescribed mark of the Board.- The mark specified by the Board shall be a film copy of the Board's Certificate annexed to a certified film.

24. Fee for duplicate Certificate.- No separate fee shall be charged for a certificate but a fee of

16[ Taka One Hundred] to be deposited in the manner the examination fee is deposited, shall be charged for a copy thereof.

25. Suspension, etc. of certificate.- (1) A certificate granted by the Board under these rules shall be liable to suspension 17[ if a film] in respect of which the certificate is granted is exhibited in a form other than the one in which it is certified.

(2) Where in exercise of the powers conferred by sub-section (4) of section 5, the Government, by notification in the official Gazette, directs that a certified film shall be deemed to be an uncertified film in respect of the whole of Bangladesh, the person to whom a certificate was granted in respect of that film or any other person to whom the right to exhibit the film for the time being belongs, shall surrender the certificate and all copies thereof to the Board within one month from the date of such notification.

Provided that the Chairman or the Vice-Chairman may, at the written request of any such person, extend the said period.



26. Advertisement of certified films.- (1) All publicity materials, that is steel photographs, diagrams, sketches, posters and Bengali translation of the names of films of foreign origin shall not be displayed before a licenced place or on Publicity Boards or otherwise or advertised through newspaper unless such materials are approved by the 18[Vice-Chairman].

(2) Any person advertising a film certified for public exhibition restricted to adults only of publicising such films by means of insertions in newspapers posters or hand-bills shall, after the date of it certification, indicate in such insertions that the film has been certified for public exhibition restricted to adults only.

27. Educational films.- If the authority, on an application made in this behalf, is of the opinion that the film is of a purely educational character, it shall grant a certificate to that effect and the examination fee deposited under these rules shall be refunded.

28. Powers of Government to have a certified film examined. - Notwithstanding anything contained in rule 21, the Government may, if it considers necessary for taking a decision whether a direction under sub-section (4), of section 5 shall be issued in respect of a certified films, require the person to whom the certificate in respect of that film was granted, or any other person to whom the right to exhibit the film for the time being belongs, to exhibit the film at such place and time as the Government may direct:

Provided that no examination fee and screening fee shall be charged in respect of a film so examined:

Provided further that no direction under sub-section (4) of section 5 shall be issued without giving the applicant an opportunity of representing his case.

16. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-ঘ দ্বারা প্রতিস্থাপিত।

17. Inserted by article 9 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

18. Inserted by article 10 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

29. Functions of the Secretary.- (1) The Secretary shall -

- (a) attend all meetings of the Board, Committees and Appellate Committee;
- (b) assist the members in the examination of films and bring to their notice the directions issued by the Government from time to time and the principles laid down in those rules for the examination of films;
- (c) keep the Government fully informed about the decisions of the authority on the examination of films, and in particular, send reports to the Government about-
  - (i) the applications rejected by the authority;
  - (ii) the films which are certified for unrestricted public exhibition;
  - (iii) the films which are certified for public exhibition restricted to adult only;
  - (iv) the films which are certified for public exhibition subject to excisions standing  
the specified portion or portions excised; and
  - (v) all other allied matters; and
  - (vi) keep the authority informed of the action taken in cases of breach of these rules.

30. Functions of films Inspector.- The Film Inspector shall assist the Secretary in the performance of his duties and perform such other duties as are assigned to him by the Chairman, Vice-Chairman and Secretary.

31. Secretary shall maintain a register.- The Secretary shall maintain a register in which the following particulars shall be entered, namely:-

- (a) date of receipt of application, the name, exact length and number of reels of every  
films examined under the Act;
- (b) the name of the person or firm applying for certification;
- (c) the name of the person or firm producing, importing or releasing the film;
- (d) the name of the country in which the film was originally produced;
- (e) the date or dates and place of examination of the film;
- (f) the names of the members who examined the film;
- (g) the result of the examination and of any further proceedings thereon;
- (h) the member and date of the certificate issued, if any, together with a copy of any

endorsement made on the certificate.

32. **Playing time.**- (1) The owner or proprietor of a licensed place shall exhibit films produced in Bangladesh not less than eighty percent of the playing time during a calendar year and may, during the rest of the period exhibit foreign films.

(2) If the owner or proprietor of a licensed place intends to exhibit foreign films in excess of the playing time provided under sub-rule (1), he shall apply to the Government for permission and the Government may grant permission to such an applicant but the playing time allowed to an applicant shall not exceed sixty five percent of the playing time in a year:

Provided that permission, if any, granted under sub-rule (2) may be cancelled by the Government at any time in public interest or in case of breach of any of the provisions of the Act and the rules made thereunder.

(3) The owner or proprietor of a licensed place shall submit the playing time returns on monthly basis to the authority in such form as may be specified by it.

Explanation- For the purposes of this rule,-

(a) "foreign film" means a film not being a film produced locally;

(b) "playing time" means the total time spent in exhibition of cinematograph films in a licensed place during a period of three hundred and sixty-five days; and

(c) "film produced in Bangladesh" means a film produced locally by an individual, firm or a company registered in Bangladesh or in the territories now forming part of Bangladesh with the assistance of artistic and technical staff of whom the majority are Bangladeshi.

33. **Power of members and officers of the Board to enter licensed place.**- The members or any officials authorised by the Board or any other person authorised in writing by the Chairman in this behalf, may enter any license place for the discharge of their duties or for the purpose of satisfying themselves that the provisions of the Act and the rules made thereunder are being complied with.

34. **Members and officers of the Board to report breach of rules.**- 19 [(1)] In case of breach of any of the provisions of these rules, the members and officers of the board shall bring it to the notice of the Chairman or the Vice-Chairman for such action as may be considered necessary.

20 [(2) All the cinema halls and auditorium managements shall maintain Inspection books for recording of findings of the members and officers of the authority or any other officer or person authorized by it in this behalf.]

35. Submission of annual reports to Government.- The authority shall submit to the Government, in the month of January every year, and annual report on the working of the authority during the preceding year.

36. Head of Account.- All fees payable under these rules shall be deposited in the Treasury under the Head of Account "1-3371-0000-2681" of the Board.

37. Power to exempt.- The Government may, by order in writing, exempt subject to such conditions and restrictions, if any, as it may impose, any film from all or any of the provisions of these rules.

19. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-৬ দ্বারা সংযোজিত।

20. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-৬ দ্বারা সংযোজিত।

## THE BANGLADESH CENSORSHIP OF FILMS RULES, 1977

13. Principles to be followed in examination of films.- The authority shall follow the following broad principles and shall also act in accordance with such instructions as may be issued from time to time by the Government in examining and certifying films for public exhibition:-

(a) the film shall not impair or is not likely to impair the moral standards of the audience by extenuating vice or crime or by depreciating social values;

(b) the story, incident or dialogue in the film shall not offend or is not likely to offend the sentiments of any section of the public;

(c) the effect of the story, incident or dialogue of the film on the Children under twelve years of age shall not be or is not likely to be harmful ;

(d) the film shall not in any way impair the national ideology, namely, absolute trust and faith in the almighty Allah, nationalism, democracy and socialism meaning economic and social justice;

(e) the Film is not a plagiarised one;

(f) observe the third country rule so as to avoid impairing good relations between Bangladesh and other nations

[Published in the Bangladesh Gazette, Extraordinary, dated the 10th June 1977]

GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF INFORMATION AND BROADCASTING

NOTIFICATION

Dated, the 9th June, 1977

No. S. R. O. 179-L/77. - In Exercise of the powers conferred by section 10 of the Censorship of Films Act, 1963 (XVIII of 1963), and in supersession of the Censorship of Films Rules, 1972, the Government is pleased to make the following rules, namely: -

THE BANGLADESH CENSORSHIP OF FILMS RULES, 1977

1. Short title. - These rules may be called the Bangladesh Censorship of Films Rules, 1977.
2. Definitions. - In these rules, unless there is anything repugnant in the subject of context, -

(a) "Act" means the Censorship of Films Act, 1963 (XVIII of 1963) ;

(b) "Applicant" means a person applying for a film to be certified for public exhibition;

(c) "Board" means the Authority where it consists of a Board of two or more persons;

(d) "Chairman" means the Chairman of the Board and includes the person for the time being performing the functions of the Chairman;

(e) "Committee" means a Committee appointed under rule 9 for examination of films.

(f) "Film Inspector" means a Film Inspector of the authority;

(g) "Form" means a Form Annexed to these rules;

(h) "Licensed place" means a place licensed under section 3 of the Cinematograph Act, 1918 (II of 1918), for the exhibition of cinematograph films;

(i) "Member" means a member of the Board and includes the Chairman and the Vice-Chairman.

(j) "Secretary" means the Secretary of the authority and included the person for the time being performing the functions of the Secretary;

(k) "Section" means a section of the Act; and

(l) "Vice-Chairman" means the Vice-Chairman of the Board and includes the person for the time being performing the functions of the Vice-Chairman.

3. Directive to one-person authority. - Where the authority, to be called Bangladesh Film Censor Board, consists of one member, such directives shall govern it as the Government may, from time to time, give for the due discharge of its functions.

4. Term of the Board. - The term of the Board constituted under section 3 shall be one year from the date on which it is constituted.

Provided that, notwithstanding the expiration of its term, the Board shall continue to function until a new Board is constituted.

5. Appointment and functions of Chairman, Vice-Chairman, Secretary, etc.- (1) The Board shall consist of the Secretary, 1 [Ministry of Information] and such member of other members as the Government may deem fit to appoint.

(2) The Government shall appoint the Secretary, 2[Ministry of Information] to be the Chairman.

(3) The Government shall appoint a Vice-Chairman from amongst the members who are in the service of the Republic (hereinafter called the official members).

1. Substituted for the words 'Ministry of Information and Broadcasting'.
2. Ditto.

(4) The Government shall appoint a Secretary and such number of Film Inspectors as it may deem fit to appoint and they shall work 3 [a secretariat of the Board] under the direct control and supervision of the Chairman and the Vice-Chairman.

(5) The Chairman, Vice-Chairman, Secretary and Film Inspectors shall, in addition to the functions specified in these rules, exercise such powers and perform such functions as the Government may, from time to time, direct.

(6) The Chairman may direct that any of his powers and functions under these rules shall, subject to such conditions, if any, as may be specified by him, be exercised or performed also by the Vice-Chairman.

6. Headquarters. - The office of the authority shall be at Dhaka.

7. Absence of Chairman. - The Vice-Chairman shall act as Chairman during the absence of the Chairman from the headquarters or whenever he is unable to exercise his powers or perform his duties under these rules owing to illness or any other cause.

8. Meeting of the Board. - (1) Subject to the provisions of sub-rule (4) of rule 16, no business of the Board shall be transacted except at a meeting of the Board at which not less than one-third of the total number of members are present.

(2) Every meeting of the Board shall be presided over by the Chairman or in his absence, by the Vice-Chairman or, in the absence of both, by a member elected for the purpose by the members present from amongst the official members present.



(3) All decisions of the Board shall be taken by a majority of the member present and voting, but the person presiding shall not vote except when there is an equality of votes in which case he shall have a casting vote.

4[(4) The Board shall meet as frequently as required.]

(5) An extraordinary meeting may also be convened if the Chairman or the Vice-Chairman is requested to do so in writing by not less than one-third of the total member of members.

(6) The Secretary shall give at least three day's clear notice of an ordinary meeting to each member:

Provided that an extraordinary meeting may be called by giving one day's notice to the members.

(7) The Chairman or the Vice-Chairman, in consultation with the Chairman, may co-opt any person in a particular meeting of the Board and the person so co-opted shall be entitled to participate in the deliberations of the Board at that meeting but shall have no right to vote.

9. Committee for examination of films. - (1) For the purpose of examining and certifying films, the Board may be divided into Committees with such number of members as may be appointed by the Chairman:

Provided that, no business of a committee should be transacted except at a meeting at which a quorum of three members is present.

3. Inserted by article 1 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

4. Substituted by article 2 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

(2) All decisions of the Committees shall be taken by a majority of the members present and voting, but the person presiding shall not vote except when there is an equality of vote in which case he shall have a casting vote.

(3) If, for any reason, the Chairman is unable to attend a meeting of a Committee of which he is a member, he may be represented by the Vice-Chairman.

(4) For the meetings of a Committee, the Secretary shall give at least one day's clear notice to the members of the Committee:

Provided that a meeting may be called even at a shorter notice if the Chairman or the Vice-Chairman is of opinion that any matter needs urgent consideration of the Committee.

(5) The Chairman or the Vice-Chairman in consultation with the Chairman, may co-opt any person in any meeting of a Committee and such person shall be entitled to participate in the deliberations of the Committee but shall have no right to vote.

(6) Subject to the provisions of sub-rule (7) of rule 8 and sub-rule (5) of this rule, no person other than a member shall be allowed to be present when a film is being examined by the Board or a Committee:

Provided that a member may be accompanied by his spouse but such spouse shall have no right to take part in the deliberations.

10. Record of Proceedings.- The Board shall keep a record of the proceedings of meetings of the Board and Committees in such form as may be laid down by it with the approval of the Government.

11. Remuneration of members and Secretary of the Board and members of Appellate Committee.- The Secretary and every member of the Board and an Appellate Committee and a co-opted member, if any, attending a meeting of the Board or of a Committee of which he is a member or of the Appellate Committee shall be paid a [remuneration of such an amount as may be fixed by the Government from time to time] and the expenditure involved shall be met from the sanctioned budget grant of the Board:

12. Accounts.- The accounts of the authority shall be maintained and audited in such form as may be laid down by the Government.

13. Principles to be followed in examination of films.- The authority shall follow the following broad principles and shall also act in accordance with such instructions as may be issued from time to time by the Government in examining and certifying films for public exhibition:-

(a) the film shall not impair or is not likely to impair the moral standards of the audience by extenuating vice or crime or by depreciating social values;

(b) the story, incident or dialogue in the film shall not offend or is not likely to offend the sentiments of any section of the public; 7[ ]

(c) the effect of the story, incident or dialogue of the film on the Children under twelve years of age shall not be or is not likely to be harmful ;

5. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-ক দ্বারা প্রতিস্থাপিত।

6. Omitted by article 3(b) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

7. Omitted by article 4(a) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

8 [ (d) the film shall not in any way impair the national ideology, namely, absolute trust and faith in the almighty Allah, nationalism, democracy and socialism meaning economic and social justice;

(e) the Film is not a plagiarised one;

(f) observe the third country rule so as to avoid impairing good relations between Bangladesh and other nations ]

14. Application for certification of film for exhibition.- (1) Any person who desires a film to be certified as suitable for public exhibition shall submit an application, in writing, to that effect.

(2) Every such application shall be made in Form I.

(3) If any information or particular in the application submitted under sub-rule (1) is found to be incorrect or false, the Secretary shall report the matter to the Chairman, who shall give the applicant an opportunity of filing an explanation, and if, in his opinion, the explanation so filed is unsatisfactory or where no explanation is filed the Chairman<sup>9</sup>[in consultation with the member] may reject the application and may, by an order in writing, debar the applicant from filing any application under the is rule for such period as he may specify.

(4) Every application in respect of films shall be addressed to the Secretary.

(5) Every application shall be accompanied by -

10[(a) A treasury challan of the examination fee deposited in the Bangladesh Bank under the head of Account of the Board at the rates laid down in the following table:-

Size of film

Length of film

Scale of fees

I. 35 m. m

(2-D,3-D, Cinemascope Vista-vision)

(I)

Where the length of the film does not exceed 500 feet.

Taka. 1000

(II)

Where the length of the film does not exceed 3000 feet.

Taka. 4000

(III)

Where the length of the film exceeds 3000 feet but does not exceed 13,000 feet.

Taka 4000 plus taka 1500 per 1000 feet or a fraction there of exceeding 3000 feet.

(IV)

Where the length of the film exceeds 13,000 feet.

Taka 19,000/- plus Taka 3000/- per 100 feet or a fraction thereof exceeding 13,000 feet. In case of foreign films Taka 19,000/- plus. Taka 2000/- per 100 feet or a fraction thereof exceeding 13,000 feet.

II. 16 m. m

(I)

Where the length of the film does not exceed 1200 Feet

Taka 1000 per 400 feet or a fraction thereof.

(II)

Where the length of the film exceeds 1200 feet.

Taka 3000 plus Taka 1000 per 400 feet or a fraction thereof exceeding 1200 feet.

(b) A receipt of the screening fee deposited in a Scheduled bank or in the Bangladesh bank as advised by the Board at the following rates, if the film is to be examined at any particular projection hall of the Government. The screening fee represents the charge for service rendered by the projection hall by way of screening of films:-

8. Inserted by article 4(b) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

9. Inserted by article 5(a) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

10. এস,আর,ও নম্বর ৩৯, আইন/২০০৮, তারিখ ২০-০২-২০০৮ এর অনুচ্ছেদ-ক দ্বারা প্রতিস্থাপিত।

Size of film

Length of film

Scale of fees

I. 35 m. m

(2-D,3-D, Cinemascope Vista-vision)

Up to 2000 feet.

Above 2000 feet.r

Taka 1000

Taka 6000

II. 16 m.m

Up to 2000 feet.

Taka 1000

Above 2000 feet.

Taka 2000

Provided that if one more licensed places are fixed by the Government for the purpose of screening of films, the applicant shall show the film in one such licensed place and pay to the owner of the licensed place an amount mutually agreed upon between the owner of the licensed place and the Government;]

(c) (i) a copy of the dialogue or shooting script in respect of locally produced films;

(ii) a copy of the press book in respect of the imported films.

(iii) a copy of the press book or three typed or printed copies of the synopsis of the

film together with full text of songs, if any, in respect of the locally produced

films;

(iv) an affidavit in the form specified in Form II testifying to the originality in

respect of a locally produced film:

Provided that, in the case of a newsreel, documentary or short film the Chairman may, if he is satisfied that the applicant is unable for reason beyond his control, to furnish the said documents together with the application direct that the document be furnished within such period after the examination of the film as he may specify, or that the sub-mission of such documents be dispensed with;

(d) import documents, that is to say, the Clearance Permit, Import License or Permit and Bill of Entry in respect of the imported film and an affidavit in the form specified in Form III to establish the legality of import of the imported film:

Provided that in the case of films of foreign missions in Bangladesh their mode of import may only be specified and no affidavit shall be necessary;

(e) a print of the film.

(6) When a film in respect of which an application has been made under this rule contains any portion of any other film in respect of which an appeal under sub-section (5) of section 4 was earlier rejected or which was earlier decertified by the Government the authority may require the applicant to submit the film to which the application relates along with such other film, and the applicant shall submit his film with a new name along with the print of the original film or, in the case of an imported film, along with the portions of the film excised there from.

(7) If, after a film has been certified for public exhibition it is found at any time that any information or particular submitted under this rule is incorrect or false, the film shall be liable to suspension and the applicant shall also be liable to punishment under section 8.

11[14A. Preservation of Video Cassette; - (1) The Authority shall preserve a Video Cassette of every film for the purpose of record with the cost of recording such film being borne by owner/proprietor of the film.

(2) Recording of such Video Cassette shall be arranged by the authority by its own equipments and manpower and the owner or proprietor of such film shall pay a sum of Taka one thousand as service charge through Treasury chalan to be deposited in Bangladesh Bank or in a scheduled Bank under the Head of Account of the authority.]

11. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-গ দ্বারা সংযোজিত।

15. Fixation of time and place for examination of film. - (1) One receipt of an application under rule 14 and the fees laid down therein, the secretary shall, in consultation with the Chairman, fix the date, time and place for examination of the film and intimate the applicant accordingly.

(2) The Secretary shall inform the members about the censorship programme.

16. Procedure regarding certification of newsreels, feature films and trailers thereof. - (1) If a film is examined by the Board, the decision on the certification of the film shall be in accordance with the decision of the Board.

(2) If a film is examined by a Committee, the Committee shall make a report thereon to the Chairman in such form as may be determined by the Government for the purpose.

(3) The report shall be placed before the Chairman as early as may be practicable and the Chairman shall decide on the basis of the report whether-

(a) the film shall be certified as suitable for unrestricted public exhibition with or without excisions 12 [and such excision decided by the Chairman shall be made in the office of the Board ] or for public exhibition restricted to adults only with or without excision; or

(b) the film shall not be certified for public exhibition:



Provided that after considering the Committee's report and before coming to a decision, the Chairman may direct that the film be re-examined by any other Committee which has not examined it earlier or by the Board:

Provided further that, before the film is so re-examined the Chairman may give to the applicant an opportunity to represent his case before him and in the case of a foreign film, to excise or delete from it, in the office of the Board, the portions, the excision or deletion of which would, in his opinion, meet the objections raised by the Committee.

(4) If the film is re-examined by a Committee, the Chairman shall, on the basis of the report of the Committee, refer the film to the 13[full Board] in which not less than two-thirds of the total number of members shall be present for examination in the case of an unfavourable recommendation by the Committee re-examining the film, or in the case of a conflict between the findings of the two Committees.

(5) If the Board finally decides that the film is not suitable for public exhibition the application for certification of the film shall be rejected and the applicant informed accordingly giving reason for the rejection.

(6) If the Board or, as the case may be, the Chairman, on the basis of the report of a Committee, decides that the film is suitable for unrestricted public exhibition with or without excision, a "U" certificate signed by the Chairman or the Vice-Chairman or, in the absence of both, by the Secretary, shall forthwith be granted to the applicant in Form IV.

(7) If the Board or, as the case may be, the Chairman, on the basis of the report of a Committee, decides that the film is suitable for public exhibition only to adults, that is to say, persons not below eighteen years of age, with or without excision, "A" certificate signed by the Chairman or the Vice-Chairman or in the absence of both, by the Secretary, shall forthwith be granted to the applicant in Form V.

(8) If the Board decides that the film is unsuitable for public exhibition unless specified portion thereof is excised, the applicant shall be informed accordingly and, if he consents to such excision and forfeiture of the portion objected to, the portion so specified shall be excised and forfeited to the Government and a certificate shall, subject to the provisions of sub-rule (9), be granted which shall bear a clearly visible triangle drawn at the left-hand bottom corner of the certificate in respect of the rest of the film with an endorsement stating the description of the portion excised and forfeited together with their exact length.

12. Inserted by article 6(a) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

13. Inserted by article 6(b) of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

(9) Before a certificate sub-rule (8) is granted -

(a) the applicant shall be required to give a declaration in Form VI; and

(b) the Secretary or the Film Inspector shall examine at the expense of the applicant the particular reel or reels wherein the portion objected to occurs in order to satisfy itself that the required excision has been correctly and properly made.

(10) The portion of the film and of all copies thereof surrendered under sub-rule (8) shall be preserved by the Board for a period of six months and destroyed thereafter.

(11) If the applicant does not agree to the excision and forfeiture required under sub-rule (8) or does not give the declaration as required under sub-rule (9), the application for certification of the film shall be rejected and the applicant shall be informed accordingly.

17. Certification of films of foreign missions in Bangladesh.- On receipt of an application under rule 14 from a foreign mission in Bangladesh for certification of a 16 mm or 35 mm print of newsreel, documentary or a feature film for screening at private gatherings, a Committee shall examine the film and in case of its being suitable for exhibit on shall issue a certificate in Form IV and in case of a newsreel, or documentary, there shall be put a rubber stamp to the effect that the film is for "non-commercial" exhibition by a diplomatic mission only and in the case of a feature film special certificate may be issued indicating the date and place of public exhibition of the film;

Provided that no examination fee and screening fee shall be charged in respect of such film.

14 [17A. Missions to obtain permission for holding film shows. -(1) Foreign Missions intending to hold film shows or film festivals in any place, other than their diplomatic premises. Information Centers or Cultural Centers, on their own or in association with local film societies shall obtain prior permission from the Bangladesh Film Censor Board.

(2) Foreign Missions shall not allow its films to be used for charity shows by any organization except with the prior permission of the Government.]

18. Alteration in a certified film.- (1) If, after certification, a film is altered by excision, addition, dubbing or otherwise, it shall cease to be an uncertified film and shall not be exhibited unless it has been re-examined by the authority and a fresh certificate issued in respect thereof in accordance with these rules.

(2) Application for such re-examination shall be submitted in Form VII.

(3) On receipt of an application under sub-rule (2), the Chairman shall appoint a Committee to examine, at the expense of the applicant, the reel or reels in which the portion added or altered occurs;

Provided that, the Committee may re-examine the entire film.

Provided further that the examination fee chargeable in respect of a film altered as aforesaid shall, notwithstanding the fact that the entire film is re-examined, be calculated with reference only to the reel or reels in which the portion added or altered occurs:

Provided further that if, in case of addition or alteration in an already certified film the length limit of such film exceeds 13,000 feet, the fee for re-examination shall be charged at the rate laid down in sub-rule (5) of rule 14.

19. Appeal to the Government.- (1) Every appeal to the Government under sub-section (5) of section 4 shall be in Form VIII.

14. Inserted by article 7 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

(2) Every film in respect of which an appeal is prepared referred shall be examined by an Appellate Committee consisting of such member or member to be appointed by the Government. The Secretary Ministry of Cabinet Affairs who shall be designated by it to be President thereof shall head the Committee and the Chairman shall act as the Convener of the Appellate Committee.

(3) Immediately after the examination of the film the members of the Appellate Committee shall record their views stating clearly whether they agree with the views of the Board or not and the report of the Appellate Committee shall be submitted to the Government.

(4) In case the Appellate Committee disagree with the findings of the Board the reasons for such disagreement shall also be mentioned in the report made under sub-rule (3).

(5) The decision of the Government taken on the basis of the report of the Appellate Committee shall be communicated in writing to the Board for compliance.

20. Revised Version of uncertified films.- After a film has been declared uncertified by the Government, the applicant may present a revised version of his film to the authority in Form IX . 15.[ ]

21. Re-examination of certified films.- (1) If, in the case of a certified film, an order of suspension together with a statement of the reasons therefore is received from the authority or a Deputy Commissioner under section 5 or a representation is made any individual or group of individuals, it shall, at the direction of the Government, be examined by the authority.

(2) Where the authority decides that a film be re-examined or where the Government directs the Board under sub-rule (1) to re-examine the film, the Secretary shall arrange for the re-examination of the film by the Board as soon as practicable:

Provided that no examination fee and screening fee shall be charged in respect of a film so re-examined.

(3) The original applicant or the person to whom the right of ownership on distribution in the film has passed shall, on receiving a written notice from the Secretary, arrange to deliver a print of the certified film within such time as may be specified in the notice for re-examination of the film by the Board.

(4) After examination of the film, the Board shall forward its opinion to the Government and the Government may pass such orders thereon as it deem fit.

(5) No order under this rule shall be made to the prejudice of the applicant unless he has been given an opportunity of representing his case to the Government.

22. Trailer of censor certificate to be affixed with films, etc. - (1) When a certificate is granted under these rules, a film copy of the same, in the form of a trailer not less than fifteen feet or six feet in length according as the film is 35 mm and above or 16 mm, shall be affixed to the film and always exhibited with it.

Provided that, in case of a film of a foreign mission in Bangladesh meant for non-commercial and non-theatrical exhibition, such trailer need not be affixed to the film but the mission shall show to the Secretary or the Film Inspector the original certificate on demand.

15. Omitted by article 8 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.

(2) A true copy of the certificate shall be kept for purpose of inspection at the licensed place where the film is being exhibited.

23. Prescribed mark of the Board.- The mark specified by the Board shall be a film copy of the Board's Certificate annexed to a certified film.

24. Fee for duplicate Certificate.- No separate fee shall be charged for a certificate but a fee of

16[ Taka One Hundred] to be deposited in the manner the examination fee is deposited, shall be charged for a copy thereof.

25. Suspension, etc. of certificate.- (1) A certificate granted by the Board under these rules shall be liable to suspension 17[ if a film] in respect of which the certificate is granted is exhibited in a form other than the one in which it is certified.

(2) Where in exercise of the powers conferred by sub-section (4) of section 5, the Government, by notification in the official Gazette, directs that a certified film shall be deemed to be an uncertified film in respect of the whole of Bangladesh, the person

to whom a certificate was granted in respect of that film or any other person to whom the right to exhibit the film for the time being belongs, shall surrender the certificate and all copies thereof to the Board within one month from the date of such notification.

Provided that the Chairman or the Vice-Chairman may, at the written request of any such person, extend the said period.

26. Advertisement of certified films. - (1) All publicity materials, that is steel photographs, diagrams, sketches, posters and Bengali translation of the names of films of foreign origin shall not be displayed before a licenced place or on Publicity Boards or otherwise or advertised through newspaper unless such materials are approved by the 18[Vice-Chairman].

(2) Any person advertising a film certified for public exhibition restricted to adults only of publicising such films by means of insertions in newspapers posters or hand-bills shall, after the date of its certification, indicate in such insertions that the film has been certified for public exhibition restricted to adults only.

27. Educational films. - If the authority, on an application made in this behalf, is of the opinion that the film is of a purely educational character, it shall grant a certificate to that effect and the examination fee deposited under these rules shall be refunded.

28. Powers of Government to have a certified film examined. - Notwithstanding anything contained in rule 21, the Government may, if it considers necessary for taking a decision whether a direction under sub-section (4), of section 5 shall be issued in respect of a certified film, require the person to whom the certificate in respect of that film was granted, or any other person to whom the right to exhibit the film for the time being belongs, to exhibit the film at such place and time as the Government may direct:

Provided that no examination fee and screening fee shall be charged in respect of a film so examined:

Provided further that no direction under sub-section (4) of section 5 shall be issued without giving the applicant an opportunity of representing his case.

16. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-ঘ দ্বারা প্রতিস্থাপিত।
17. Inserted by article 9 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.
18. Inserted by article 10 of The S. R. O. No. 31-L/ 83, Dated 27th January 1983.
29. Functions of the Secretary.- (1) The Secretary shall -
- (a) attend all meetings of the Board, Committees and Appellate Committee;
  - (b) assist the members in the examination of films and bring to their notice the directions issued by the Government from time to time and the principles laid down in those rules for the examination of films;
  - (c) keep the Government fully informed about the decisions of the authority on the examination of films, and in particular, send reports to the Government about-
    - (i) the applications rejected by the authority;
    - (ii) the films which are certified for unrestricted public exhibition;
    - (iii) the films which are certified for public exhibition restricted to adult only;
    - (iv) the films which are certified for public exhibition subject to excisions standing  
the specified portion or portions excised; and
  - (v) all other allied matters; and
  - (vi) keep the authority informed of the action taken in cases of breach of these rules.
30. Functions of films Inspector.- The Film Inspector shall assist the Secretary in the performance of his duties and perform such other duties as are assigned to him by the Chairman, Vice-Chairman and Secretary.
31. Secretary shall maintain a register.- The Secretary shall maintain a register in which the following particulars shall be entered, namely:-
- (a) date of receipt of application, the name, exact length and number of reels of every  
films examined under the Act;
  - (b) the name of the person or firm applying for certification;
  - (c) the name of the person or firm producing, importing or releasing the film;

- (d) the name of the country in which the film was originally produced;
- (e) the date or dates and place of examination of the film;
- (f) the names of the members who examined the film;
- (g) the result of the examination and of any further proceedings thereon;
- (h) the member and date of the certificate issued, if any, together with a copy of any endorsement made on the certificate.

32. **Playing time.**- (1) The owner or proprietor of a licensed place shall exhibit films produced in Bangladesh not less than eighty percent of the playing time during a calendar year and may, during the rest of the period exhibit foreign films.

(2) If the owner or proprietor of a licensed place intends to exhibit foreign films in excess of the playing time provided under sub-rule (1), he shall apply to the Government for permission and the Government may grant permission to such an applicant but the playing time allowed to an applicant shall not exceed sixty five percent of the playing time in a year:

Provided that permission, if any, granted under sub-rule (2) may be cancelled by the Government at any time in public interest or in case of breach of any of the provisions of the Act and the rules made thereunder.

(3) The owner or proprietor of a licensed place shall submit the playing time returns on monthly basis to the authority in such form as may be specified by it.

**Explanation-** For the purposes of this rule,-

- (a) "foreign film" means a film not being a film produced locally;
- (b) "playing time" means the total time spent in exhibition of cinematograph films in a licensed place during a period of three hundred and sixty-five days; and
- (c) "film produced in Bangladesh" means a film produced locally by an individual, firm or a company registered in Bangladesh or in the territories now forming part of Bangladesh with the assistance of artistic and technical staff of whom the majority are Bangladeshi.

33. **Power of members and officers of the Board to enter licensed place.**- The members or any officials authorised by the Board or any other person authorised in



writing by the Chairman in this behalf, may enter any license place for the discharge of their duties or for the purpose of satisfying themselves that the provisions of the Act and the rules made thereunder are being complied with.

34. Members and officers of the Board to report breach of rules.- 19 [(1)] In case of breach of any of the provisions of these rules, the members and officers of the board shall bring it to the notice of the Chairman or the Vice-Chairman for such action as may be considered necessary.

20 [(2)] All the cinema halls and auditorium managements shall maintain Inspection books for recording of findings of the members and officers of the authority or any other officer or person authorized by it in this behalf.]

35. Submission of annual reports to Government.- The authority shall submit to the Government, in the month of January every year, and annual report on the working of the authority during the preceding year.

36. Head of Account.- All fees payable under these rules shall be deposited in the Treasury under the Head of Account "1-3371-0000-2681" of the Board.

37. Power to exempt.- The Government may, by order in writing, exempt subject to such conditions and restrictions, if any, as it may impose, any film from all or any of the provisions of these rules.

19. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-৬ দ্বারা সংযোজিত।

20. এস,আর,ও নম্বর ৩৭, আইন/২০০০, তারিখ ০৩-০২-২০০০এর অনুচ্ছেদ-৬ দ্বারা সংযোজিত।

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**13. Principles to be followed in examination of films.-** The authority shall follow the following broad principles and shall also act in accordance with such instructions as may be issued from time to time by the Government in examining and certifying films for public exhibition:-

(a) the film shall not impair or is not likely to impair the moral standards of the audience by extenuating vice or crime or by depreciating social values;

(b) the story, incident or dialogue in the film shall not offend or is not likely to offend the sentiments of any section of the public;

(c) the effect of the story, incident or dialogue of the film on the Children under twelve years of age shall not be or is not likely to be harmful ;

(d) the film shall not in any way impair the national ideology, namely, absolute trust and faith in the almighty Allah, nationalism, democracy and socialism meaning economic and social justice;

(e) the Film is not a plagiarised one;

(f) observe the third country rule so as to avoid impairing good relations between Bangladesh and other nations