



## **GENERAL NOTICE NO. 19/2022**

### **PROPOSED DECISION IN TERMS OF SECTION 32 OF THE ESWATINI COMMUNICATIONS COMMISSION ACT, 2013: CONTENT CLASSIFICATION GUIDELINES, 2022 - INVITATION FOR WRITTEN REPRESENTATIONS**

The Eswatini Communications Commission, hereinafter referred to as the Commission, in exercise of its mandate under Section 7(c) of the Eswatini Communications Commission Act, 2013 has developed the Eswatini Communications Commission Content Classification Guidelines, 2022

The purpose of these Guidelines is to:-

1. Provide regulatory guidance on content classification to ensure high-quality broadcasting services in Eswatini;
2. Provide consumer advice to enable individuals to make informed viewing choices; and
3. To protect children from exposure to inappropriate, and harmful content and from premature exposure to adult content.

The provisions of Section 32 of the ESCCOM Act, 2013, provides for stakeholders and interested persons to make comments on proposed decisions of the Commission. In this regard, the public is hereby invited to submit their written representations on the Eswatini Communications Commission Content Classification Guidelines. Representations must be submitted to the Commission no later than **17h00 on 31 October 2022** by post to Eswatini Communications Commission, P.O. Box 7811 Mbabane, hand delivered or electronically to [info@esccom.org.sz](mailto:info@esccom.org.sz).

A copy of the Guidelines is also available at the Commission's offices at North Wing, 4<sup>th</sup> Floor, Sibekelo Building, Mhlambanyatsi Road, Mbabane.

**Ozzie Thakatha**

**ACTING CHIEF EXECUTIVE**



**Subject: Proposed Eswatini Communications Commission Content Classification Guidelines, 2022**

**Number: 19/2022**

**Scope: Licensees of Broadcasting Services in Eswatini**

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## 1. Background

Section 6 (c) of the Eswatini Communications Act, 2013 (“the Act”) enjoins the Eswatini Communications Commission (ESCCOM or the Commission) to regulate and supervise the provision of radio and television broadcasting services including the content of those services. Further, Section 7 (e) enjoins the Commission to establish quality of service codes and content and censorship codes.

In the discharge of its regulatory functions, the Commission has developed content classification guidelines for the broadcasting sector in the Kingdom of Eswatini. These Guidelines are cited as the “**Eswatini Communications Commission Content Classification Guidelines 2022**” and shall be applicable to TV and Radio programmes, that may be broadcast in Eswatini.

The objective of the Classification Guidelines is to provide consumer advice to enable individuals to make informed viewing choices for themselves, to protect children from exposure to inappropriate, and harmful content and from premature exposure to adult content.

When making a classification decision for TV and Radio programmes, broadcasters are required to exercise careful consideration of the content under classification as well as all other relevant factors and concerns. The description of each of the classification categories and the indication of the suitable audience in terms of age are contained in the Guidelines.

Broadcasters are required to preview, classify and rate all programmes before they are broadcasted. This include all episodes of a series which may require different classifications and rating per episode.

## 2. Interpretation

For the purpose of these Guidelines unless the contents otherwise require;

**"Classify"** means Assigning something a class/category according to shared/common qualities/characteristics

**"Coarse language"** means crude and/or offensive language lacking refinement or taste.

**"Depiction"** representation, and/or portrayal on screen.

**"Discreet"** means subtle, not explicit, lacking in details and close-ups.

**"Disturbing"** means upsetting or troubling.

**"Drug abuse"** means improper or excessive use of drugs.

**"Examine"** means scrutinising something carefully or in detail to determine its nature.

**"Excessive"** means beyond reasonable limits, especially in terms of detail, duration or frequency.

**"Explicit"** means language or depiction with strong details, usually relating to sex and violence.

**"Exploitative"** means appearing to take advantage of or abuse the situation for the enjoyment of viewers or for sensationalism; lacking moral, artistic, or other values.

**"Fetish"** means an object, an action or a non-sexual part of the body which gives sexual gratification.

**Film/Movie** encompasses individual motion pictures produced by recording images from the world with cameras, or by creating images using animation techniques or special effects. It is a form of entertainment that enacts a story by sound and a sequence of images giving the illusion of continuous movement

**"Gratuitous"** means materials which are unwarranted or uncalled for, and included without the justification of a defensible story-line or artistic merit.

**"Hate speech"** means any communication of whatever manner, including but not limited to speech, gesture or conduct, writing, or display that disparages a person or a group on the basis of some characteristic such as

race, colour, ethnicity, gender, disability, sexual orientation, nationality, religion, or other characteristic. Publicly making any statement(s) that is forbidden because it may incite violence or prejudicial action against an individual or group.

**"Horror"** means a strong feeling of fear or distress that is inspired by images or acts that are frightful and shocking.

**"Incite"** means to stir up or provoke strong emotions and actions.

**"Intensity"** means the degree or extent to which a subject matter is acute or strong (The intensity of a scene depends on the duration, the audio/visual effects, language, context and the proximity from which the shot was taken).

**"Justified by context"** means where the depiction is relevant and necessary for the integrity and continuity of the film.

**"Moderate"** means depiction that features some details and may have some impact that is kept within reasonable limits, which is generally acceptable.

**"Nudity"** means the state or fact of being naked, consisting of frontal or rear nudity, above and below the waist for both sexes. It is determined by the details of nudity shown, and also by other factors including the duration of visuals, repetition, close-up shots and clarity.

**"Offensive"** means material that causes outrage or disgust to most people.

**"Parental guidance"** means that the content may contain classifiable elements that may be disturbing or harmful for young viewers, and that parents or caregivers are in the best position to decide whether or not a child in their care may access content classified as 'PG' subject to the specified rating applicable to such content;

**"Pornography"** means the depiction of erotic behaviour intended to cause sexual excitement.

**"Program"** means a body of live or recorded material consisting of images, sounds or both embodied in signals emitted for the purpose of ultimate broadcasting

**"Rating"** means ranking of something on a scale based on how much or how little of a quality it possesses

**"Restricted"** means not allowed or prohibited for distribution, broadcast or exhibition to the public.

**“Sexual activity”** means an act performed with another for sexual gratification. This may include foreplay.

“Sexual conduct” includes –

- (i) Male genitals in a state of arousal or stimulation;
- (ii) The display of genitalia or of the anal region;
- (iii) Masturbation;
- (iv) Bestiality;
- (v) all forms of sexual intercourse, whether real or simulated;
- (vi) Sexual contact involving the direct or indirect fondling or touching of the intimate parts of a body, including the breasts, with or without any object;
- (vii) The penetration of a vagina or anus with any object;
- (viii) Oral genital contact; or
- (ix) Oral anal contact;

**“Sexual violence”** means the act of force to coerce sexual assault or aggression, in which the victim does not consent e.g. rape.

**“Suggestion”** means mild, discreet treatment of a subject in which an act or object is hinted at, generally through discreet manner, rather than the whole picture.

**“Tone”** means the quality of mood, such as sadness, humour, menace, lightness, or seriousness.

**“Video”** means the system of recording, reproducing, or broadcasting moving visual images on or from videotape or data file.

### **3. Classification Elements**

3.1 A classification decision may include consumer advice, including information about the content of a film, television and radio programme. Classifiable elements are indicated by alphabetic symbols or words and alert the public to particular elements that are significant and may be potentially disturbing, harmful or inappropriate for children below a specified age.

3.2 Consumer advice should be indicated together with classification information on the outside of all content as applicable.

3.3 The following classifiable elements and mandatory consumer advice must be considered:

### **3.3.1 Competitive Intensity 'CI'**

- 3.3.1.1 The level of competitive intensity in a game, to the extent that it is linked to in-game violence, must be treated as a classifiable element to determine age restrictions;
- 3.3.1.2 Higher levels of competitiveness in games involving violence may result in much higher aggression levels than in less competitive games involving violence, and are therefore a factor that must be considered in the determination of an age restrictions
- 3.3.1.3 Competitive intensity is heightened by the degree of interactivity of a game.

### **3.3.2 Criminal Techniques 'CT'**

- 3.3.2.1 Criminal techniques and instructional details of illegal acts that may be dangerous or life-threatening and detailed enough to be re-enacted or self-instructional must be treated as a classifiable element to determine age restrictions. This may require a higher age restriction.

### **3.3.3 Substance Abuse 'D'**

Alerts to the sustained or sporadic excessive use of substances, any use of illicit substances and the unlawful use of substances;

- 3.3.3.1 Any occurrences of substance abuse must be considered in the allocation of an appropriate restriction; and
- 3.3.3.2 Regardless of the level of age restriction, the public must be alerted to the occurrence of substance abuse of a mild, moderate, strong or very strong impact.



### **3.3.4 Imitative Acts and techniques 'IAT'**

3.3.4.1 Imitative acts and techniques are a classifiable element that determines age restrictions where there is a reasonable likelihood that such acts or techniques may be copied or imitated, especially by children.

### **3.3.5 Horror 'H'**

Alerts that there are occurrences of scenes giving rise to feelings of pain and intense fear, dread, or dismay.

3.3.5.1 Any occurrences of horror of a mild, moderate, strong or very strong nature must be considered in the allocation of an appropriate age restriction.

### **3.3.6 Language 'L'**

Alerts that there is use of strong language;

3.3.6.1 The use of strong language must be considered in the allocation of an appropriate age restriction; and

3.3.6.2 Regardless of the level of age restriction, the public must be alerted to the occurrence of strong language of a mild, moderate, strong or very strong impact.

### **3.3.7 Nudity 'N'**

Warns that there are occurrences of nudity;

3.3.7.1 Nudity in natural non-sexual contexts, such as breast-feeding or bona fide cultural traditions, is not considered in the allocation of age-restrictions;

3.3.7.2 The undue exposure of intimate parts must be considered in the allocation of an appropriate age restriction, based on the context and impact; and

- 3.3.7.3 Regardless of the level of age restriction, viewers must be alerted to the occurrence of nudity, sexual or nonsexual, of a mild, moderate, strong or very strong impact.

### **3.3.8 Prejudice 'P'**

Warns of occurrences or language that are biased or prejudiced with regard to race, ethnicity, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language; birth or other identifiable group characteristics;

- 3.3.8.1 Any occurrences or language of prejudice must be considered in the allocation of an appropriate age restriction; and
- 3.3.8.2 The advocacy of hatred constituting incitement to cause harm, based on an identifiable group characteristic, must be refused classification.

### **3.3.9 Sexual Violence 'SV'**

Indicates occurrences involving sexual violence;

- 3.3.9.1 Any occurrence of sexual violence must be considered in the allocation of an appropriate age restriction; and
- 3.3.9.2 Any occurrences involving sexual violence, actual or implied, must be regarded as having a moderate, strong or every strong impact, and must be classified appropriately.

### **3.3.10 Violence 'V'**

Warns of physical aggression occurrences;

- 3.3.10.1 Regardless of the level of age restriction, viewers must be alerted to the occurrence of violence of a mild, moderate, strong or very strong impact; and

3.3.10.2 Any occurrences of extreme violence must be regarded as having a strong or very strong impact, and must be classified appropriately.

#### **4. Classification Thematic Areas**

This part of the guidelines spells out content concerns that are applied in different degrees at all classification levels.

##### **4.1 Violence and crime**

The depiction of violence may frighten, unnerve, unsettle or invite imitation, especially from children. Therefore, only mild portrayals that are relevant to the plot may be allowed in programmes meant for children. For the higher classifications, a stronger depiction of violence is permitted if it is justified by context.

The classifiable elements in this thematic area include:

- 4.1.1 Normalizing the use of violence as a solution to resolve problems;
- 4.1.2 Depiction of violent gangster behaviour (e.g. self-mutilation rites);
- 4.1.3 Emphasis on violent techniques and acts (e.g. methods of torture, gang-fights, combat techniques);
- 4.1.4 Encouraging aggressive and sadistic attitudes towards infliction of pain and violence;
- 4.1.5 Explicit and prolonged sexual violence or erotic portrayal of sexual assault /coercion.
- 4.1.6 Works portraying excessive blood, gored/dismembered/ disfigured parts of a body
- 4.1.7 Images of seriously injured people
- 4.1.8 Images of dead bodies
- 4.1.9 Portrayal of anti-social behaviour e.g. bullying

- 4.1.10 Portrayal of potentially dangerous behaviour e.g. hanging, suicide
- 4.1.11 Portrayal of ease of making and accessing weapons
- 4.1.12 Detailed portrayal of criminal and violent techniques
- 4.1.13 Explicit cruelty or violence towards animals

Restricted in this thematic area is work that induces, incites, justifies, reinforces or glorifies violence or terror or its perpetrators or contains anything against the maintenance of law and order or promote anti-national attitudes

## **4.2 Sex, obscenity and nudity**

The classifiable elements in this thematic area include:

- 4.2.1 Exposure or fondling of female breasts/human/animal sexual organs.
- 4.2.2 Explicit images of sexual activity
- 4.2.3 Behaviour or language that is sexually offensive
- 4.2.4 Nakedness
- 4.2.5 Indecent exposure - A person is guilty of indecent exposure if he or she intentionally makes any open and obscene exposure of his or her person
- 4.2.6 Portrayal of children being coerced and or induced to engage in sexual activity.

Restricted in this thematic area is a film, poster or program that portrays, encourages, justifies or glorifies perverted or socially unacceptable sex practices such as incest, paedophilia, any form of pornography; content showing women as tools of sex; content endorsing sexual violence.

### **4.3 Occult and horror**

The classifiable elements in this thematic area include:

- 4.3.1 Use of frightening elements and scary scenes
- 4.3.2 Portrayal of magic or super natural forces or events and related practices such as hypnotism, mind-reading, faith healing.
- 4.3.3 Portrayal of exorcism (process or action to get rid of evil spirits).
- 4.3.4 The paranormal or mysterious events or facts that cannot be explained by science including human or animal sacrifice

Restricted in this thematic area is film or programmes that promote or encourage occult practices, black magic, witchcraft and similar practices and instils fear or revulsion about the consequences of not following such practices. Classification of horror films or programmes will take into consideration the impact and shock effect of such films or programmes to ensure that everyone is protected from disturbing materials.

### **4.4 Drugs, alcohol and other illicit substances**

The classifiable elements in this thematic area include:

- 4.4.1 Use of illegal drugs
- 4.4.2 Use of tobacco or tobacco products
- 4.4.3 Abuse or misuse of drugs
- 4.4.4 Use of alcohol, solvent or other products inducing drunkenness or similar feeling and behaviour

Restricted in this thematic area is film, poster or program that: portrays children being used in production, trafficking and distribution of harmful drugs without any real context; justify, promote, encourage or glamorize abuse or misuse of drug related products; attempts to

associate drugs, alcohol and other illegal substances with sexual prowess and or a glamorous or successful lifestyle.

#### **4.5 Religion and community**

The classifiable elements in this thematic area include:

- 4.5.1 Profanity in regard to a particular religion/community
- 4.5.2 Distorting, demeaning, or depicting religious/community symbols, rituals or practices in a derogatory manner.
- 4.5.3 Use of expletives with religious/community associations
- 4.5.4 Blasphemy

#### **4.6 Propaganda for war, hate speech and incitement**

The classifiable elements in this thematic area include:

- 4.6.1 Communication manipulating people's attitude towards war
- 4.6.2 Repetitious emotional phrases e.g. war on terror
- 4.6.3 Exaggerated or misrepresented facts
- 4.6.4 Name calling - use of offensive names to induce rejection, ridicule or condemnation
- 4.6.5 Band wagon - a tool used in propaganda to rally people behind a course
- 4.6.6 Demonizing of the 'enemy'
- 4.6.7 Brainwashing
- 4.6.8 Ethnic cleansing, massacre

Restricted in this thematic area is film, poster or program that: invokes feelings of contempt, hatred, hostility, violence or discrimination against any person, group, and community based on race, sex, pregnancy, marital

status, health status, colour, ethnic or social origin, age, disability, language, culture, nationality and religion; Inflammatory statements encouraging people to raise against social order

## **5. Rating**

During examination the frequency and intensity of all the classifiable elements shall be put into a scale of 0 – 8: Based on this scale the rating shall be given as indicated below:

- a) 0 – 1: Low impact classifiable elements – All (A)
- b) 2: Low impact classifiable elements – Parental Guidance (PG)
- c) 3: Mild impact classifiable elements – Parental Guidance (7-9PG)
- d) 4: Moderate impact classifiable elements – Moderate (10-13PG)
- e) 5: Strong impact classifiable elements – Strong (16)
- f) 6: Very Strong impact classifiable elements – Very Strong (18)
- g) 7: Extreme impact classifiable elements – Refused Classification (R).

**5.1 All (A)** – It is suitable for general family viewing. Works in this category are suitable for all ages as they contain no content considered harmful or disturbing to even children.

5.1.1 The content does not contain any themes that may be disturbing, harmful, upsetting or inappropriate for any children. It has a low sense of threat or menace;

5.1.2 Mild portrayals of violence are allowed. The occasional mild threat or menace is acceptable if justified by context.

5.1.3 No sexual activity is allowed. Sexual preference of any kind is unacceptable.

5.1.4 There should be no nudity.

5.1.5 There should be no offensive language or swearing.

5.1.6 No references to illegal drugs or drug abuse.

5.1.7 Treatment of horror should be non-threatening, or tinged with humour. Fright scenes should be mild and not psychologically disturbing.

5.1.8 There are no classifiable elements in the film that justify a restrictive age classification; and

5.1.9 The release format has no impact.

## **5.2 Low (PG)**

5.1.10 The content does not contain any themes that may be disturbing, harmful, upsetting or inappropriate for any children. It has a low sense of threat or menace;

5.1.11 The content is not threatening, disturbing or harmful;

5.1.12 The theme causes no moral harm;

5.1.13 No impactful single or cumulative occurrences of classifiable elements;

5.1.14 Classifiable elements are not realistic;

5.1.15 The content contains classifiable elements that have a low impact, as set out below:

5.1.15.1 Criminal Techniques 'CT' – content may not contain any scenes of criminal techniques;

5.1.15.2 Substance abuse 'D' – content may not contain any scenes of substance abuse, direct or implied;

5.1.15.3 Horror 'H' – content only contains low impact scenes of horror;

5.1.15.4 Imitative Acts and Techniques 'IAT' – content may contain scenes of low impact imitative acts and techniques;

5.1.15.5 Language 'L' – content may only contain scenes with low impact language;

5.1.15.6 Nudity 'N' – content may only contain scenes of low impact nudity in nonsexual contexts;

5.1.15.7 Prejudice 'P' – content may not contain scenes or language of prejudice;

5.1.15.8 Sexual conduct 'S' – content may not contain any scenes of actual, simulated or implied sexual conduct, but may contain scenes of affection;

5.1.15.9 Sexual violence 'SV' – content may not contain any scenes of actual or implied sexual violence;



5.1.15.10 Violence 'V' – content may contain only low impact violence, and may not contain any scenes of domestic violence

### **5.3 Mild (7-9PG)**

5.3.1 The content must be particularly entertaining and/or of educational value, to enable parents or caregivers to decide whether it is appropriate for children in their care from ages 7 to 9 to see it. Children from the ages of 7 to 9 years are not allowed to watch a film classified '7-9PG' unless and only when accompanied by an adult.

5.3.2 The content is not threatening, disturbing or harmful;

5.3.3 The theme causes no moral harm;

5.3.4 The content may contain complex and mature themes that may require parental guidance to mitigate potential harm;

5.3.5 Limited occurrences of significant classifiable elements;

5.3.6 Classifiable elements may be realistic;

5.3.7 The content contains classifiable elements that have a low or mild impact as set out below:

5.3.7.1 Criminal Techniques 'CT' – content may not contain any scenes of criminal techniques;

5.3.7.2 Substance abuse 'D' – content may only contain low impact scenes of substance abuse if they are justified by the context or carry a suitable anti-substance abuse message;

5.3.7.3 Horror 'H' – content may contain scenes of low impact horror. Fantasy setting may, when appropriate, be regarded as reducing impact;

5.3.7.4 Imitative Acts and Techniques 'IAT' – content may contain scenes of low impact imitative acts and techniques;

5.3.7.5 Language 'L' – content may only contain scenes with low to mild impact language;

5.3.7.6 Nudity 'N' – content may contain scenes of low to mild impact nudity in non-sexual contexts;

- 5.3.7.7 Prejudice 'P' – content may contain scenes or language of prejudice of low impact, if it is clearly disapproved and used in an educational, dramatic or historical context;
- 5.3.7.8 Sexual conduct 'S' – content may not contain any scenes of actual, simulated or implied sexual conduct, but may contain scenes of affection;
- 5.3.7.9 Sexual violence 'SV' – content may not contain any scenes of actual or implied sexual violence;
- 5.3.7.10 Violence 'V' – content may contain only low to mild impact violence. If there are scenes of domestic violence, they must be justified within context, and the content must convey a strong message against it; and
- 5.3.7.11 Limited accentuation techniques such as lighting, perspective and resolution.

#### **5.4 Moderate (10-13 PG)**

- 5.4.1 The content must be particularly entertaining and/or of educational value, to enable parents or caregivers to decide whether it is appropriate for children in their care from ages 10 to 13 to see it. Children from the ages of 10 to 13 years are not allowed to watch a film classified '10-13PG' unless and only when accompanied by an adult.
- 5.4.2 The content may be threatening, disturbing or harmful to children aged 10 and younger;
- 5.4.3 The theme causes no moral harm to children aged 10 and older;
- 5.4.4 The content may contain complex and mature themes that may require parental guidance to mitigate potential harm;
- 5.4.5 If the content has a pro-social element, even if assessed as a moderate impact it may be viewed by children 10 to 13-year-old in the presence of an adult;
- 5.4.6 Classifiable elements form part of a bona fide story line;
- 5.4.7 Single or cumulative occurrences of classifiable elements;

- 5.4.8 Occurrences of significant classifiable elements may be realistic;
- 5.4.9 The content either contains no classifiable elements or has a low to mild impact, with some elements having a moderate impact, as illustrated below:
  - 5.4.9.1 Criminal Techniques 'CT' – content may not contain any instances of criminal techniques;
  - 5.4.9.2 Substance abuse 'D' – content may only contain low to mild impact occurrences of substance abuse. Any instances of moderate impact substance abuse must, contextually, carry a suitable anti-substance abuse message;
  - 5.4.9.3 Horror 'H' – content may contain scenes of mild to moderate impact horror;
  - 5.4.9.4 Imitative Acts and Techniques 'IAT' – content may contain instances of mild impact imitative acts and techniques;
  - 5.4.9.5 Language 'L' – content may only contain instances of mild impact language;
  - 5.4.9.6 Nudity 'N' – content may contain scenes of low impact nudity;
  - 5.4.9.7 Prejudice 'P' – content may contain scenes or language of prejudice of low impact, if it is clearly disapproved and used in an educational, dramatic or historical context;
  - 5.4.9.8 Sexual conduct 'S' – content may contain scenes of low impact scenes of sexual conduct, but no scene of explicit sexual conduct. Verbal reference, but no visual presentation of sexual conduct with no noticeable effect;
  - 5.4.9.9 Sexual violence 'SV' – content may not contain any scenes of actual or implied sexual violence;
  - 5.4.9.10 Violence 'V' – content may contain only mild to moderate impact violence. Verbal reference, but no visual presentation, of violence with no noticeable

effect. If there are scenes of domestic violence, they must be justified within context, and the content must convey a strong message against it; and

5.4.9.11 May contain accentuation techniques such as lighting, perspective and resolution.

## **5.5 Strong (16)**

5.6.1 The content may be threatening, disturbing or harmful to children younger than 16;

5.6.2 The theme may not cause moral harm to children of 16 and older;

5.6.3 Single or cumulative occurrences of significant classifiable elements;

5.6.4 Occurrences of classifiable elements may be realistic;

5.6.5 Classifiable elements form part of a bona fide story line;

5.6.6 The content contains classifiable elements that have a moderate impact, with some elements having a strong impact, as set out below:

5.6.6.1 Criminal Techniques 'CT' – content may contain moderate impact criminal techniques;

5.6.6.2 Substance abuse 'D' – content may contain moderate instances of substance abuse. Any instances of strong impact substance abuse must, contextually, carry a suitable anti-substance abuse message;

5.6.6.3 Horror 'H' – content may contain scenes of strong impact horror;

5.6.6.4 Imitative Acts and Techniques 'IAT' – content may contain instances of strong impact imitative acts and techniques;

5.6.6.5 Language 'L' – content may contain instances of strong impact language;

5.6.6.6 Nudity 'N' – content may contain scenes of moderate impact nudity;

- 5.6.6.7 Prejudice 'P' – content may contain scenes or language of prejudice of moderate impact, if it is clearly disapproved and used in an educational, dramatic or historical context;
- 5.6.6.8 Sexual conduct 'S' – content may contain scenes of moderate impact or occasional strong impact sexual conduct, but no explicit sexual conduct. May contain brief details, close-ups or slow motion of sexual conduct. Verbal reference or visual presentation of sexual conduct may appear in the content which may have an impact;
- 5.6.6.9 Sexual violence 'SV' – content may contain any scenes of actual sexual violence, but moderate sexual violence may be implied;
- 5.6.6.10 Violence 'V' – content may contain strong violence. May contain details, close-ups or slow motion of violence. Verbal reference or visual presentation of violence may appear in the content which may have an impact; and
- 5.6.6.11 May contain accentuation techniques such as lighting, perspective and resolution of sexually-related activity, sexual conduct or violence.

## **5.6 Very Strong (18)**

- 5.7.1 The content may be threatening, disturbing or harmful to children;
- 5.7.2 The theme may cause moral harm to children;
- 5.7.3 Single or cumulative occurrences of classifiable elements;
- 5.7.4 Occurrences of classifiable elements may be realistic;
- 5.7.5 May contain graphic details, close-ups or slow motion of sexually-related activity, sexual conduct or violence;
- 5.7.6 Verbal reference or visual presentation of certain classifiable elements such as sexually-related activity, sexual conduct or violence, but not explicit sexual violence;

- 5.7.7 Classifiable elements do not necessarily form part of a bona fide story line;
- 5.7.8 The content contains classifiable elements that have a strong to very strong impact, as set out below:
  - 5.7.8.1 Criminal Techniques 'CT' – content may contain scenes of strong impact criminal techniques;
  - 5.7.8.2 Substance abuse 'D' – content may contain strong impact scenes of substance abuse;
  - 5.7.8.3 Horror 'H' – content may contain scenes of strong impact horror;
  - 5.7.8.4 Imitative Acts and Techniques 'IAT' – content may contain instances of very strong impact imitative acts and techniques;
  - 5.7.8.5 Language 'L' – content may contain instances of very strong language;
  - 5.7.8.6 Nudity 'N' – content may contain scenes of strong impact nudity;
  - 5.7.8.7 Prejudice 'P' – content may contain scenes or language of prejudice of strong impact;
  - 5.7.8.8 Sexual conduct 'S' – content may contain occurrences of strong or very strong sexual conduct, but no explicit sexual conduct. Verbal reference or visual presentation of sexual conduct;
  - 5.7.8.9 Sexual violence 'SV' – content may contain occurrences of actual moderate to strong sexual violence if justified by context but no explicit sexual violence;
  - 5.7.8.10 Violence 'V' – content may contain strong to very strong violence. Verbal reference or visual presentation of violence; and
  - 5.7.8.11 May use accentuation techniques such as lighting, perspective and resolution.

## **5.7 Refused Classification (R)**

- 5.8.1 Any content that contains propaganda for war or incitement of imminent violence, or that advocates hatred based on any

identifiable group characteristic, and that constitutes incitement to cause harm, must be refused classification by the classifier.

5.8.2 However, if judged within context, the content is a bona fide documentary or is a publication of scientific, literary or artistic merit, or is on a matter of public interest, it must be classified accordingly.

## **6. REVIEW AND AMMENDMENT OF THE GUIDELINES**

The Commission reserves the right to review or amend the Guidelines from time to time.

## **7. VIOLATIONS**

Any person who contravenes any provision of these Guidelines shall be dealt with in accordance with Section 42 of the ESCCOM Act.

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MVILAWEMPHI DLAMINI  
**CHIEF EXECUTIVE**