KFCB
KENYA FILM CLASSIFICATION BOARD

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Service Delivery Charter

GE
GENERAL EXHIBITION

PG
PARENTAL GUIDANCE RECOMMENDED

16
NOT SUITABLE FOR PERSONS UNDER 16 YEARS

18
RESTRICTED TO PERSONS AGED 18 YEARS & ABOVE

Introduction

The Kenya Film Classification Board (KFCB) is a State Corporation under the Ministry of Information, Communications and Technology (ICT). As part of our film and broadcast content regulatory functions, KFCB regulates the creation, broadcast, possession, distribution and exhibition of film and broadcast content to ensure the safety of children from exposure to harmful content, and to promote national values and culture through creative content.

Vision

To be a world class film and broadcast content regulator.

Mission

To safeguard national values and norms through efficient and effective film and broadcast content regulatory services.

Core Values

- Professionalism
- Accountability
- Innovation
- Integrity
- Teamwork

You are what you consume

Mandate

The mandate and functions of the Board are stipulated in the Films and Stage Plays Act Cap222. Additionally, KFCB's functions are also found in other legislations on broadcast content regulation and child safety. These include the Kenya Information and Communications Act (KICA) which, in Section 46(1) mandates KFCB to impose age restrictions on content aired by broadcast stations to ensure scenes intended for adult audiences are not aired during the watershed period (5am–10pm). The Act mandates KFCB to ensure content with scenes rated as adult or containing language intended for adult audiences should not be aired during the watershed period.

KFCB is the public agency mandated to provide age suitability ratings for all films distributed in the country, including Television programmes, and non-programme matter namely: commercials, infomercials, documentaries, programme promotions and listings, community service announcements and station identifications. The content should be submitted to the Board for classification before being broadcasted to the public.

In the Programming Code for free-to-air radio and television services in Kenya, the Board is mandated to ensure that television and radio programmes, excluding news, broadcasted during the watershed period (5am – 10pm) are suitable for general viewing to protect children from inappropriate exposure.

The Kenya Film Classification Board's statutory regulatory role is provided under part III of the Films and Stage Plays Act Cap 222. The Act mandates the Board to regulate the creation, broadcast, possession, distribution and exhibition of film and broadcast content. To achieve this mandate, the Board performs the following functions:

- Imposes age restrictions on film and broadcast content to ensure content with scenes that are rated as adult, or containing coarse language intended for adult audiences is not aired during the watershed period (5am – 10pm).
- Enforces Section 3 of the Programming Code for free-to-air radio and TV services in Kenya by ensuring all programme and non-programme matter such as commercials, infomercials, documentaries, programme promotions, programme listings, community service announcements and station identifications are examined and classified before they can be broadcasted.
- Issues filming licences for all films meant for public distribution and/or sale as well as non-news television programmes.
- Classification and rating of all films and non-news broadcast content and coordinating all issues related to film classification, exhibition, and distribution in the county.
- Ensures that certificates of approval are issued for films and content submitted for classification.
- Formulates policy and advices on film/broadcast content and advice the Government accordingly on film exhibition and distribution in the country.
- Carries out and encourages research in classification of film and broadcast content, accommodating the interests of all stakeholders.
- Ensures that classification catalogues are issued to film distributors and exhibitors.
- Inspects and licences the business premises of film distributors and exhibitors in the country.
- Ensures that violators of Cap 222 are prosecuted in line with the law.

Protecting Children
against Exposure to
Harmful Content.

Classification & Age Suitability Ratings

The Board is mandated to examine and classify all film content meant for public exhibition into age-suitability categories as follows:

1. **GE (General Exhibition)** – Content in this category should be suitable for general family viewing, and should be harmful or disturbing to children. It should not contain nudity, violence, sex, coarse or obscene language, glorification of drug abuse, and horrifying scenes.

2. **PG (Parental Guidance)** – Content in this category should also be suitable for general viewing. However, parents should monitor the content when being watched by children under the age of 10 years. In the content, violence should be portrayed mildly. Nudity must be fleeting and discreet and only in a non-sexual context, reference to drugs should be discreet without endorsing the use of the drugs. Horror portrayed should not be prolonged or intense.

3. **16 (Not Suitable for Persons under 16)** – content is restricted to those above 16 years of age. Themes portrayed may be mature, as long as they are treated with discretion. Violence is allowed but should not be prolonged or detailed. Sexual violence is prohibited. Sex must neither be explicit nor prolonged. Nudity should be infrequent, brief and justified by context. Drugs may be present as long as the content does not promote drug abuse.

4. **18 (Above 18 years)** – Content is restricted to those above 18 years. Themes explored can be mature. Where violence can be portrayed realistically and should not be excessive gratuitous or exploitative. Sex may be explicitly portrayed if the context is justifiable. Nudity is allowed as long as there is no close-up view of genitalia, language may be coarse and offensive but should not be used excessively.Drug abuse may be depicted but not endorsed.

5. **Restricted/Banned** – The content should not be viewed by anyone. It contains scenes that undermine national interest with elements such as denigration of a race or religion, glorify undesirable behavior such as pedophilia, or glamorize a homosexual lifestyle (Homosexuality is illegal in Kenya), violent instructions on crimes and killings, depicts exploitative sex, unnatural acts such as bestiality, excessive and exploitative nudity, glamorizing illegal drugs use and encouraging their consumption.

Our Stakeholders

Our customers and stakeholders include:

- Board of Directors
- Film producers
- Film exhibitors and distributors, film libraries, and cyber cafes
- Broadcast stations
- Government institutions
- Non-Government Institutions
- Religious institutions
- The Public
- Staff

Range of Services

The Board's services include:

- Examination and classification of film and broadcast content as provided under the Films and Stage Plays Act Cap222, section 46 (1) of the Kenya Information and Communications Act Cap 411A and the Programming Code for free-to-air radio and television services in Kenya.
- Monitoring distribution of film and broadcast content to ensure that no film or class of films is distributed, exhibited or broadcast unless the Board has examined it and issued a certificate of approval in respect thereof.
- Issuing film licences to local and international filmmakers.
- Monitoring broadcast of film content and programmes to ensure content intended for adult audience is not broadcasted within the watershed period (5am-10pm).
- Issuing licences and certificates to distributors and exhibitors of films and enforcing compliance with regulations.
- Issuing licences to film agents.
- Prescribing guidelines to be used in examination and classification of film and broadcast content.
- Prescribing the procedure of licensing exhibitors and distributors of film and broadcast content.
- Providing consumer advice with regard to protection of children and women against sexual exploitation in cinematography, films, broadcast content, and on the internet.

Core Principles of Service Delivery

The Board commits to provide information on our services on all platforms including brochures, newsletters, website, and social network sites. We also undertake to continually improve our standards of service delivery in response to customers and stakeholders' feedback.

We specially commit ourselves to:

- Meet our service standards
- Be committed to prioritizing customers' needs
- Communicate effectively in simple and clear language
- Provide adequate and consistent information about our services
- Provide adequate information about our services in an open and transparent manner
- Maintain high levels of professionalism and work ethics
- Observe gender and disability sensitivity in dealing with our customers and stakeholders
- Ensure that no one is discriminated against based on his or her health status
- Cultivate and sustain a policy of zero-tolerance to corruption at all levels
- Promote a drug-free environment for our customers, staff and stakeholders
- Sustain monitoring and evaluation systems to enable us to track performance
- Cultivate a culture that promotes environment-friendly practices
- Take corrective action against deficiencies that may occur in our systems
- Cultivate dynamism and innovative services through continuous improvement of systems and processes
- Utilize our resources prudently to enable us to deliver accessible and improved services
- Respect and protect the confidentiality of any information provided by our clients.

Performance Management Tools

We are committed to providing the best quality services as outlined in the following performance management tools:

- The Board's Strategic Plan
- Annual Work Plan
- The Board's Performance Contract
- KFCB ISO Quality Manual
- The Films and Stage Plays Act Cap222
- Kenya Communications (Broadcasting) Regulations
- Kenya Information and Communications Act
- The Programming Code for free-to-air radio and television services in Kenya, and other relevant legislations.

Standards

- Issuing film creation, exhibition, distribution and cinema licences within two (2) working days upon application.
- Issuing classification labels within 15 (fifteen) minutes.
- Approving cinema posters within one (1) working day.
- Examining and classifying films within 1 (one) day.
- Updating the classified films catalogue on a weekly basis.

- o Conducting customer satisfaction surveys regularly.
- o Responding to customers and stakeholders' enquiries promptly.
- o Addressing customer and stakeholders' complaints within fifteen (15) working days.
- o Carrying out random inspections of video show operators' premises.
- o Preparing payment vouchers within two (2) working days.
- o Payment for services to be done within 7 (working days).
- o Carrying out stakeholders' and public sensitization programmes on a regular basis.

Customer Responsibilities

- o Know our services.
- o Provide us with complete and accurate information to enable us to act promptly.
- o Provide feedback on our services.
- o Participate in our programmes.
- o Be conversant with Government rules and procedures.

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Mkataba wa Huduma kwa Umma

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Utangulizi

Bodi ya Uainishaji Filamu Nchini Kenya (KFCB) ni Shirika la Umma chini ya Wizara ya Mawasiliano na Teknolojia (ICT) lenye mamlaka ya kuthibiti filamu, makala na vipindi vinavyopeperushwa na vyombo vya habari nchini kwa lengo la kuwalinda watoto dhidi ya athari potovu. KFCB imepewa mamlaka chini ya Films and Stage Plays Act, maarufu kama Cap222 sheria za nchi ya Kenya.

Maono

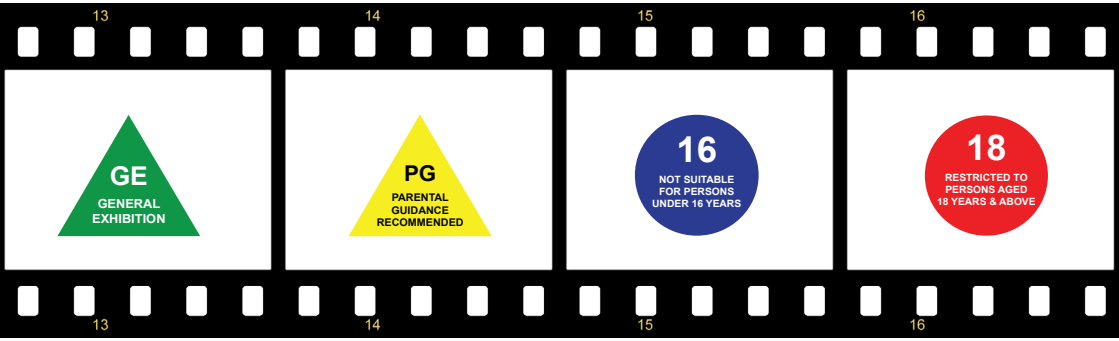
Kuwa kigezo cha uainishaji na udhibiti wa filamu na matangazo kwa viwango vya kimataifa.

Malengo

Kulinda kanuni na maadili ya taifa kupitia njia mwafaka za kudhibiti filamu na matangazo.

Maadili Ya Msingi

- Utaalamu.
- Uwajibikaji
- Ubunifu
- Uadilifu
- Ushirikiano



Mamlaka

Mamlaka ya Bodi hii imeelezewa katika Sheria ya Filamu na Tamthilia (Cap 222) na sheria zinginezo zinazoangazia taratibu za upeperushaji wa vipindi na usalama wa watoto. Kwa mujibu wa sheria hii, vipindi vyenye maudhui au lugha inayowalenga watu wazima havifai kupeperushwa kati ya saa kumi na moja asubuhi (5am) na saa nne usiku (10pm).

KFCB ni shirika la umma lenye mamlaka ya kudhibiti filamu kadri ya sehemu ya III ya Cap 222 sheria za Kenya. Sheria hii inaipa Bodi hii mamlaka ya kudhibiti ubunifu, upeperushaji, usambazaji, maonyesho na umiliki wa filamu. Ili kutimiza malengo haya, Bodi hii hutekeleza shughuli zifuatazo:

- Kuhakikisha kwamba filamu na mabango yote nchini yanachunguzwa na kuainishwa kabla ya kukodishwa, kuuzwa au kupeperushwa kwa njia za maonyesho ya video, sinema jukwaani, kuuzwa na wachuuzi au kupeperushwa katika stesheni mbalimbali.
- Kuratibu masuala yote yanayohusiana na uainishaji na maonyesho ya filamu nchini.
- Kuhakikisha kuwa vyeti vya kuidhinisha filamu zilizoainishwa vimetolewa.
- Kutunga mwongozo mwafaka wa sera kwa serikali kuhusu uainishaji, maonyesho na usambazaji wa filamu.
- Kutekeleza na kuimarisha utafiti kuhusu uainishaji wa filamu kwa kuzingatia maslahi ya wadau wote.
- Kuhakikisha kwamba orodha ya uainishaji inatolewa kwa wanaosambaza na kuonyesha filamu.
- Kutoa leseni kwa maduka yanayosambaza na kumbi zinazoonyesha filamu nchini.
- Kuhakikisha kwamba ukiukaji wa kipengee chochote cha sheria hii unashtakiwa.
- Kutoa leseni za kurekodi filamu.

Wadau Wetu

Baadhi ya wateja na wadau wetu ni:

- Bodi ya wakurugenzi
- Wanafilamu
- Wanaoonyesha na kusambaza filamu na wasimamizi wa kumbi za sinema.
- Umma
- Vyombo vya habari.
- Taasisi za serikali
- Mashirika yasiyo ya kiserikali
- Taasisi za kidini
- Wafanyakazi

Huduma Zetu

Huduma tunazotoa ni kama vile:

1.Kuchunguza na kuainisha filamu mpya kulingana na Cap 222 sheria za Kenya na Sheria ya Habari na Mawasiliano Cap 441A.

2.Kufuatilia usambazaji wa filamu na upeperushaji wa vipindi ili kuhakikisha kuwa hakuna filamu yoyote ile inayosambazwa, kuonyeshwa au kupeperushwa, iwe hadharani au faraghani, bila ya kuchunguzwa na kuidhinishwa na Bodi.

3.Kufuatilia upeperushaji wa filamu na vipindi ili kuhakikisha maudhui yanayowalenga watu wazima hayapeperushwi katika muda uliowekwa wa saa kumi na moja asubuhi hadi saa nne usiku.

4. Kutoa leseni kwa na kuwakagua wasambazaji na wanaoonyesha filamu.

5. Kupendekeza miongozo itakayotumika kuchunguza na kuainisha filamu.

6. Kutoa maagizo kuhusu utaratibu wa kutoa leseni ya wanaoonyesha na kusambaza filamu.

7. Kutoa leseni za kutengeza filamu.

8. Kufanya na kuhimiza utafiti wa uainishaji filamu ili kujumuisha maoni ya wadau wetu.

9. Kuhakikisha kuwa wanaokiuka Cap 222 wamefunguliwa mashtaka.

10. Kuwasajili mawakala wa filamu nchini Kenya.

Malengo Halisi

- Kuchunguza na kuainisha filamu mpya, vidokezo na mabango.
- Kuendeleza miongozo ya uanishaji wa filamu.
- Kudhibiti maudhui ya maonyesho ya filamu kwa umma.
- Kuwezesha ukaguzi wa video na maduka ya sinema.
- Kufuatilia maudhui ya vipindi vinavyopeperushwa.

Ukaguzi na Uainishaji wa filamu

KFCB imepewa mamlaka ya kukagua na kuainisha filamu zote zinazoilenga umma kwa jumla ili kuwafaa walengwa kwa minajili ya umri. Filamu huainishwa kama:

1.GE (General Exhibition) – Filamu zilizoainishwa kama GE zinaifaa umma kwa jumla na zinaweza kuonyeshwa kwa jamii nzima. Filamu za aina hii hazifai kuangazia maudhui yanayoweza kuwadhuru watoto kwa namna yoyote ile. Hazifai kamwe kusimulia au kuonyesha uchi, vita au uhasama, ngono, matapishi, visa vya kugutusha, au kupa ulaguzi wa madawa umaarufu.

2.PG (Parental Guidance) – Filamu zilizo kwenye kundi hili zinapaswa kuwafaa watazamaji wa kila umri katika jamii. Hata hivyo, tahadhari inatolewa kuwa wazazi wawaelekeze watoto walio chini ya miaka kumi kwani panauwezekano wa kuwepo kwa visa vya uhasama wa kadri. Utupu waweza kuonyeshwa kwa wepesi na pasi na visa vya ngono, utumizi mwepesi wa na usioipa mihadarati umaarufu unakubalika. Visa vyepesi vya kituko vinakubalika.

3.16 (Not Suitable for Persons under 16 Years) – Filamu hizi hazikubaliwi kwa walio chini ya umri wa miaka kumi na sita kwani maudhui yanayoangaziwa yanawafaa waliokomaa. Hata hivyo, visa vilivyokomaa vinaonyeshwa kwa wepesi, sio kupewa kipaumbele. Uhasama unakubalika mradi usitiliwe mkazo au kuonyeshwa kihalisia. Dhulma za kingono hazikubaliwi huku visa vya kujamiana vikikubalika mradi havionyeshwi kikamilifu au kwa urefu. Utupu adimu na unaoambatana na muktadha unakubalika. Utumizi wa mihadarati unakubalika mradi tu uyafae maudhui na usipewe umaarufu.

4.18 (Above 18 years) – Filamu zilizo kwenye kundi hili hazikubaliwi kwa walio chini ya miaka kumi na nane kwani maudhui yanayoangaziwa yanawalenga watu wazima. Uhasama waweza kuangaziwa kihalisia mradi uwe wa kadri, usiwe ovyo au unaoashiria dhuluma. Dhana za ngono zaweza kuonyeshwa katika muktadha wake. Utupu pia unakubalika bora usionyeshe uchi kwa uwazi. Usemi mchafu unakubalika mradi tu usipite kiasi, huku utumizi wa mihadarati ukikubalika ikiwa hautaidhinisha hulka hii.

5.Restricted – Filamu katika kundi hili hazifai kuonyeshwa kamwe kwani zinaangazia maudhui yanayokiuka maazimio ya taifa. Dhana hizi ni kama vile uchochezi kwa minajili ya kidini au kabila, kuidhinisha tabia potovu kama vile ngono batili, ushoga, maelezo makali kuhusiana na mauaji au dhuluma, kushiriki ngono na wanyama, dhuluma za mapenzi, kuonyesha utupu kupita kiasi, na kuidhinisha mihadarati na utumizi wake.

Kanuni Kuu Za Utoaji Huduma

Kama Bodi, tutasambaza habari kuhusu huduma zetu kwa kutumia majukwaa kama vile majarida, tovuti, mitandao ya kijamii na vyombo vya habari. Mara kwa mara, tutaendelea kuboresha viwango vya utoaji huduma kulingana na mahitaji ya wateja na kuendelea kupata maoni tukiahidi kuboresha, kurahisisha na kuimarisha utoaji wa huduma kwa kuheshimu na kulinda usiri wa habari zinazotolewa na wateja.

Tunaahidi

- Kuafikia viwango vyetu vya utoaji huduma;
- Kufanya kazi kwa kujitolea katika kuyapa kipaumbele mahitaji ya wateja;
- Kuwasiliana na wadau wetu kwa ufasaha;
- Kutoa ushauri thabiti na sahihi kuhusu huduma zetu katika njia ya wazi;
- Kudumisha viwango vya uwezo na maadili ya utendakazi;
- Kuzingatia masuala ya jinsia na ulemavu katika kuwashughulikia wadau wetu
- Kuhakikisha kwamba hakuna mtu atakayebaguliwa kwa misingi ya hali yake ya afya;
- Kukuza sera ya kutotoa rushwa katika ngazi zote;
- Kuweka mazingira bora dhidi ya mihadarati `kwa wateja na wadau wetu.
- Kuendeleza mifumo ya ufuatiliaji na tathmini ili kutuwezesha kufuatilia utendakazi;
- Kukuza utamaduni wa kuwepo kwa ubora;
- Kuchukua hatua ya kurekebisha ulegevu unaoweza kutokea katika mifumo yetu;
- Kuendeleza mabadiliko na ubunifu kwa njia ya kuendelea kuboresha mifumo na michakato;

- Kutumia raslimali zetu kwa busara ili kutuwezesha kutoa huduma
- Kuwazuia kina mama na watoto dhidi ya unyanyasaji wa kingono katika utoaji filamu na kwenye mitandao wa kijamii.

Vigezo vya utendakazi

Tuna madhumuni ya kutoa huduma bora kama ilivyoratibishwa katika vipengee vifuatavyo vya utendakazi.

- Mkakati mahsusi wa Bodi;
- Mpangilio wa kazi wa kila mwaka wa KFCB;
- Mkataba wa utendakazi wa KFCB;
- Rasimu ya ubora ya KFCB na ISO 9001:2008
- Kanuni ya Upeperushaji na Mawasiliano;
- Sheria ya Habari na Mawasiliano (Cap 411A); na
- Sheria ya Filamu na Tamthilia (Cap 222).

Viwango

- Kutoa leseni za kurekodi filamu katika siku mbili baada ya maombi.
- Kutoa vibandiko vya uainishaji katika dakika kumi na tano (15);
- Kuidhinisha mabango ya filamu katika siku moja;
- Kuainisha filamu kwa siku moja;
- Kusanifisha orodha ya uainishaji filamu kila wiki;
- Kufanya ukaguzi wa ghafla kwenye maeneo ya kuonyesha na kusambaza filamu;
- Kuandaa hati za malipo katika siku mbili (2) za kazi;
- Kutekeleza malipo ya huduma kwa siku saba (7) za kazi;
- Kufanya elimu ya wadau na mipango ya uhamasishaji kila mwaka;
- Kufanya utafiti kila mwaka ili kutathmini kuridhika kwa wateja;
- Kujibu maswali ya wateja na wadau haraka iwezekanavyo;
- Kushughulikia malalamiko ya wateja na wadau katika siku kumi na tano (15) za kazi; na
- Kuwarai, kuwaelimisha na kuwahamasisha wadau wetu.

Wajibu Wa Mteja

- Jifahamishe kuhusiana na huduma zetu;
- Toa habari kamili na sahihi kutuwezesha kutoa huduma.
- Toa maoni juu ya huduma zetu;
- Shiriki katika miradi yetu;
- Jifahamishe kuhusiana na sheria na taratibu za serikali;
- Bainisha maeneo ya udhaifu katika utoaji wetu wa huduma na uwasiliane nasi;
- Pendekeza njia za kuboresha huduma zetu; na
- Kutotoa vishawishi kwa njia ya zawadi au neema kwa wafanyakazi au kutendewa vivyo hivyo kwa ajili ya huduma.

Mfumo Wa Marekebisho

Umma na pia wadau wetu wanahimizwa kutoa mapendekezo ya kweli, pongezi na malalamiko yao binafsi, kwa njia ya posta, simu au barua pepe.

MAONI

Maoni yanaweza kutumwa kwa :

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Tawi
Kisumu, Kakamega, Eldoret, Nakuru, Nyeri,
Embu, Mombasa, Garissa and Isiolo