



LEGAL NOTICE.....

THE FILMS AND STAGE PLAYS ACT
(Cap. 222)

**THE FILMS AND STAGE PLAYS (FILM DISTRIBUTION AND
EXHIBITION) REGULATIONS, 2023**

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THE FILMS AND STAGE PLAYS ACT
(Cap. 222)

THE FILMS AND STAGE PLAYS (FILM DISTRIBUTION AND EXHIBITION) REGULATIONS, 2023

IN EXERCISE of the powers conferred by section 35 (1) of the Films and Stage Plays Act, the Cabinet Secretary makes the following Regulations—

THE FILMS AND STAGE PLAYS (FILM DISTRIBUTION AND EXHIBITION) REGULATIONS, 2023	
Citation.	1. These Regulations may be cited as the Films and Stage Plays (Exhibition and Distribution) Regulations, 2023.
Interpretation.	2. In these Regulations, unless the context otherwise requires—
<i>No. 2 of 1998.</i>	“broadcaster” shall have the meaning assigned to it under the Kenya Information and Communications Act, 1998
	“distribution” means in relation to a film means selling, supplying or letting for hire, offering or agreeing to sell, supply or let for hire or causing or permitting to be sold, supplied to or hired within Kenya;
	“exhibition” shall have the meaning assigned to it under Section 2 of the Films and Stage Plays Act;
	“over-the-top service” means a distribution or exhibition service used to offer films directly to viewers through the Internet which bypasses broadcast platforms; and
	“video-on-demand service” means a distribution or exhibition service that allows a person to access a film library through the use of technology without the use of a traditional video playback device or through a broadcasting schedule.
Objective of the Regulations.	3. The objective of these Regulations is to prescribe the procedure for the licensing of distributors and exhibitors of films in accordance with the Act.
Scope of the Regulations.	4. These Regulations shall apply to distributors and exhibitors of films that are accessible in Kenya.

Board to issue film distribution and exhibition licence.	5. (1) An application for film distribution or exhibition Licence shall be made to the Board in the prescribed form and prescribed fee.
	(2) The film distribution or exhibition applicant shall provide, upon request by the Board, a list of all films offered for sale, hire or exhibition.
Film distribution and exhibition licence.	6. (1) A film distribution or exhibition licence shall be valid for a period of one year from the date that it is issued by the Board.
	(2) The Licence shall specify —
	(a) the name and registered business address in Kenya of the film distributor or exhibitor;
	(b) where applicable, the name and address of the authorized person of the film distributor or exhibitor in Kenya;
	(c) the date the licence was issued; and
	(d) the conditions, if any, imposed by the Board.
Board to issue Compliance Certificate	7. (1) The Board shall issue a Compliance Certificate to film distributors and exhibitors upon request in the prescribed form.
	(2) The Certificate shall specify —
	(a) the name and registered business address in Kenya of the film distributor or exhibitor;
	(b) where applicable, the name and address of the authorized person of the film distributor or exhibitor;
	(c) the date the certificate was issued;
	(d) the period of validity; and
	(e) the conditions, if any, imposed by the Board.
Offences and penalties.	8. Any person who contravenes the provisions of these Regulations commits an offence and shall be liable, if convicted, to the penalties specified in section 32 or 34 of the Act, as the case may be.

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**FIRST SCHEDULE
[Regulation 6]**

FORM 1

FILM DISTRIBUTION/ EXHIBITION LICENCE

Date of Issue Licence
No.....

This is to certify that (Company Name/Name
of Licensee) of (Physical address) to operate a
..... (Business Type) under the
name (Name of Licensee)
within..... (County) for a period of one year from the date of issue.

Nearest KFCB Office

Nearest Police Station.....

Special provisions (where applicable

.....
Chief Executive Officer

FORM 2

CERTIFICATE OF COMPLIANCE

Date of Issue..... Certificate Number.....

This is to certify that..... of Post
Office Boxhas complied with the provisions of Films
and Stage Plays Act, Cap 222 and the Terms and Conditions of the referenced
Certificate.

This certificate is valid forfrom the date of issue.

.....
Chief Executive Officer

**SECOND SCHEDULE
(Regulation 5 (1))**

	Category	License Fees (Annual)
1.	Cinema Theatres	1-2 Screens- Kshs. 15,000 per premise 3-5 Screens- Kshs. 40,000 per premise 6 -10 Screens- Kshs. 50,000 per premise Above 10 screens- Kshs. 8,000 per screen per premise
2.	Outdoor Screening	Kshs. 20,000 per screen
3.	Virtual Reality	Kshs. 10,000 per premise
4.	Mobile Cinema/Screening	Kshs. 10,000 per screen
5.	Video Game Shop/Movie shop/Cinema Distributors	Kshs. 5,000 per premise
6.	Over the Top/ Video on Demand/ Service (Local)	Kshs 100,000
7.	Over the Top/ Video on Demand/ Service (Foreign)	Kshs 500,000
8.	Video Game Show	1-3 Screens-Kshs. 3,000 per premise 4 and above Screens- Kshs. 5,000 per premise
9.	Video Show	Kshs. 3,000 per premise
10.	Public Service Vehicle Video Exhibitors	Kshs. 3,000 per vehicle
11.	Other Public Exhibitors	Kshs. 3,000 per premise
12.	Classification labels	Kshs.10 per label
13.	Compliance Certificate	Nil

Made on the, 2023

ABABU NAMWAMBA, EGH
*Cabinet Secretary for Youth Affairs,
Sports and the Arts*