

**GAZETTE NOTICE NO.....**

**THE FILMS AND STAGE PLAYS ACT**

*(Cap. 222)*

**IN EXERCISE** of the powers conferred by section 15 (2) (b) of the Films and Stage Plays Act, the Kenya Film Classification Board prescribes the Guidelines set out in the Schedule to be applied by the Board in the classification of films.

**SCHEDULE**

**THE FILMS AND STAGE PLAYS (FILM CLASSIFICATION) GUIDELINES,  
2023**

**PART I—PRELIMINARY**

Citation.                   **1.** These Guidelines may be cited as the Films and Stage Plays (Film Classification) Guidelines, 2023.

Interpretation.           **2.** In these Guidelines, unless the context otherwise requires—

“affectionate behaviour” means physical expressions of love such as touching, hugging, handholding, kissing, cuddling;

“classifiable element” means a specific consideration, whose depiction may influence the rating of a film;

“coarse language” means crude or offensive language that lacks refinement or taste;

“drug abuse” means the improper or excessive use of drugs;

“explicit” means language or depiction with strong details relating to sex acts or violence;

“film” has the same meaning assigned to it in section 2 of the Act;

*No. 12 of 2008*           “hate speech” has the same meaning assigned to it in section 13 (1) of the National Cohesion and Integration Act, 2008;

“horror” means the use of frightening elements likely to scare or upset the audience;

“nudity” means the state of being naked;

“pornography” means the depiction of sex acts intended to cause sexual excitement;

*No. 2 of 1998*

“programme” shall have the same meaning assigned to it in Section 2 of the Kenya Information and Communication Act, 1998;

“restricted film” means a film that is not permitted to be distributed, exhibited, or broadcast in Kenya;

*No. 3 of 2006*

“sexual offence” shall have the same meaning assigned to it in Section 2 of the Sexual Offences Act, 2006;

*No. 2 of 1998*

“watershed period” shall have the same meaning assigned to it in Section 2 of the Kenya Information and Communication Act, 1998.

Application.

**3.** These Guidelines shall apply to films and posters that may be created, broadcast, possessed, distributed and exhibited in Kenya.

Principles.

**4.** In the application of these Guidelines, the Board shall operate under the following principles—

- (a) Theme which considers the setting of film, manner of presentation and intention of the film as the theme ;
- (b) Context which determines whether a classifiable element is justified by the storyline, time, setting, the manner of presentation and overall intention.
- (c) Intensity which is the degree in which a theme, or a classifiable element is presented in a film which contributes to the overall impact of the film.
- (d) Frequency which is a measure of the number of times a classifiable element appears in a film and therefore contributes to

the impact of the film;

(e) Tone which is the consideration of the mood and perspective of a film

(f) Impact which is the effect that individual classifiable elements, their intensity, frequency and tone have on a film; and

(g) Release format which considers technical clarity, user interactivity such as playback ability of a film and the effect of technology.

## **PART II—FILM RATING AND CLASSIFICATION**

Rating scale.

**5.** (1) The Board shall, when classifying a film or poster place the frequency and intensity of classifiable elements into a scale which shall range from zero to five and rate the film, poster or programme as specified in the Schedule.

(2) The film rating specified in the third column of the First Schedule shall be interpreted in accordance with the Second Schedule.

General  
exhibition films

**6.** A film shall be classified as a general exhibition film if that film is suitable for general family viewing and does not contain scenes that may be harmful or disturbing to children.

Parental  
guidance films  
PG 10

**7.** (1) A film shall be classified as a film requiring parental guidance for children of age of ten years and above as that film contains scenes that may upset the children.

(2) A film classified as a film requiring parental guidance for children of age of ten years and above contain themes with very mild sense of threat or menace and will be justified by context. The depiction of classifiable in the film will also be very mild.

Parental  
Guidance films  
PG 13

**8.** (1) A film shall be classified as a film requiring parental guidance for children of age of thirteen years and above as that film contains scenes that may upset the children.

(2) A film classified as a film requiring parental guidance for children of thirteen years and above contains themes with mild sense of threat or menace and will be justified by context. The depiction of classifiable in the film will also be mild.

Films  
unsuitable for  
children  
younger than  
sixteen years.

**9.** (1) A film shall be classified as being unsuitable for children younger than sixteen years if the film portrays mature themes.

(2) The themes in a film unsuitable for children younger than sixteen years shall be treated with discretion and shall be appropriate for audiences which include persons who are older than sixteen years old.

(3) A film that is unsuitable for children younger than sixteen years shall not be exhibited for audiences which include children who are younger than sixteen years.

Adults' only  
films.

**10.** (1) A film shall be classified as an adults' only film if it contains scenes which are suitable for adults and may portray and explore themes of a mature nature.

(2) An adults' only film shall not be exhibited for audiences which include children who are younger than eighteen years.

Restricted  
films.

**11.** (1) A film shall be a restricted film if it contains scenes that are described under paragraph (f) of the Second Schedule.

(2) A restricted film shall not be exhibited.

Consumer  
advice.

**12.** (1) A classification decision may include consumer advice which will be in the form of alphabetic symbols with the main intention of alerting the public to particular elements that are significant and may be potentially disturbing, harmful or inappropriate for children below a specified age.

(2) The consumer advice shall be in accordance with the Consumer Advisory Index provided for in the Third Schedule.

**FIRST SCHEDULE**

(p. 11 (1))

**FILM RATING**

<b>Scale</b>	<b>Intensity of classifiable elements</b>	<b>Film rating</b>
0	Low impact classifiable elements	General Exhibition (GE)
1	Very mild impact classifiable elements	Parental Guidance 10 (PG 10)
2	Mild impact classifiable elements	Parental Guidance 13 (PG 13)
3	Moderate impact classifiable elements	Unsuitable for persons younger than sixteen years (16)
4	Strong impact classifiable elements	Adults only (18)
5	Extreme impact classifiable elements	Refuse Classification

**SECOND SCHEDULE**

(p. 11 (2))

**INTERPRETATION OF FILM RATING**

<b>A. GENERAL EXHIBITION</b>	
	<b>Classifiable Elements</b>
Theme	Themes should generally have a low or no detrimental effect and not contain any disturbing, harmful, or inappropriate scenes that encourage imitable behaviour.
Violence and Crime	Depictions of violence and crime are not permitted.
Sex	Sexual acts are not permitted.
	References and depictions of carnal knowledge of any person against the order of nature is not permitted.
	References to and depictions of intimacy of the same sex is not permitted.

Obscenity	Coarse language is not permitted.
	Depiction of indecent exposure is not permitted.
Nudity	Nudity is not permitted.
	Depiction of undressing, whether sexually suggestive or otherwise is not permitted.
Drugs, Alcohol and Harmful Substances	References to alcohol, drugs or their use are not permitted.
Religion and Community	Portrayal of profanity against any religion or community is not permitted.
	Portrayal of religions or communities, their symbols, rituals or practices in a distorting, demeaning or derogatory manner is not permitted.
Horror and Occult	Depiction of horror is not permitted.
Propaganda for War, Hate Speech or Incitement to violence	Depiction of incitement to violence, exaggerated or misrepresented facts in order to incite war, hate speech or violence is not permitted.
Advocacy for Hatred	Depiction of or reference to discrimination or vilification is not permitted.
<b>B. PARENTAL GUIDANCE 10</b>	
<b>Thematic Area</b>	<b>Classifiable Elements</b>
<b>Theme</b>	Themes may contain mild scenes which may cause discomfort to unaccompanied children. Furthermore, elements may be infrequent, non-imitable and without emphasis.

Violence and Crime	Depiction of very mild implied, verbal or actual violence may be permitted if justified by context.
	Depiction of very mild implied, verbal or actual criminal techniques is permitted if justified by context.
Sex	Depiction of and references to sexual acts are not permitted.
	References and depiction of carnal knowledge of any person against the order of nature is not permitted.
	References to and depictions of intimacy of the same sex is not permitted.
	Depiction of affectionate behaviour may be permitted.
Obscenity- consider language**	Coarse language is not permitted.- include indecent exposure***
Nudity	Nudity is not permitted.
Alcohol, Drugs and Harmful Substances	Depiction to alcohol, drug and substance use is not permitted unless it is justified by context.
	Reference to implied alcohol, drug and substance use is not permitted unless it is justified by context and contains a suitable anti-use message.
Religion and Community	Portrayal of profanity against religion or community is not permitted.
	Very mild portrayal of religions or communities, their symbols, rituals or practices is permitted if it is justified by context.
Horror and Occult	Depiction of horror shall be non-threatening or tinged with humour. Frightful scenes shall be very mild, infrequent and not psychologically disturbing.

	Depiction of implied mystical, supernatural powers and practices may be permitted if it is justified by context.
Propaganda for War, Hate Speech or Incitement to Violence	Depiction of incitement to violence, exaggerated or misrepresented facts in order to incite war, hate speech or violence is not permitted.
Advocacy for Hatred	Depiction of or reference to discrimination or vilification is not permitted.
<b>C. PARENTAL GUIDANCE 13</b>	
<b>Thematic Area</b>	<b>Classifiable Elements</b>
<b>Theme</b>	Themes may contain mild impact classifiable elements that are non-threatening, confusing or disturbing that will require parental guidance.
Violence and Crime	Mild depiction of implied violence may be permitted if it is justified by context.
	Depiction of violence shall not dwell on cruelty, infliction of pain or torture of any form.
	Depiction of sexual violence is not permitted.
	There shall be no emphasis on injuries or blood.
	Depiction of implied or verbal mild domestic violence may be permitted if justified within context and contains a message discouraging it.
	Depiction of verbal reference of sexual violence that is brief and non-graphic may be permitted if it justified by context and contains a message discouraging it.



	Mild depiction of implied, verbal or actual crime or criminal techniques is permitted if justified by context.
Sex	Depiction of sexual acts may be implied and shall be infrequent.
	Depiction of mild and infrequent suggestive affectionate behaviours are permitted.
	References or depiction of carnal knowledge of any person against the order of nature is not permitted.
	Depiction of alternative sexualities is not permitted.
	References to and depictions of intimacy of the same sex is not permitted.
Obscenity	Mild coarse language may be permitted if it is justified by context.
Nudity	Infrequent, brief and discreet depiction of partial nudity may be permitted if justified by context.
Drugs, Alcohol and other Harmful Substances	Discreet references to alcohol, drug and substance use are permitted if they do not promote or endorse abuse and are justified by context.
Horror	Frightening scenes are permitted if they are not prolonged, disturbing or intense.
Occult	Depiction of infrequent mystical, supernatural powers and practices may be permitted if it is justified by context.
Religion and Community	Depiction or references of religions or communities, their symbols, rituals or practices is permitted if justified by context.

Propaganda for War, Hate Speech or Incitement to violence	Depiction of incitement to violence, exaggerated or misrepresented facts in order to incite war, hate speech or violence is not permitted
Advocacy for Hatred	Depiction of or reference to discrimination or vilification is not permitted.
<b>D. UNSUITABLE FOR PERSONS YOUNGER THAN SIXTEEN YEARS</b>	
<b>Thematic Area</b>	<b>Classifiable Elements</b>
Theme	Themes may contain moderate impact classifiable elements that are non-threatening, confusing or disturbing that will require parental guidance.
Violence	Depiction of infliction of pain, injury and blood may be permitted if it is not prolonged or detailed.
	Depiction of sexual violence is not permitted unless justified by context and accompanied by a strong message against it.
Crime	Depiction of implied or actual moderate impact crime or criminal techniques is permitted.
Sex	Moderate depiction of sexual acts may be implied and shall be infrequent.

	<p>Depiction of moderate suggestive affectionate behaviours may be permitted if justified by context.</p> <p>References or depiction of carnal knowledge of any person against the order of nature is not permitted.</p> <p>Depiction of alternative sexualities is not permitted.</p> <p>References to and depictions of intimacy of the same sex is not permitted.</p>
Obscenity	<p>Depiction of or references to lewd behaviour is not permitted unless it is justified by context.</p> <p>Coarse language may be permitted if it is justified by context.</p>
Nudity	<p>Discreet and fleeting nudity may be permitted if it is justified by context.</p>
Alcohol, Drug and Other Harmful Substances	<p>Depiction of and references to alcohol, drug and substance use are permitted if they do not promote or endorse abuse and are justified by context.</p>
Horror	<p>Prolonged frightening scenes may be permitted.</p> <p>A sustained focus on sadistic cruelty is not permitted.</p>
Occult	<p>Depiction of mystical, supernatural powers, paranormal practices and activities may be permitted if not prolonged and justified by context.</p>

Religion and Community	Depiction or references of religions or communities, their symbols, rituals or practices may be permitted if justified by context.
Propaganda for War, Hate Speech or Incitement to violence	Depiction of incitement to violence, exaggerated or misrepresented facts in order to incite war, hate speech or violence will not be permitted.
Advocacy for Hatred	Depiction of or reference to advocacy for hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm or is based on any ground of discrimination is not permitted
<b>E. ADULTS ONLY</b>	
<b>Thematic Area</b>	<b>Permissible elements</b>
Theme	Portrayal and exploration of mature themes are allowed.  Themes may contain strong impact classifiable elements that are threatening, confusing and disturbing to minors.
Violence	Realistic depiction of infliction of pain, injury and blood may be permitted if justified by context.
	Depiction of sexual violence without context is not permitted.
Sex	Depiction of sexual acts may be permitted if justified by context.
	References or depiction of carnal knowledge of any person against the order of nature is not permitted.
	Depiction of alternative sexualities is not permitted.
	References to and depictions of any forms of same sex intimacy is not permitted.

Nudity	Nudity with strong detail may be permitted if justified by context.
	Close up of genitalia is not permitted.
Obscenity	Depiction of or references to lewd behaviour may be permitted if justified by context.
	Coarse language may be permitted if it is justified by context.
Alcohol, Drug and Other Harmful Substances	Depiction of alcohol, drug and substance use may be permitted if justified by context.
Horror	Prolonged or intense scenes that evoke fear or terror may be permitted.
	Sustained strong psychological horror that does not focus on significant gory injury details or acts of sadistic torture may be permitted.
Occult	Depiction of mystical, supernatural powers, paranormal practices and activities may be permitted.
Religion and Community	Depiction or references of religions or communities, their symbols, rituals or practices may be permitted.
Propaganda for War, Hate Speech or Incitement to violence	Depiction of incitement to violence, exaggerated or misrepresented facts in order to incite war, hate speech or violence is not permitted.
Advocacy for Hatred	Depiction of or reference to advocacy for hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm or is based on any ground of discrimination is not permitted.

<b>F. RESTRICTED</b>	
<b>Thematic Area</b>	<b>Classifiable Elements</b>
Violence and Crime	Portrayal of domestic violence without context is not permitted.
	Explicit and prolonged depictions or descriptions of glorified violence are not permitted.
	Depictions of extreme cruelty are not permitted.
Sex	Portrayal of child pornography is not permitted.
	Depiction of gratuitous, exploitative, or offensive depiction of sex acts are not permitted.
	References or depiction of carnal knowledge against the order of nature is not permitted.
	Depiction of alternative sexualities is not permitted.
	Depiction of sexual offences is not permitted.
	References to and depictions of intimacy of the same sex is not permitted.
Obscenity	Depiction of extreme derogatory language is not permitted
Nudity	Portrayal of exploitative nudity is not permitted.
	Close up of genitalia is not permitted.
Alcohol, Drugs and Other Harmful Substances	Detailed depiction of alcohol and drug use glorifying, normalising and promoting abuse is not permitted
Horror	Depiction of prolonged scenes that evoke extreme fear or terror is not permitted.

Occult	Depiction of extreme mystical, supernatural powers, paranormal practices and activities is not permitted.
Religion and Community	Negative depiction or references to religions or communities, their symbols, rituals or practices is not permitted.
Propaganda for War, Incitement to violence and hate speech	Depiction of incitement to violence, exaggerated or misrepresented facts in order to incite war, hate speech or violence is not permitted.
Advocacy for Hatred	Depiction of or reference to advocacy for hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm or is based on any ground of discrimination is not permitted.

### Consumer Advisory Index

The Consumer Advisory Index shall be:

	<b>CLASSIFIABLE ELEMENT</b>	<b>INDEX</b>
1.	Violence	<b>V</b>
2.	Crime	<b>C</b>
3.	Sex	<b>S</b>
4.	Obscenity	<b>O</b>
5.	Nudity	<b>N</b>
6.	Occult	<b>Oc</b>
7.	Horror	<b>H</b>
8.	Drugs	<b>D</b>
9.	Alcohol	<b>A</b>
10.	Harmful Substance	<b>HS</b>

11.	Obscenity	<b>Ob</b>
12.	Community	<b>Cm</b>
13.	Propaganda for War	<b>W</b>
14.	Hate Speech & Incitement	<b>HI</b>
	Incitement to Violence	<b>IV</b>
15.	Language	<b>L</b>
16.	Photo or pattern sensitivity, motion sickness and reactions to low frequency sound	<b>PPS</b>
17.	Imitable acts and Techniques	<b>IAT</b>

Dated the ....., 2023

**JOHN NJOGU NJOROGE**  
*Chairman*  
*Kenya Film Classification Board*

**CHRISTOPHER WAMBUA**  
*Acting Chief Executive Officer*  
*Kenya Film Classification Board*