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## STATEMENT BY THE KENYA FILM CLASSIFICATION BOARD CHIEF EXECUTIVE OFFICER DR. EZEKIEL MUTUA, MBS, ON FILM LICENSING AND CONTENT REGULATION ISSUED ON 25TH MAY 2018

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The Kenya Film Classification Board would like to clear the air on the recent developments in the film industry and the laws governing the film sector. This follows malicious and misleading interpretations of the Board's public notice as appeared in the dailies on the 14<sup>th</sup> of May 2018.

The Board strictly operates within its legal mandate as prescribed under the Films and Stage Plays Act Chapter 222 of the Laws of Kenya. **Section 4 of CAP 222** mandates the Board to issue filming licenses, developed further under Section 15 of the same act. The Public Notice cited above is therefore well within the scope of our mandate as the film regulator in Kenya.

We appreciate the corporation we have received from all stakeholders in the film industry, registering a record eighty four **(84) film agents** and issuing a hundred and two **(102) filming licenses** by close of business yesterday. This is a clear indication of the continuous support the Board receives from players in the industry. Our commitment to growing the industry is without a doubt cemented on the combined efforts of all stakeholders in the creative economy.

As a Board, we shall continue to promote and develop the industry by facilitating the registered film agents with permits in a swift, express and timely manner. We have even established a desk at our offices to specifically attend to the licensing needs. Further, the Board has made parking arrangements for the industry players visiting our offices. Besides, we have an open door policy and active interactions on social media.

With regard to film classification and rating, the KFCB is mandated under **Section 15 (2b) of CAP 222** to prescribe guidelines in the classification of films. Without going into details, allow me to state that films rated as restricted are carefully considered by our film officers, possible excisions and amendments discussed with the directors/producers with the hope of reclassification.

Misconceptions that the Board is only AFTER RESTRICTING content should not be entertained and are perpetuated by individuals abusing our collective norms and the law. The heart of classification is to align content to our national values, culture and ensure that the consumers, especially children are not exposed to otherwise harmful content. The impact of every film is to be duly considered in its context. Where necessary, the Board has continued to work with the producers/directors in amending scenes to fit the Kenyan context. As we stand and according to **Sections 162, 163, and 165 of the Penal Code**, homosexuality remains illegal in Kenya as it is in other African countries except South Africa.

The Board recognizes and acknowledges the important roles played by all state agencies and reaffirms the commitment to a symbiotic correlation and complimentary support towards an efficient delivery of the much needed services to the film industry in Kenya. We continue to reach out to all interested parties and fellow Government agencies to harmonize and synergise our interactions for the benefit of the stakeholders.

In the last few years, KFCB has continued to support filmmakers and other industry players to get license waivers, attend or participate in local and international film festivals/markets, premiere films in theatres, and screen films in the counties. We remain committed to further

support the development and creation of more content as we strive towards the sixty percent (60%) local content target.

In view of the above, we call upon Kenyans of goodwill to come forward and partner with the Board in developing the film industry to promote our national values and cultural heritage.

KFCB appreciates the support of other stakeholders including content consumers such as parents, teachers, churches, imams among others. We commit to being steadfast in promoting content development while simultaneously protecting the consumers, children especially, from harmful content.

The Board will work closely with filmmakers and other stakeholders in improving the laws pertaining to licensing, creation and distribution of content. The law is above us and therefore has to be our guide.

A handwritten signature in blue ink, appearing to read 'EM', with a long, sweeping horizontal line extending to the right.

**Dr. Ezekiel Mutua, MBS,  
CHIEF EXECUTIVE OFFICER**