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**PRESS STATEMENT BY THE KENYA FILM CLASSIFICATION BOARD  
CHIEF EXECUTIVE OFFICER DR. EZEKIEL MUTUA, MBS, ON  
COMPLIANCE TO THE FILMING REQUIREMENTS IN LINE WITH THE  
LAWS OF KENYA**

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*Ladies and Gentlemen of the Press*

The attention of the Board has been drawn to numerous incidents of persons engaging in filmmaking activities in the country without obtaining filming licenses from the Board as required by law. There are also cases of forged filming licenses by some unscrupulous persons masquerading as KFCB registered film agents. In one incident which has been reported to the police, a forged filming license was issued to a foreign crew that had sought for the permit through one of the major foreign missions in Kenya. We alerted the said Embassy and they intervened to save the crew from arrest by obtaining a proper license. In another incident two weeks ago, a multinational company that supports talent development in the film industry in Kenya and Africa nearly had their event in Mombasa cancelled by the police after the Board discovered that the producers engaged by the said company had not complied with the law. The matter has since been resolved.

Besides being a clear contravention of the **Films and Stage Plays Act Cap 222**, illegal or unauthorized filming, particularly in public places, poses serious security threats to the country. Films can be used by criminals to gather information and navigate targeted spots. Illegal filming in public places must, therefore, not be allowed. In this regards, the Board appeals to the police and other security agencies to always monitor and scrutinize such activities and apprehend anyone operating without a filming license from the Board.

It is a requirement of the law that the making of any film, particularly for sale, public exhibition or hire in Kenya must be licensed by the Board. **Section 4(1)** of the Films and Stage Plays Act Cap 222, states that “*No film shall be made in Kenya without a filming license from the Board.*”

Considering the possible misuse of films and content creation by criminal elements, and in order to support security agencies with data and information about the authorized filmmakers in Kenya, the Board urges all film makers to ensure that they have a film license before embarking on any shoot.

This requirement also touches on those filming in our national parks and games reserves, whether by local or foreign crews. Indeed, we have information that some of the people involved in the illegal filming activities are foreigners who come into the country as tourists but end up shooting films without authorization. Some use local travel agents' clearance to evade obtaining the necessary licenses and permits for filming.

These developments are worrying as they can lead to serious security breach and can be abused by criminals to jeopardize national security. Such illegal filming activities also deny the Government the much needed revenue, and make it difficult for the Board to collect and collate data on the industry to inform policy formulation.

**In view of the foregoing, the Board wishes to announce the following:**

We have initiated discussions with other security agencies, in particular the Ministry of Interior and Coordination of National Government to ensure that those found filming without a license from the Board are arrested and prosecuted. We have also shared information about such suspected illegal filming activities with the Inspector General of Police and the Immigration Department for necessary action.

The Board is also working closely with the Ministry of Tourism and Wildlife to ensure that tourists coming to Kenya do not engage in filming activities without the approval of the Board. In this regard, we wish to thank the Kenya Wildlife Service for their cooperation and support in ensuring that visitors desiring to make films in our national parks and game reserves are referred to the Board for licensing. We also wish to thank the Kenya Tourism Board for working with our office to ensure that filming activities through the ministry are approved by the Board.

We shall continue to collaborate with the Kenya Police Service to ensure that licenced film producers are not harassed while going about their business.

Those wishing to use guns as props in a shoot are advised to seek approval directly from the Inspector General of Police. The Board does not grant such approvals neither are we obligated under the law to make such recommendations for filmmakers.

The Board is in the process of compiling data on the film sector to ensure that bonafide filmmakers and photographers in Kenya are documented for purposes of policy decisions as well as to aid in enhancing security in the country.

We have commenced investigations on the reported cases of unauthorized filming activities and we thank the police for their support. We also wish to thank various foreign missions in the country as well as donor agencies for ensuring compliance with the law in both content creation and exhibition.

**We wish to emphasize the following matters touching on the mandate of the Board as stipulated in the law:**

1. Creation of any film meant for public exhibition without a filming license from KFCB is illegal (**Section 4 (1) of Cap 222**).
2. No film or class of film shall be distributed, exhibited or broadcast, either publicly or privately, unless the Board has examined it and issued a certificate of approval in respect thereof.
3. Any person who exhibits any film in contravention of the provisions of subsection 2 of **Section 12** shall be guilty of an offence (**Section 12 (3) of Cap 222**).
4. No person shall display, or cause or permit to be displayed, in a public place, or so as to be visible from a public place, any poster, unless the Board has first approved the poster for public display **Section 13 (2) of Cap 222**).
5. Any person guilty of this offense contravenes the law and shall be liable to a fine not exceeding **Ksh100,000** or imprisonment for a term not exceeding five (**5**) years, or both (**Section 32 of Cap 222**).
6. Where the offense is committed by a company or other body corporate, or by a society, association or body of persons, every person charged with, or concerned or acting in, the control or management shall be guilty and liable to be punished accordingly (**Section 34 of Cap 222**).

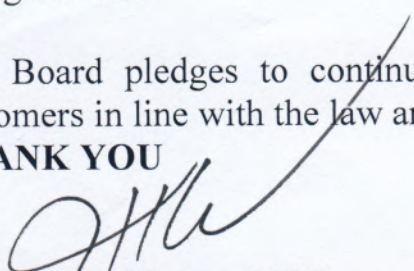
In regard to the above, the Board reiterates that unlicensed filming is a serious security matter and shall not be allowed. In most cases, unlicensed filming leads to exhibition of unrated film content more often than not, exposing children to either adult or harmful content. To this effect, anyone found filming without a filming license shall face the full force of law.

Finally, the Board hereby issues a fourteen (**14**)-day **NOTICE** to all film makers whose permits have expired to obtain new licenses. Foreign film makers and crews coming to film in Kenya must apply for their permits through our registered

local film agents. It should be noted that the Board does not give direct licenses to foreign crews.

The Board pledges to continue offering efficient and timely services to our customers in line with the law and our service charter.

**THANK YOU**



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