

# REGULATION ON IMPORT AND SHOW OF FILMS AND MONITORING CINEMA

“With Amendments through Presidential Decree

Date: 8<sup>th</sup> November 1988

## Chapter One

### General Provisions

#### **Article One:**

This regulation has been adopted in order to better regulate the import and show of films and supervise the cinemas.

#### **Article Two:**

Directorate of the Afghan Film of the Ministry of Information and Culture is the authorized body in the country to secure relations between individuals and firms working in the area of cinema and video film import and distribution (VHS, VCD, and DVD) and their release.

#### **Article Three:**

Directorate of the Afghan Film can directly produce feature, documentary and commercial films or can grant the right of that in accordance with the provisions of this regulation to other individuals.

#### **Article Four:**

Directorate of the Afghan Film shall import films that are for children and teenager (under 18) which are for training and educational purposes.

#### **Article Five:**

Directorate of the Afghan Film shall identify films that are deemed to be harmful to children and teenagers (under 18) together with the representative of the Minister of Education.

#### **Article Six:**

- (1) School students are not allowed to attend cinemas, while schools are in session.
- (2) Children and teenagers (under 18) cannot attend film shows that are not appropriate for them.

#### **Article Seven:**

Cinemas are obliged to post a disclaimer next to the posters of films, if the Directorate of the Afghan Film deems the film in the question not appropriate for children and teenagers (under 18).

## **Chapter Two**

### **Responsibility and Authority**

#### **Article Eight:**

Directorate of the Afghan Film shall have the following responsibilities and authorities.

- 1- To issue license for the cinema activities in the country, in accordance with the provisions of this regulation.
- 2- To regulate and control the show programs of the State Cinemas together with a representative of the executive committees of the local Shuras (council).
- 3- Monitoring from show programs of the private and small scale cinemas.
- 4- To distribute films to the cinemas in the country based on a specific percentage charges from the income of the film or a time-based rent.
- 5- To confirm the proposed ticket price to the cinemas after the approval of the Ministry of Finance from the Ministers' Council.
- 6- To control the income of the State Cinemas from the film shows with the participation of the relevant authorized institutions in order to confirm the real incomes. In provinces, this control shall be done by the Departments of Information and Culture with the participation of the authorized relevant institutions.
- 7- To conduct film festivals in the State cinemas after the agreement with the relevant institutions.
- 8- To censor and identify cinema and video films.

#### **Article Nine:**

The Directorate of the Afghan Film is obliged to show educational, recreational and cultural films for children and teenagers (under 18) in cinemas both at national and provincial level in different times.

#### **Article Ten:**

Appointment and removal of professional staff in the cinemas in the capital is done by the Directorate of the Afghan Film and at the provincial level, it is done by the Department of Ministry of Information and Culture in accordance with the law.

#### **Article Eleven:**

New cinemas shall be built in accordance with the city plan and approval of Afghan Film.

#### **Article Twelve:**

Design that illustrates the building of a new cinema shall be implemented after the approval of Afghan Film.

#### **Article Thirteen:**

The Directorate of the Afghan Film is obliged to assist private and state run cinemas in terms of their functions organization and their main responsibilities in order to secure them technical equipments, order and discipline, cleanliness and safety regulations and shall control and monitor the performances in these areas with the participation of the relevant institutions permanently.

**Article Fourteen:**

Terms of reference for the administrations of the cinemas are as follow:

- 1- To put in place order and discipline.
- 2- To keep and maintain inside cinemas clean and tidy.
- 3- To keep and protect films during display or show.
- 4- To avoid tickets being sold in the black market.
- 5- To avoid use of video cassettes inside cinema saloons.
- 6- To show documentary and informative films before the display of feature film.
- 7- To avoid the attendance of the children and teenagers (under 18) to film shows that have been ranked and banned by the Directorate of Afghan Film inappropriate for them.
- 8- To avoid school students attendance in the cinemas when schools are in session.

**Article Fifteen:**

Owners and lease holders of the cinemas, before showing cinema films shall abide by the followings:

- 1- To repair cinemas.
- 2- To equip cinemas with technical safety tools.
- 3- To procure necessary technical equipment.
- 4- To keep cinema saloons clean and tidy.

In case of violation of the above-mentioned, the Afghan Film shall close down the cinema.

### **Chapter Three Import and Distribution of Feature films**

**Article Sixteen:**

Directorate of the Afghan Film shall directly or through national and foreign individuals and firms import feature films and provide them to the cinemas.

**Article Seventeen:**

In the protocols of the feature film import, priority shall be given to Afghan nationals.

**Article Eighteen:**

Feature film Importers shall hold Afghanistan commercial license.

**Article Nineteen:**

Determining the number of copies and confirmation of the quality of the film prior to its import lies beneath the authority of Afghan Film.

**Article Twenty:**

Determining the number of copies of films that are imported by individuals and firms to the country are done by the Directorate of Afghan Film.

**Article Twenty One:**

Films that are imported by national or foreign individuals and firms to the country based on a protocol, if there are not acceptable in terms of their print, the Directorate of Afghan Film shall evict them. (Delete!)

- (1) Import, determination and delivery of the VHS, VCD, and DVD films after the Customs process and seal and stamp of the Directorate of the Afghan Film shall be sanctioned to go to be public or shown.
- (2) Concessionary fees for the films mentioned in the Clause One of this article will be equivalent to the half of the price for the Cinema films.
- (3) Importers of the films mentioned in the provisions of this article shall pay 5 Afs for each Video Cassette and 2 Afs for each VDV, VCD to the Directorate of the Afghan Film which shall then be transferred to the Government account.
- (4) Show of the video films on small scale cinemas shall be regulated relevantly.
- (5) Number of seats in small scale cinemas shall be between 50 to 100.

**Article Twenty Two:**

The Directorate of Afghan Film can obtain Importers' film (individual or a firm) based a separate protocol to rent them or with a specific percentage of the interest buy them for a timed period and provide them to the State and private cinemas.

**Article Twenty Three:**

Any film that is imported in the country illegally shall be confiscated.

**Article Twenty Four:**

Payment of the tax and duties confirmed through the customs declaration shall be paid by the importer.

**Article Twenty Five:**

In case of violation from protocol and regulation, the Directorate of Afghan Film can suspend importer's license.

**Article Twenty Six:**

Importer of the feature film, for each import program of the film shall pay the Afghan Film as follow:

- 1- Pakistani film, two hundred and fifty thousand Afghanis
- 2- Hindi film, two hundred thousand Afghanis
- 3- Iranian film, one hundred and fifty thousand Afghanis
- 4- Turkish, Arabic, Western films in their original language, seventy five thousand Afghanis
- 5- Turkish, Arabic, Western films dubbed in Farsi, fifty thousand Afghanis
- 6- Film from Socialist countries, ten thousand Afghanis



**Article Twenty Seven:**

Films that are imported temporarily by individuals or firms in return to a specific percentage interest for the Directorate of Afghan Film shall be exempted from the provisions of the Article Twenty Six.

**Article Twenty Eight:**

If a film is evicted by the board of censor, importer maximum within one month can return the film to the original source and instead of the Concessionary fees already paid can import another film.

**Chapter Four  
Miscellaneous Articles**

**Article Twenty Nine:**

Executive Committees of the people representative from the provinces shall seek the help of the mobile cinema units through Departments of the Information and Culture to solve their problems.

**Article Thirty:**

Number of staff working at the private cinemas shall be determined proportionate to the cinema size according to the norms of State cinemas.

**Article Thirty One:**

In case of damage to the film due to carelessness, technical problems or lack of technical instruments and tools, the cinema showing the film shall compensate for the damages to the Directorate of the Afghan Film.

Natural depreciation of film after the determination of period due to repeated shows shall be exempted from this provision.

**Article Thirty Two:**

This regulation shall come into force from the date of its signature and with its enforcement Regulation on the Import of film and Supervision of Cinema published no. 477 dated 4<sup>th</sup> March 1981 shall be nullified.