

CINEMATOGRAPHY

CLASSIFICATION BY AGES

1) The Classification Committee in Spain

Up to the year 1975, there existed in Spain the censor who carried out his prohibiting tasks with an absolute rigidity.

With the restoration of democracy in Spain, and following the proclamation of the Constitution, censorship disappeared and freedom of expression was recognised as a constitutional principle.

The Classification Committee for Cinematographic Films was created by an Act of 1982 and, in theory, it inherited the tasks previously assigned to the censor of issuing reports on films liable to be rated as “X films” (pornographic and/or containing extreme violence), later on extending the classification system to all films intended for public viewing.

The Classification Committee is a collegiate body of a consultative nature (nowadays consisting of ten members) coming under the ICAA.

Its scope of competence is national, though the Autonomous Communities can have their own Committee (Catalonia), using the same system of action as the ICAA.

Its task is to issue reports on films and videos, and to propose to the Director General of the ICAA the age group that they are going to be intended for, which it does for informative purposes and to act as a guideline rather than for purposes of censorship.

In Spain, there is no censorship nor prohibition, bits of films are not cut nor is their exhibition prohibited unless they constitute an offence, in which case the Attorney General’s Office is the body that will decide on their withdrawal, prohibition or, as the case might be, sanction. Access to minors is only prohibited in the case of “X” rated films.

It is possible to request a change of classification by means of appeal or reasoned review.

Composition: Ten members chosen from among people having a relation with the different social groups and sectors of the cinematographic and audiovisual industry, meeting the conditions of aptitude and suitability for their work.

They are nominated by the Ministry of Education, Culture and Sport at the proposal of the Director General of the ICAA, and their maximum term of office in the post is two years.

Their work: This is carried out in the headquarters of the ICAA, with films being viewed every day of the year. Their work is paid. Proposals are adopted by a majority following an individual vote discussed in private. In 95% of cases, the proposals are taken on by the Director General

of the ICAA. The work of the committee members is paid since they count as being members of an advisory Collegiate Body of the Director General of the ICAA.

The classification criteria proposed by the ICAA to the nine members who are going to carry out their duties for the first time are: common sense, protection of children and adolescents, and the use of four major variables to be borne in mind in their proposals: violence, sex, social behaviour, conflictive topic.

Assignment of groups:

- Infancy: Films specially recommended for the under-7s due to their positive contribution to the process of first learning.
- All publics: Films which, though containing non-conflictive adult situations and behaviour, can be intelligible by the under-7s provided such films do not disturb their development.
- 7: Classification informing parents and guardians of possible disturbing effects of the film in relation to children's perception of their own environment, in order to try to prevent excessive emotional impact generating anxiety.
- 13: Warning to parents and guardians of the possibility that the socialisation process of minors aged under 13 would be altered by the induction of unsuitable behaviour, the appropriation of negative values or premature knowledge of an adult topic difficult to be assimilated by children below that age.
- 18: Aimed at parents and guardians and at minors themselves in order to warn them that the content or the subject requires a maturity permitting a rational assimilation and a personal and independent interpretation.
- X: Pornographic or excessively violent films that could harm the sensitivities of the average viewer.

2 Who has to request classification of a film for the cinema and video

The holder of the exploitation rights of a film that is going to be marketed in Spain must previously request the ICAA for the classification that it assigns to it. If that classification is not respected or it is not made publicly known prior to its exhibition (at the cinema box office or on the video container), this can give rise to an administrative sanction and fine imposed by the Director General of the ICAA or the Minister in the event of serious violation (X film).

3) Access to cinemas and to video

In Spain, there does not exist any prohibition on access to cinemas according to the age group of the film being shown, except in the case of X Cinemas (X films) in which minors under the age of 18 are not allowed in and the classification of the films must appear clearly visible in the box office for the cinema.

In the case of video, there does not exist any prohibition on access by minors under the assigned age and the classification is exclusively of an informative nature, with the exception of X films for which the classification must appear in the sales outlets, the films must be separated from the others and be without access to minors.

4) Classification of TV films and programmes

Until the appearance of private TV channels, the fact that television was a public service monopoly and therefore subject to rigorous ethical standards meant that no serious consideration was given to ratings in this medium.

The new style of programming imposed by private TV channels (towards the middle of the '80s) relaunched and revived an important debate, already old, on violence on television and, later on, the exploitation of the topic of eroticism aimed at obtaining a larger audience led to a need for classification, indicated by a growing social demand made towards the State, which in different surveys revealed an enormous disapproval by the public towards violence on television but nevertheless a certain tolerance on the question of sex.

Even though there exists a code of good conduct in the different television channels, the Directive of TV without Frontiers, adapted by law to our legal code, established in Spain in 1999 the obligation to respect various margins with the already stated aim of protecting children and adolescents: respecting timetables with programmes for minors and avoiding conflictive contents in those defined time-bands, classification assigned by the ICAA / Programmes classification, acoustic and visual indication of that classification both at the beginning and following commercial breaks if they are not suitable for all publics.

The classification is made by the channels themselves, with each using its own system of SELF-REGULATION. Breach of the standards can give rise to an administrative sanction and fine imposed by the Ministry of Science and Technology. In fact, television is being channelled towards a system comparable to that reigning in the cinema since it has demonstrated its validity in all countries.

5) Classification of Video-games:

The video-games production sector is not subject to specific measures for the protection of children and adolescents. Nevertheless, the considerable success of these audiovisuals among the young has led to a social demand causing the majority of producers and companies trading these products to draw up, on their own initiative, an ethical code of SELF-REGULATION, classifying ist producing appearing on the market and using the age groups used in the classification of cinema films. For the time being, this is a professional initiative of self-regulation and information for the consumer.

6) Classification in the Internet:

Right now, this is a genuine challenge for the public powers, since a future Telecommunications Act will have to create the legal framework and draw up and define the major lines of ethical action with the aim of protecting minors.

(Beatriz de Armas, Instituto de la Cinematografía y de las Artes Audiovisuales, ICAA 2002)