



Film and Publication Board™

We inform. You choose.

THE FPB'S MANDATE

The FPB's mandate is to regulate the creation, production and distribution of films, games and certain publications in the country. This includes all content distributed online and other digital platforms. At the core of the FPB's mandate is:



Protection of children

Against premature exposure to adult experiences and harmful materials



Providing Consumer Advice

Provide consumer advice to enable adults to make informed viewing, reading and gaming choices, for themselves and for children in their care



Criminalizing Child Pornography

Make the use of children in and the exposure of children to pornography punishable.

Key priorities for the next five years

The FPB Council endorsed the following 7 Strategic Inflection Points to influence the application of its 2022-2026 strategy.



We inform. You choose.

-  **Priority 1** Technology driven content regulation
-  **Priority 2** Public education (empower adults and protect children)
-  **Priority 3** Legislative review (technologically neutral legislative regime),
-  **Priority 4** International and local partnerships (to ensure better regulation of the web) – with renewed focus on local partnerships,
-  **Priority 5** Research, Compliance Monitoring and Monitoring & Evaluation to inform future priorities,
-  **Priority 6** Resource mobilisation and develop appropriate funding models.
-  **Priority 7** Strategic Institutional Alignment

Principles central to FPB Regulations



We inform. You choose.



1. To make the exploitative use of children in pornographic publications, films or on the internet punishable



2. Protection of children from early exposure to adult material and use in child sexual abuse material productions – child pornography punishable by law.



3. Provide consumer advice on media content – ‘we inform, you choose’



4. Provide designated areas for distribution of adult material (pornography).

THE FPB HAS BEEN ESTABLISHED AS A REGULATORY AUTHORITY AND AN ORGAN OF THE STATE TO ACT IN THE FOLLOWING WAYS



We inform. You choose.

Regulatory Authority of the F&P Act

- The FPB board acts as the regulatory authority of the F&P Act
- All regulatory decisions made under the F&P Act are made by the FPB

Consistent with the Constitution and Bill of Rights

- F&P Act is subordinate to the South African Constitution & the Bill of Rights and all decisions and actions by the FPB needs to be consistent with both of these.
- The FPB has to ensure professionalism, efficiency, accountability, transparency and be development-orientated

Incorporates Promotion of Administrative Justice Act (PAJA)

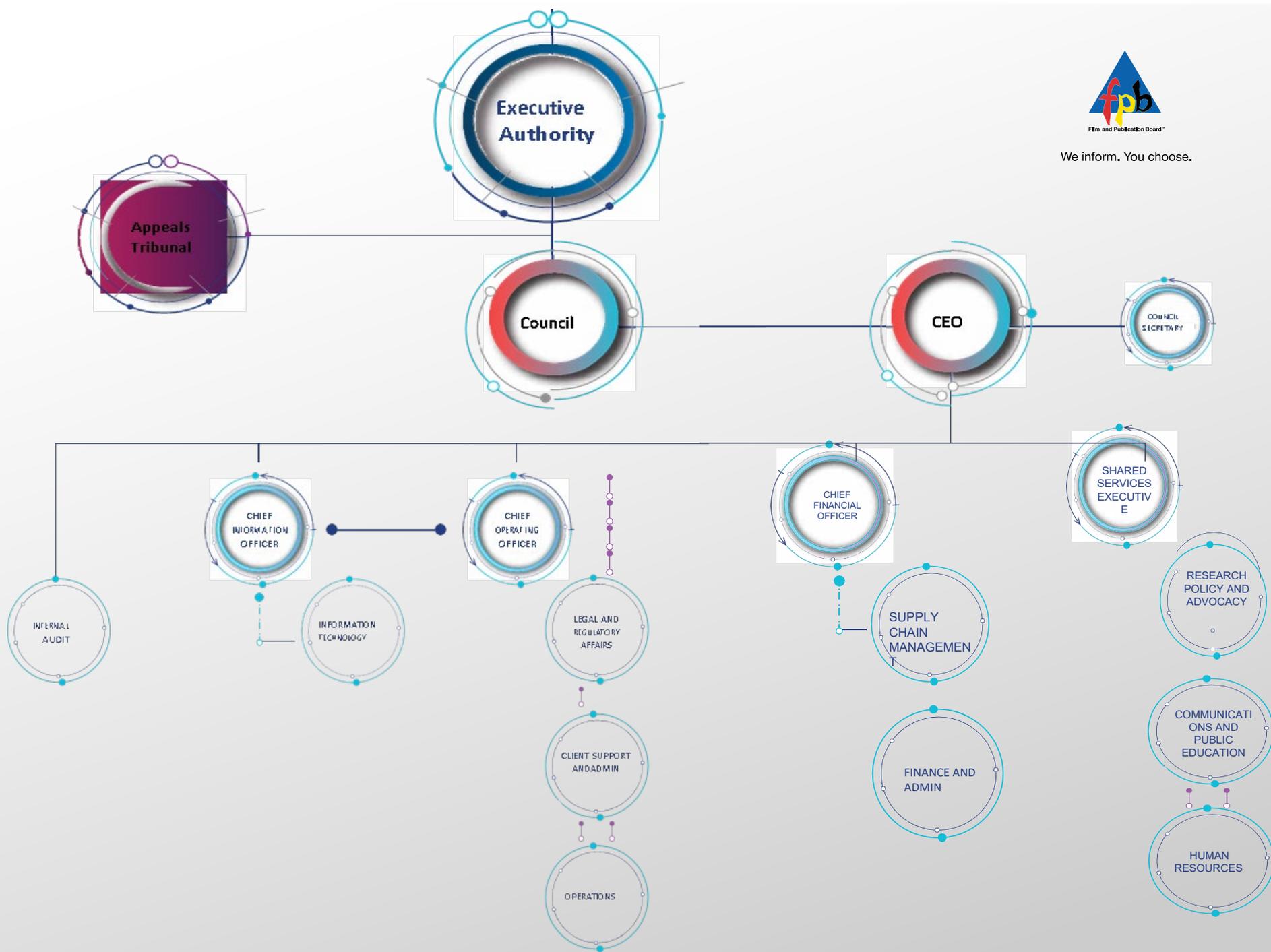
- This essentially ensures the FPB has to ensure the following:
- Procedurally fair and lawful to individuals and the public
 - Has to provide adequate reasons for decisions taken if required
 - Has to be reasonable in its actions and decisions

The background of the slide is a dark blue gradient with a complex digital and network aesthetic. On the left, there are two overlapping silhouettes of human heads facing each other, filled with a pattern of binary code (0s and 1s). A large yellow circle highlights the area around these silhouettes. To the right, a network of yellow lines connects various nodes, some of which are glowing blue circles. There are also several circular icons containing arrows, suggesting movement or flow. The overall design is futuristic and tech-oriented.

FPB'S ORGANISATIONAL ENVIRONMENT



We inform. You choose.





Council of the FPB



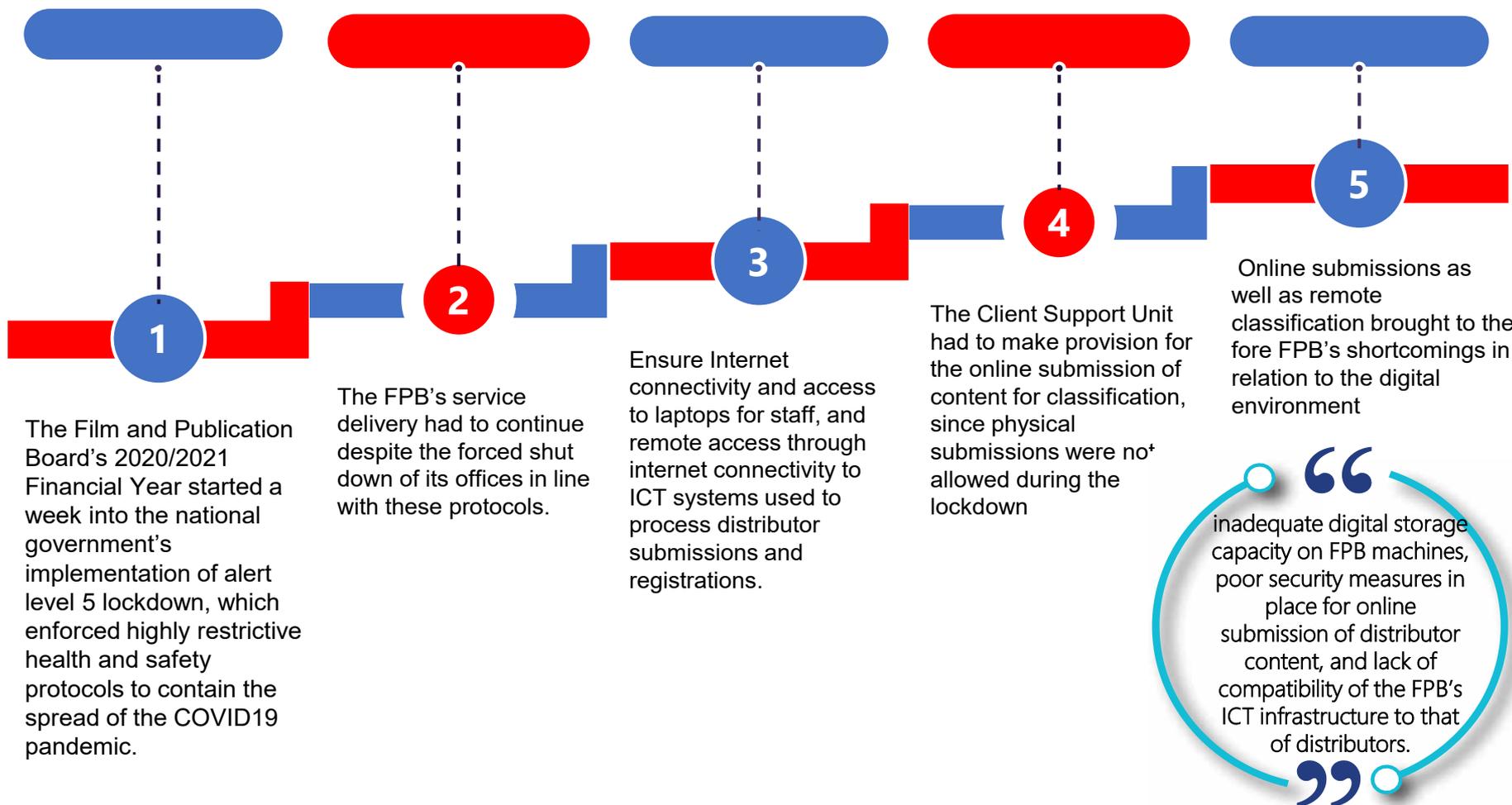
We inform. You choose.

The cabinet announced the following members to the Council of the Film and Publication Board with effect from 22 April 2021:

- (i) Ms Zamantungwa Mkosi (Chairperson);
- (ii) Dr Siyasanga Mhlangabezi Tyali; (Deputy Chairperson)
- (iii) Ms Lungelo Pearljean Nxele;
- (iv) Ms Magalutchmi Pillay;
- (v) Mr Phosa Jan Mashangoane;
- (vi) Ms Glory Zanele Nkosi (CA) SA;
- (vii) Ms Mpho Sedibe, (CA) SA;
- (viii) Dr Andile Nontso; and
- (ix) Adv Lufuno Tokyo Nevondwe

Overview of FPB's Performance 2020/21

The impact of COVID-19 National Lockdown on FPB service delivery



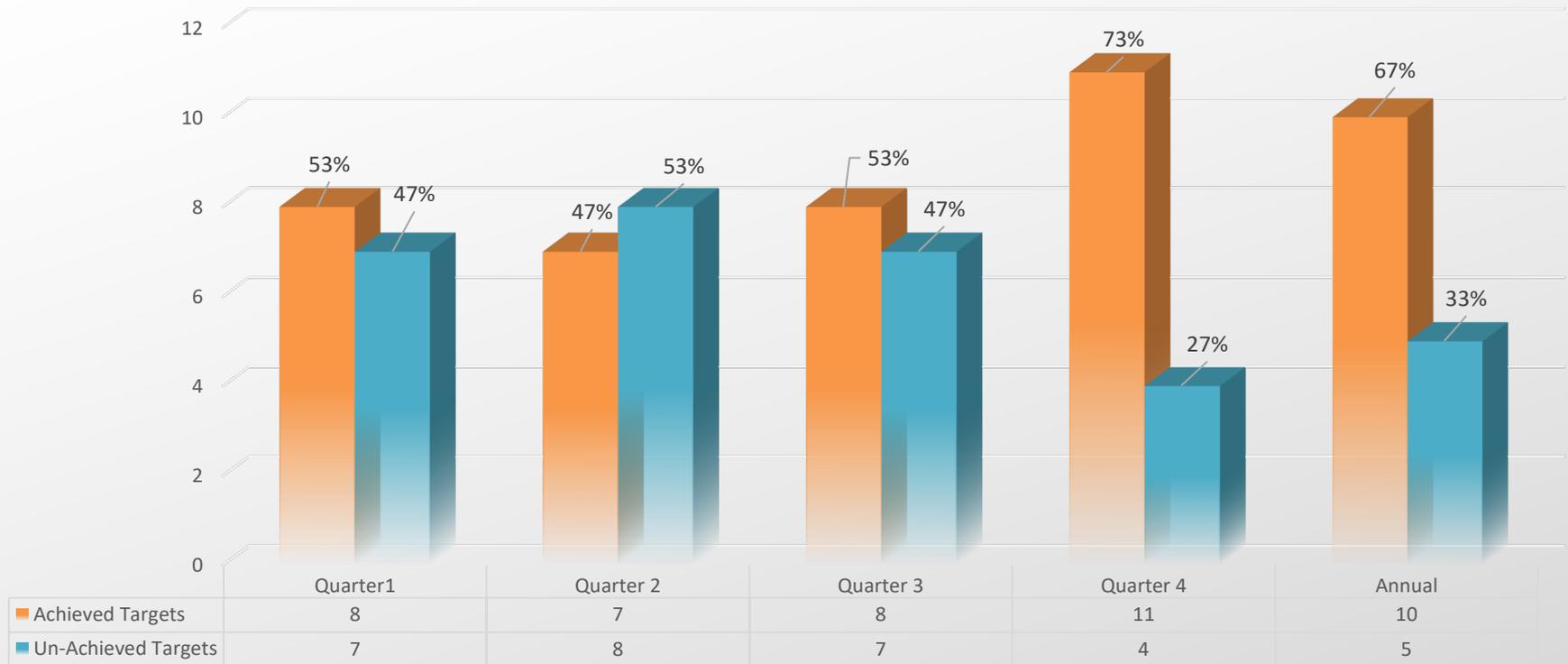
The background of the slide is a dark blue digital interface. It features a large yellow circle on the left side, containing a silhouette of a person's head in profile, facing right. The silhouette is filled with a pattern of binary code (0s and 1s). To the right of the circle, there are several glowing yellow lines that branch out and connect to various circular nodes and arrows, suggesting a network or data flow. The overall aesthetic is futuristic and technological.

FPB'S OVERALL PERFORMANCE

2020/2021 APP Performance



We inform. You choose.



Overall Organizational APP Targets are 15

Total number of Achieved APP Targets for 2020/21 Financial Year were **10**

ACHIEVED: 67%

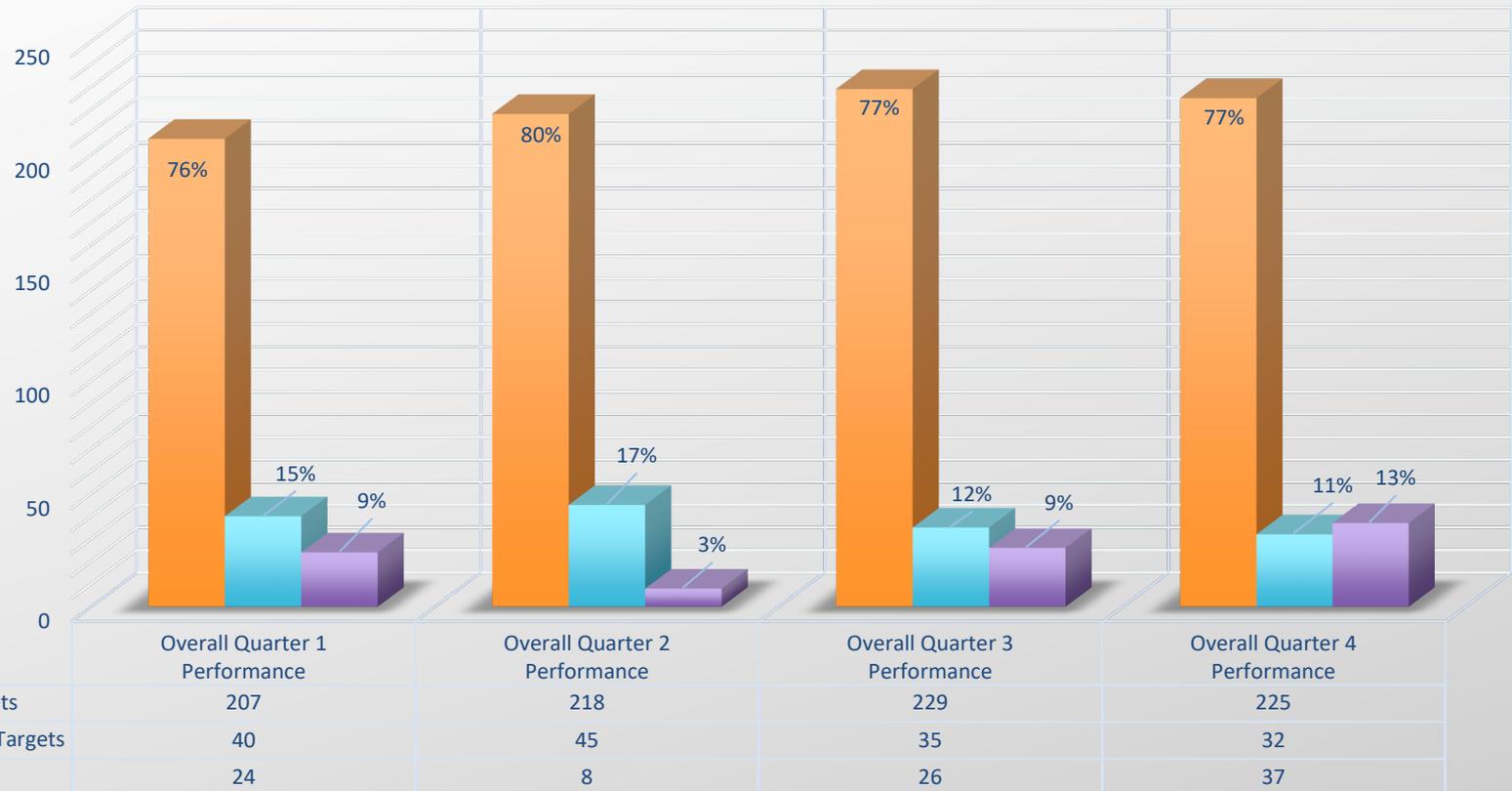
Total number of Un-achieved Targets in 2020/21 were only **5**

UN-ACHIEVED: 33%

Annual OPP Performance Comparison



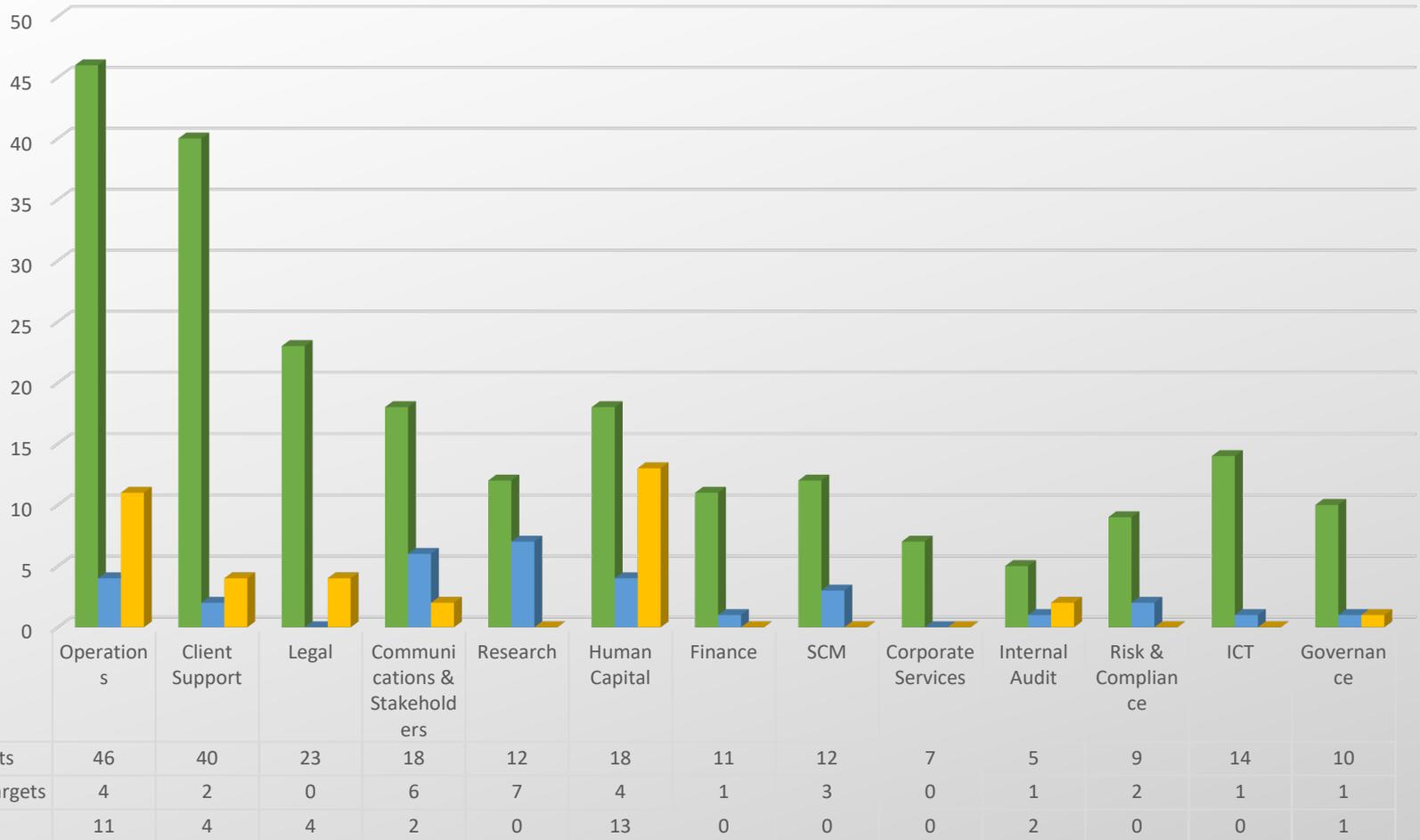
We inform. You choose.



Operational Performance



We inform. You choose.





CLASSIFICATION

The global COVID 19 Pandemic has significantly influenced how consumers receive and consume content.



We inform. You choose.



During the year under review, there was a significant decline of 48% (56) in total content classified, 616 as compared to 1185 in 2019/2020.

What is very noticeable, is the significant year-on-year drop in number of submissions across all formats in Q1, with exception of publications. While Q1 is traditionally a slower quarter for submission of content, this significant negative difference in Q1 of 2020/2021 may be attributed to alert level 5 lockdown.

The impact of COVID-19 National Lockdown on Content Classification

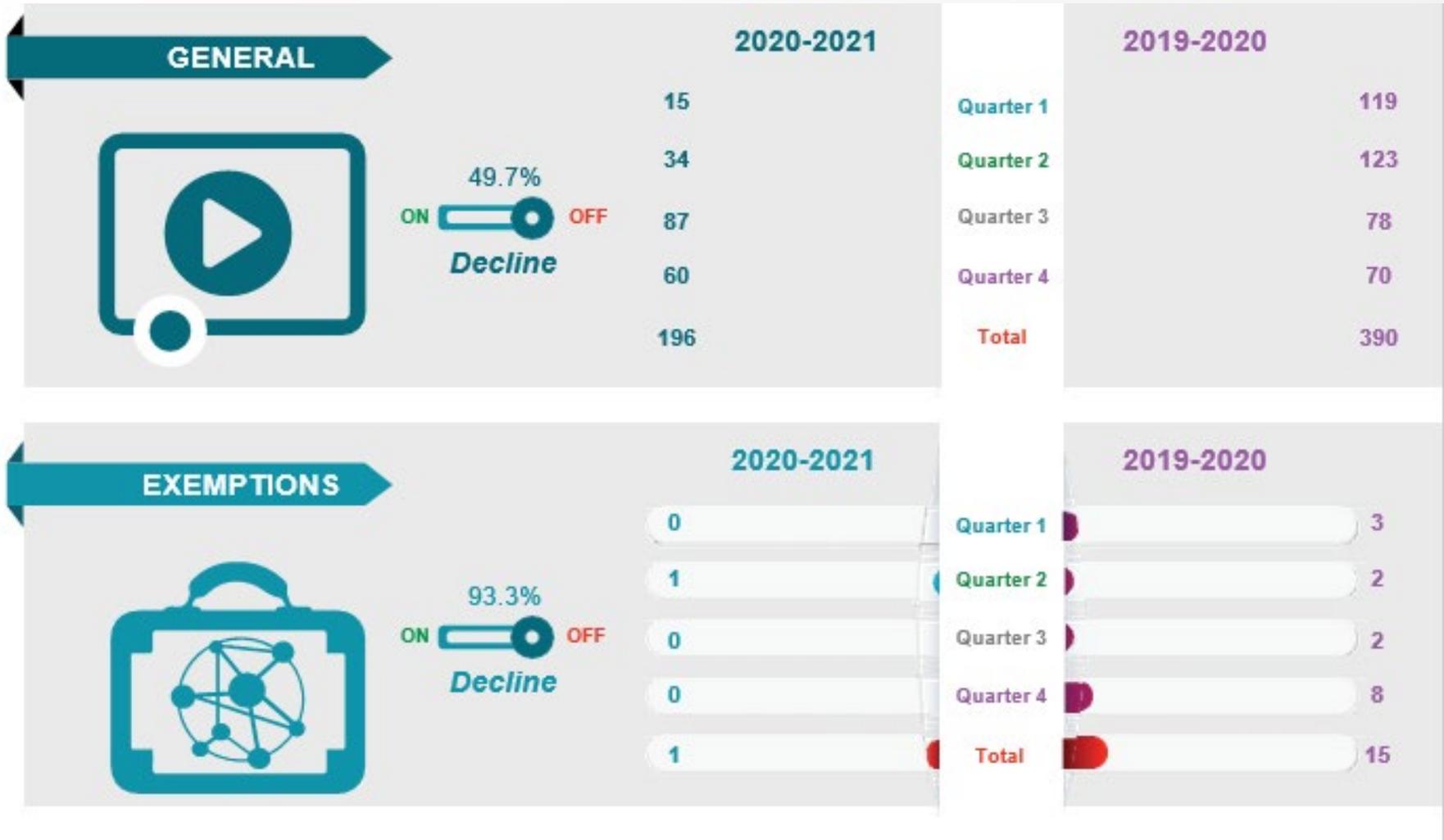


Figure 1 illustrates the comparison of classified content for 2020/2021 FY versus 2019/2020 FY.

The impact of COVID-19 National Lockdown on Content Classification

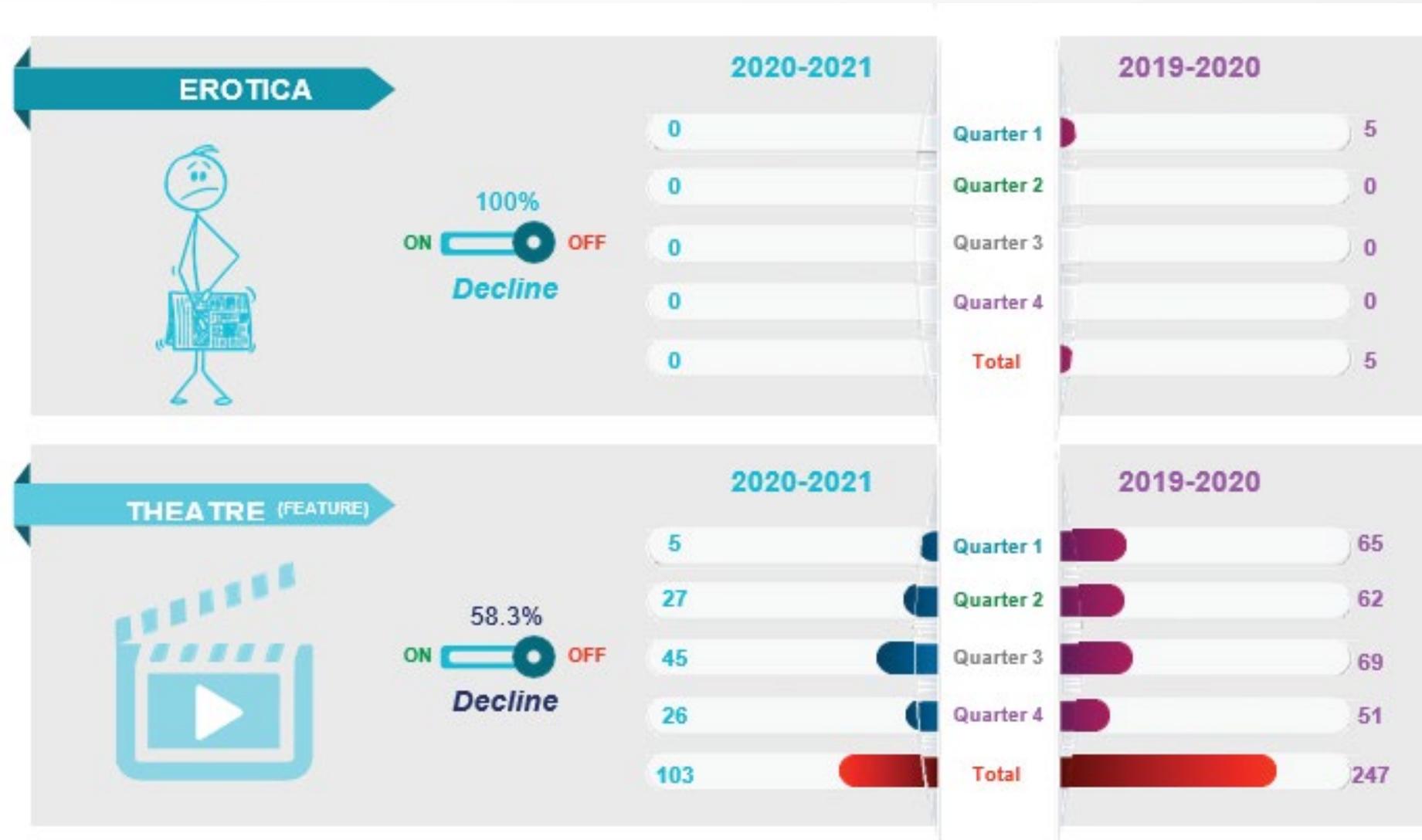


Figure 1 illustrates the comparison of classified content for 2020/2021 FY versus 2019/2020 FY.

The impact of COVID-19 National Lockdown on Content Classification



Figure 1 illustrates the comparison of classified content for 2020/2021 FY versus 2019/2020 FY.

Navigating Classification in a Pandemic



We inform. You choose.

- FPB moved to a remote classification system in response to the COVID-19 pandemic, that continued under the various lockdown levels during the review period
- The remote classification model requires that strict protocols be observed to protect the security and confidentiality of content submitted for classification before release.
- Distributors of public entertainment and film festivals were particularly hard hit by the pandemic with the closure of cinemas and physical venues for a prolonged period.
- Film festival organisers had to postpone schedules to find effective solutions to the pandemic. Unlike theatre releases, festivals could move into the virtual space.
- The challenge was finding the appropriate technological solutions that would not compromise the unique experience film festivals provide its audience, alongside the networking and learning opportunities for the makers of content.



30 September 2020 saw the end of the contractual relationship between FPB and the 2017/2020 pool of Classifiers.

The 2017/2020 pool of Classifiers was instrumental in implementing the remote classification model

The 2017/2020 pool of Classifiers participated in the technical review of the FPB Classification Guidelines and the reviews of the Classification Governance Framework .

A former young professional (intern) in the Classification team was appointed, along with a former intern in the Research and Advocacy Unit of the FPB.

The new pool of Classifiers underwent in-depth induction on the mandate and strategic direction of FPB, as well as the legislative frameworks that govern the regulation and classification of content.

Navigating Classification in a Pandemic

Appeals of Classification Decisions



Classification decisions for two animated, child-orientated films were appealed by distributors during the review period.

Financial Year Submissions

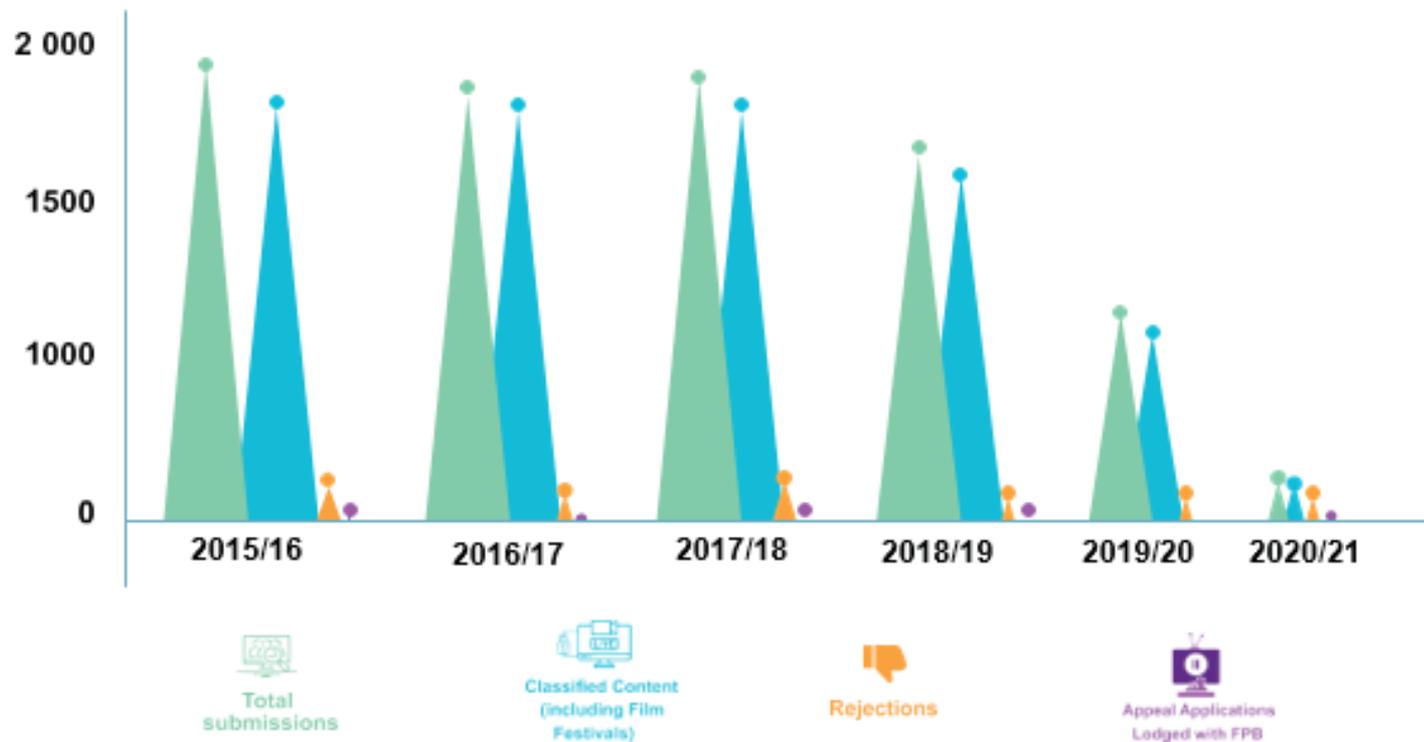


Figure 2: Total Submissions over six years 2015/2016 FY – 2020/2021 FY

Navigating Classification in a Pandemic

Content Submissions – Six (6) year annual comparison



Classification decisions for two animated, child-orientated films were appealed by distributors during the review under period.

Annual Comparison of submissions received

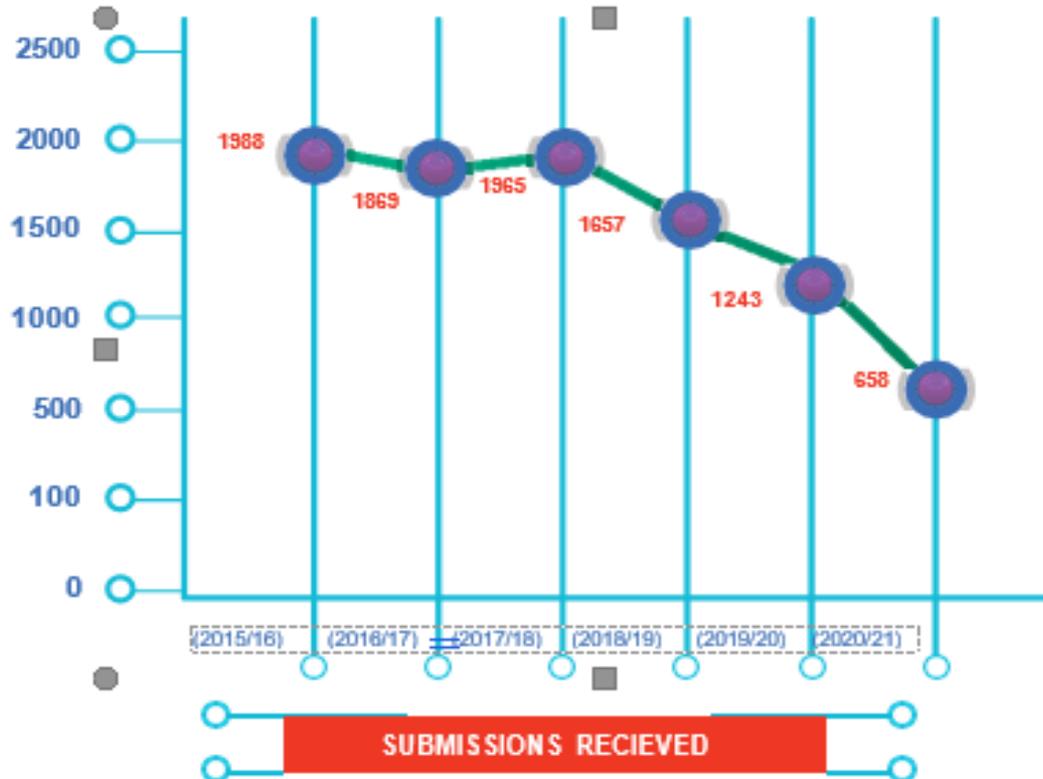


Figure 3: Total Submissions over six years 2015/2016 FY – 2020/2021 FY

Registrations and Renewals Six (6) Year Comparison

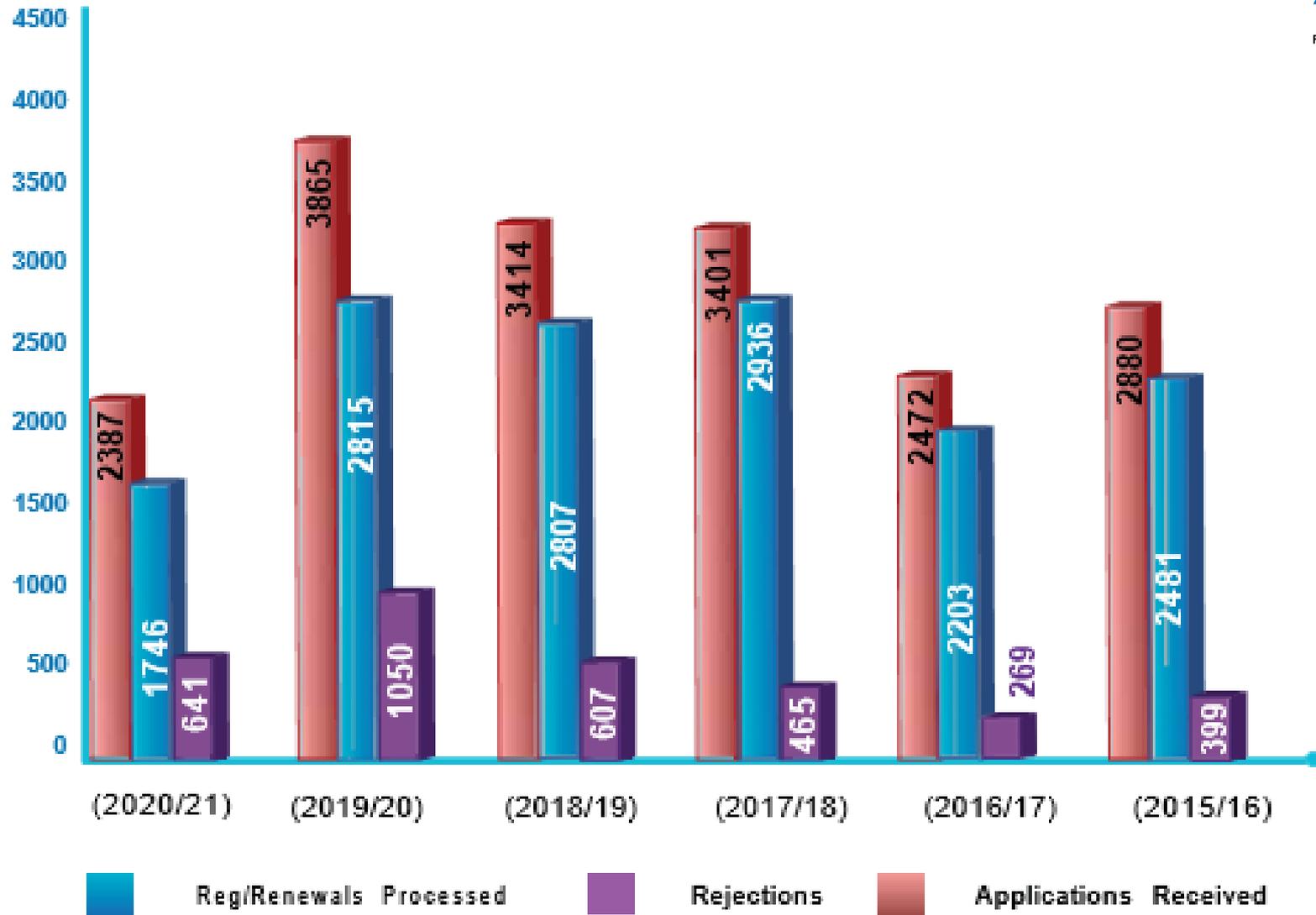


Figure 4: Comparative analysis of new registrations/ renewals 2015/2016 FY to 2020/2021 FY

Registrations and Renewals

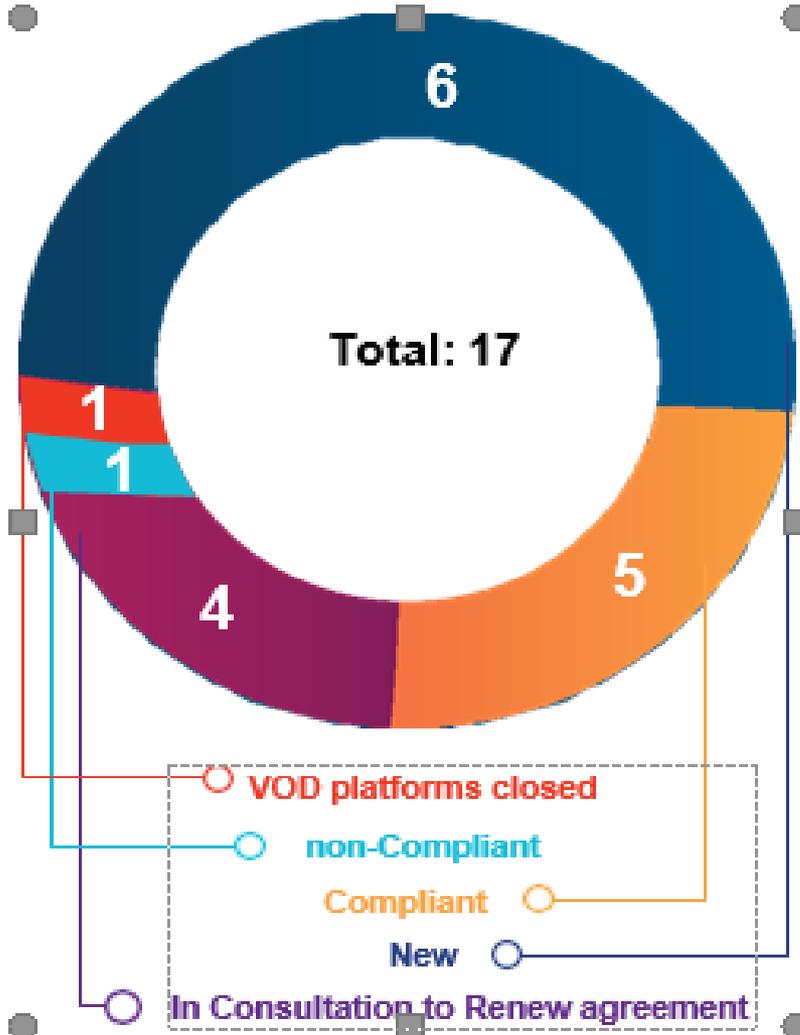


FIGURE 2: TOTAL APPLICATIONS FOR REGISTRATIONS/ RENEWALS OVER SIX YEARS 2015/2016 FY – 2020/2021 TURNAROUND TIMES	Q 1	Q 2	Q 3	Q 4	TOTAL ANNUAL	TOTAL %	OVERALL %
Number of registrations and renewals processed within the 5-days turnaround time	523	311	319	578	1731	99%	Processed registrations and renewals within turnaround Time 100%
Number of registrations and renewals processed within the 8-day turnaround time	0	12	3	0	15	1%	
Number of registrations and renewals processed above the 8-day turnaround time	0	0	0	0	0	0%	

Table 3: New registrations/ renewals turnaround times 2020-2021 FY

Online Content Distributors

COMPLIANCE STATUS



“

“In the year under review, a major victory for the FPB has been the conclusion of a distributor agreement with international on line giant, Netflix”.

”

Figure 5: Online distributors 2020-2021 FY

Covid-19 did not deter monitoring of distributor compliance



We inform. You choose.

Despite the hard lock down that started before quarter one of the 2020/2021 financial year, the physical compliance team adapted rapidly and moved to the online monitoring space.



A total of **11 623** online and physical inspections conducted during the period with no significant reduction of inspections during quarter one and subsequent lockdown restrictions imposed in quarters three and four of the financial year.



The Compliance and Monitoring team found that 1102 distributors were non-compliant with various sections of the Films and Publications Act and 767 non-compliant notices were issued. .



FPB Compliance Monitoring team continued to assist organisers of film festivals to ensure compliance and 11 engagements were held with existing and new film festivals



Pop- up drive-ins and film festivals became part of the new phenomena of the pandemic



CHILD PROTECTION

Reaching and Protecting Children and Caregivers Amidst the Pandemic



We inform. You choose.

The FPB's partnership with anti-Child Sexual Abuse Material (CSAM) advocates, the International Association of Internet Hotlines (INHOPE), continued in the virtual space and the team attended six engagements on the landscape of online child sexual exploitation.



Joining forces with other key stakeholders in the online child protection sphere was especially crucial in response to the COVID-19. pandemic, as children spent more time in virtual space and offenders also migrated online to find their victims, thus increasing the global traffic of sexual predation, and online child sexual abuse offenses



“The Child Protection team worked on 23 suspected Child Sexual Abuse Material (CSAM) cases referred by the South African Police Services.”



The team participated in forums such as the UN Convention on the Rights of the Child as well as the Department of Social Development's Online Safety dialogue.



Nine cases were referred to FPB through the CSAM/ Hotline Reporting system or by direct email.



The Child Protection team worked on 23 suspected CSAM cases referred by the Family and Child Protection Services (FCPS) division of the South African Police Services (SAPS).



18 Cases were completed in the year despite the challenges faced by the pandemic lockdown. 733, 810 images were examined of which 3.7% (27,174) were found to constitute child sexual abuse material.

Reaching and Protecting Children and Caregivers Amidst the Pandemic



- The Child Protection team attended court on three occasions during the second and third quarters of the year to provide expert testimony.
- None of these cases have yet been concluded. However, sentencing was handed down in Oudtshoorn Regional court on a previous case and the accused was sentenced to 20 years imprisonment for possession of child pornography, sexual exploitation of children, rape and sexual assault.
- FPB's Compliance Monitoring Unit also made court appearances in cases against perpetrators that distribute illegal and unclassified content to the public. .
- FPB Compliance Monitoring team conducted 44 Law Enforcement Agency workshops and 29 training Workshops to empower cinema staff on the importance of adhering to classification ratings.



COMPLIANCE MONITORING

Compliance Monitoring



We inform. You choose.

The Compliance Monitoring team conducted 94 raids and three destructions

“1 273 discs containing content with unclassified adult pornography were destroyed”

In the Northern and Western Regions, a total of 1,273 discs that contained adult pornography were destroyed, with 11 discs containing bestiality.

The street value of these destroyed discs amounted to more than R10 million.

Films and Publications Amendment Act and Regulations



We inform. You choose.

The President of the Republic of South Africa assented to the Bill on 19 September 2019 thereby bringing into promulgation the Films and Publications Amendment Act (FPA Act).”



The FPA Act comes into operation, on a date to be fixed by the President by proclamation in the Government Gazette. Operationalisation of the Amendment Act provisions is dependent on the review and alignment of the Films and Publications Regulations, 2014.

The FPB focused its endeavours on the publication of the draft Films and Publications Amendment Regulations during the 2020/2021 financial year, with a view to securing public comments and input. Revised Amendment Regulations with public inputs - approved by Minister of Communications and Digital Technologies (CDT) - 27 February 2020. Amendment Regulations submitted to Minister (CDT) in December 2020, pending approval.

REGULATORS FORUM - BROADER COMMs & DIGITAL TECHNOLOGIES 12 March 2021

- Intention is to create a representative regulatory forum for stakeholders to advise government on areas requiring support. Currently dealing with review of legislation and policies informed by the 4IR commission (led by Minister (CDT). This means a review of all regulations and policies in the ICT sector.
- Forum is critical in ensuring regulatory framework is informed and aligned.
- Key focus - protection of consumers due to data breaches.
- Given convergence of technologies leading to significant changes – there are new and divergent risks associated with social media.
- There are various areas of common interest such as – access, competition, data protection, advertising, protection of children and consumers from harmful and illegal content etcetera.
- Forum will consider challenges and look at ways to harmonise these challenges.

FPB'S Digital Agenda



Digitised Services

Enabling an agile infrastructure geared to deliver maximum availability of infrastructure including consideration of redundancy and fail-over options.



Governance & Security

Ensuring a consistent management of security throughout the FPB's ICT Environment to protect the organisation from possible internal and external security threats.



Analytics and Business Intelligence

Enabling software and processes for collection storage and retrieval of data.



Digitally enabled content regulator characterized by leveraging agency transformation to enable the FPB to deliver on its mandate.

**Achieved
88% of the
planned
deliverables.**



Leverage Agency Transformation

Optimizing the current competencies within the FPB to automate internal business processes.



Technology Trends Adoption

Understanding the technology trends that are shaping the media industry is critical for successful implementation of envisaged ICT target state.





RESEARCH, POLICY & ADVOCACY

Research, Policy and Advocacy



We inform. You choose.



The 2020/2021 year under review was particularly eventful for the Research, Policy and Advocacy (RPA) business unit. The flagship project, the Convergence Survey, was finalised and launched. Notably this massive project was done in-house.

The second flagship project, the highly innovative Content Classification Index (CCI), was conceptualized and 5 country reports were completed of the expected 8.



The RPA Unit supported the Legal and Regulatory Affairs Manager to produce and finalise a Socio-Economic Impact Assessment (SEIAs) as part of the Legislative review process.



Research, Policy and Advocacy



We inform. You choose.

The unit continued its role as part of the Advisory Group for the GTZ (German Government and the UN Women) funded project “Step it up for Gender”, to combat the gender-stereotyping in the media that contributes to gender-based violence.

Focus group discussions with experts on a range of areas impacting our work were moderated, notably one with experts in the video gaming sector. Inputs from this focus group discussion strengthened the framework of analysis for the gaming research envisaged for the 2021/2022 financial year.

The innovative Matshohlo discussion forums (12 in total) continued to bring staff across the organisation together, like a warm fire in the winter of the Covid-19 pandemic, to discuss issues of interest from the point of view of staff members.





COMMUNICATIONS & STAKEHOLDER ENGAGEMENT

Communications & Stakeholder Engagement



We inform. You choose.

The flagship “Harmonisation of Content Regulation in Africa Conference” was originally postponed from a live event with stakeholders across Africa in March 2020 to a hybrid live/online event that successfully took place in March 2021. The event attracted close to 150 delegates from a cross-section of disciplines, including content regulators, the distributor sector, creatives, Non-Governmental organisations and the youth. Countries in attendance were: South Africa, Nigeria, Kenya, Lesotho, Malawi, Eswatini, Zambia, Rwanda and Britain



Social Media Campaigns: Covid-19 information in support of government’s campaign; Africa Day; 3 x Classification: Know Your Ratings; Child Protection Week; Women’s Month; Draft Regulations unpacked; Cyber Security Month; 16 Days of Activism; Convergence Survey Launch; Harmonisation Conference; Safer Internet Day 2021



Media Campaigns: two radio campaigns (in Quarter 1 and Quarter 4); two street pole. Advertising campaigns (Quarter 4); one print media advertising campaign (Quarter 2); and one print media advertising campaign (Quarter 4).

Communications & Stakeholder Engagement



We inform. You choose.

Joint online campaigns with partner organisations: World Vision SA; SA Arts and Culture Youth Forum (SAACYF) workshops; Commission for Gender Equality (CGE) Women's Month; Gauteng Film Commission (GFC).

In addition to flagship outreaches, 19 community workshops and 5 classification-specific information sharing sessions were hosted.



11 media releases and 7 thought leader articles. Some themes included the draft Films and Publications regulations, fake news, gender-based violence and toxic masculinity, cyber safety, child pornography and the implications of FPB's Convergence Survey findings.

A Communication Toolkit and User Guide was designed and implemented for use across all business units. This tool will aid in creating a single consistent message, for employees and child protection ambassadors to “speak with one voice”.



Media Penetration



We inform. You choose.

We were unable to achieve the target of increasing media penetration by 5% over the previous year given our inability to measure our statistics.

	ADVERTISING VALUE EQUIVALENT (AVE)	MENTIONS	REACH
YTD Total 2020/2021 (April 2020 – March 2021)	R9,182,177	392	236,488,013
YTD total 2019/20 (April 2019 – March 2020)	R81,323,839	910	780,695,302

Learner Outreach Heat Maps

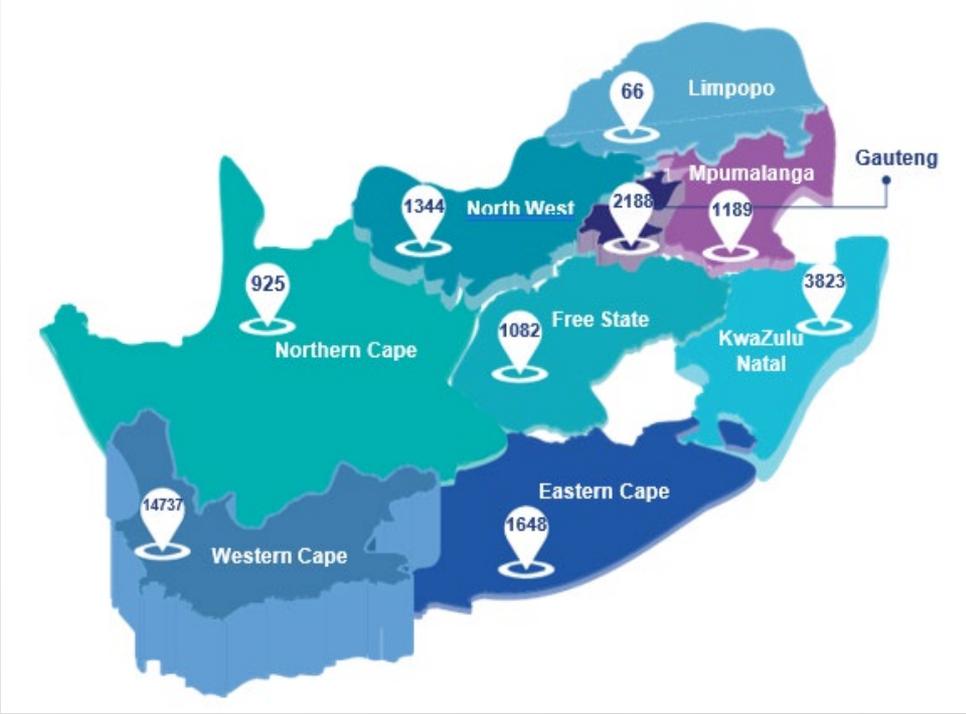


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Outreach 2020/21



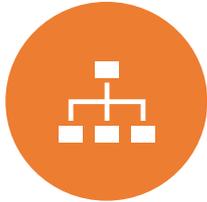
Outreach 2019/20





GOVERNANCE

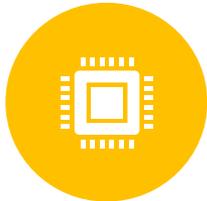
Council Delegated Committees



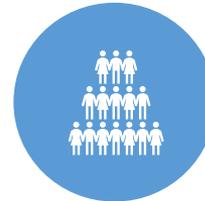
**Audit and Risk
Committee (“the ARC”)**



**FINANCIAL COMMITTEE
 (“the FINCOM”)**



**Operations and ICT
Committee (“the
OPITCOM”)**



**Human Resource and
Remuneration
Committee (“the HR &
REMCO”)**



**Chairpersons Committee
& Social and Ethics
Committee (“the
CHAIRCO”)**



FINANCIAL INFORMATION

MTEF Budget from 2023 to 2025

Description	2022/23 R	2023/24 R	2024/25 R
SOURCES OF FUNDING			
Grant - DCDT	102 870 000	103 860 000	110 475 071
Income (fees)	20 680 868	26 944 540	26 791 622
Interest	1 474 350	1 979 300	1 194 388
Total	125 025 218	132 783 840	138 461 080

Grant received

FY 2020 R 99 373 000

FY 2021 R100 596 000

FY 2022 R100 937 000

3.5% NOMINAL INCREASE IN GRANT

FROM FY20 to FY23 !!!!



We inform. You choose.

FPB response to reduction in Grants

- Developed a Revenue Enhancement Strategy which is currently under consideration by Council.
- The strategy identifies different revenue stream opportunities.
- Annual tariff reviews.
- Regulation fees (Onboarding of online content distributors – Netflix, Google, Britbox etc).
- E-learning courses to be introduced.
- On-line Safety training.
- Finance charges.

Audit Outcome 2020/21



We inform. You choose.

- Unqualified opinion (Unchanged from 2020)
- The disclosure of the note for Commitments in the financials required a material adjustment and this contributed to the entity not receiving a clean audit.
- Management has immediately implemented controls to prevent re-occurrence.
- Irregular expenditure incurred of R116k. There was an instance of a supplier being engaged outside SCM (R4k) and a supply being awarded by official without proper delegation of authority (R112k).
- Fruitless and Wasteful Expenditure of R4k for the year and the balance is made up mainly of the R2.8m settlement paid to former executives in 2018. The FPB is consulting with the Office of the Accountant General in the National Treasury on the treatment going forward.



Thank you
Questions.