

Regulation on Inspection of Cinema, Video and Music Works of Art

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**First Part
Objective Scope-Phrases***Objective*

1. The objective of this regulation is to prevent the execution and display of the works of art consisting of cinema films, video bands, records and audio cassettes that may affect negatively the inseparable integrity of the state with its country, national sovereignty, republic, national security, public order, general peace, public interest, general ethics, general health and policy, that may hurt the national feelings or that are inappropriate to our national culture, customs and traditions.

Scope

2. The provisions of this regulation comprise the organization of inspection committee and sub-commissions, their duties, working principles and procedures; examining and inspection of the domestic produced or imported cinema films, video bands, records or audio



cassettes and the scenarios depending on the request of the producer before they are presented to the public by their producers.

However, they shall not be implemented in examination and inspection of every kind of cinema film, television film, video band, record, audio cassettes, magnetic bands and similar ones, before they are presented to the public, that the third persons will produce, import or realize by the way of co-production with the native or foreign real or legal persons of the Company or by the way of ordering to be used at the Turkish Radio and Television Company and/or the publications in accordance with the Company.

Phrases

3. The explanations of the phrases used in this regulation are as follows:

Ministry: Ministry of Culture and Tourism

Minister: Minister of Culture and Tourism

Committee: Inspection Committee

Commission: Sub-commission

Scenario: Text that is the base of the production of works of art of cinema and video

Poster: Advertisements at various shape and color produced for the introduction of the works of art of cinema, video and music.

Documentary Film: Production that deals with a historic or old work of art, a situation from actual life or from the nature, any event experienced in the past or taken from the actual life in its natural environment or in settings formed later very closely to its original or production that gain historic qualification as time passes.

Educative-Instructive Productions: Works of art that deal with the information, concepts, lesson subjects in a way that will be helpful for the education -instruction inside or outside the school.

Scientific works of art: Works of art that deal with scientific matters or discoveries.

Technical productions: Works of art that are prepared to give information on matters about production procedures, instrument machines and equipment, working and operation of them.

Contemporary works of art: Works of art produced with the aim of giving the events or real situations as news.

Commercial works of art: Works of art that do the introduction of the persons, establishments, objects or services.

Copy: Samples that are copied from the master bands, originals of the works of art.

Declaration: Standard form that has the qualifications of its producer, the work and information on and that is issued and given by the Ministry.

Second Part Organization of Inspection Board and Sub -Commissions

Their Duties, Working Procedures and Qualifications of the Members: Organization of the Sub -Commission

Second and third paragraphs of Article 4 have been amended.

4. Sub-commissions composed of three persons to make the pre -inspection of the works of art can be formed by the Ministry.

“Commission forms from the representatives of Ministry and Related Vocation Union and Ankara and Istanbul Journalists Association that is beneficiary to the public. The commission chairman is selected by the members.

The Ministry can form more than one commission if needed. These commissions can be formed in Istanbul and in other provinces when needed.”

The meeting places of the commissions shall be determined by the Ministry.

Chairmen and members who have duty in the commissions cannot be appointed to the inspection boards.

These secretarial services shall be carried on by the related units of the Ministry.

Duties of the Commission

(c), (d) and (e) subparagraphs have been annexed to the 5th article.

5. The duty of the commission is; to prepare reasoned report by inspecting the copy of the work of art at appropriate size and form for the register and record transaction that shall be made by taking the declaration of the producer of the film, video and music works of art as a base in line with the objective of this regulation;

(a) Using the statement “positive, not necessary to be inspected” for the works of art they do not find necessary to inspect.

(b) Using the statement “necessary to be inspected by the Inspection Board” for the works of art they find obligatory and necessary to be inspected

(c) By inspecting the scenarios of the producers

(d) By giving the certificate “It has been declared that the work of art is in compliance with the Inspection Principles . The inspection is not necessary under the responsibility of the owner of the declaration.”

(e) By inspecting the music works of art that have inspection certificate dependent on declaration in case there is complaints.

Organization of the Inspection Board

These second and fifth paragraphs of Article 6 have been amended.

6. The board forms from; there representatives from the Ministry of Education and Youth and Sports, General Secretariat of National Security Council, Ministry of Interior, Cinema Works of Arts Owners Vocation Union of Turkey, Music Works of Arts Owners Vocation Union of Turkey and one artist member chosen by the Minister under the chairmanship of there representative of the Ministry sent by the Minister. "Board shall be assembled in Istanbul and in other provinces in case it is needed. The number of the boards shall be determined by the Ministry according to the volume of the work."

The Ministries instruct their representatives and substitute themselves.

Chairmen and members instructed in a board cannot be instructed in other boards and subcommissions.

"The boards shall assemble at places determined by the Ministry."

The amount of the travel expenditures, travel expenses, money for attendance to a meeting of the non-officials of the commission and boards shall be determined by the Ministry approve every year.

These expenditures shall be met from the cinema and music arts subvention fund.

Duties of the Inspection Board

(B) sub-paragraph of Article 7 has been abolished and it has been amended as (C) and (B) subparagraphs.

7. Duties of the inspection board are as follows:

(A) To prepare a report by inspecting the works of art within the framework of the principles provisioned in the 9th article.

(a) To prepare a report with the statement "positive as a result of the inspection" for the positive film, video and music works of art.

(b) To prepare a report with the statement "the distribution and display are inappropriate" for the negative film, video and music works of art and send it to there related unit to be considered.

(c) To prepare a detailed and reasoned report for the works of art that have been corrected and that were decided to be re-inspected.

B) To inspect any work of art on its own account or as a result of the Ministry's request.

Working Procedure of the Sub -Commission and Inspection Boards

The third paragraph of Article 8 has been amended.

8. The duty distribution to the commission and boards shall be made according to the order of application.

No one is entitled to be present in the studies of the commissions and boards except for the Chairman, members and officials. The producer of the work of art can participate as an observer. The commissions assemble with all of their members, the boards assemble with the two-third majority of the full number and take decisions with the two-third majority.

As a result of the boards' offer, representatives can be requested from ministries or establishments that have no member at the boards by the ministry to receive the opinions about their inspections. These representatives do not have the right of vote.

In cases when the payments of the translators, who shall be charged (simultaneous translation) at the commissions and boards when needed, are not paid by the Ministry, Cinema and Music Art Subvention Fund, they shall be paid by the producer of the work of the art.

Third Part
Common Provisions on Inspection

Cinema, Video and Music Work of Art that cannot be permitted for Display and Execution

9. The display and execution of the film, video and music works of art shall not be permitted, which contain elements of offense or incite to offense from the aspect of the indivisible integrity of the state with its country and nation, national sovereignty, republic, national security, public order, general peace, public interest, general ethics, general health and which are inappropriate to the foreign policy, to our national culture, customs and traditions.

Removing Process

10. The removal to be made from the cinema and video works of art containing one or more of the matters stated in the 9th articles shall be made by the commissions and boards in case the producer approves. The removal from the imported cinema film and video works of art shall be returned to their owner while going abroad.

Objection to the Resolutions of the Inspection Board

11. The board's resolution, stating that the presentation of the film, video and music work of art to the public is in no way appropriate, cannot be objected. However, administrative justice can be applied for.

Cinema, Video and Music Works of Art Harmful to the Children.

12. The display and execution of the film, video and music works of art, which are determined probable to affect the mental and physical health, the growing up of the children in a negative way, shall not be permitted to children under the age of 16.

It is obligatory to state this matter in the posters, photographs and advertisements introducing the film, video and music work of art.

Works of Art with Educative Purpose

13. The quality of the film, video and music works of art brought to the commissions and boards that have educative purposes shall be stated in the resolutions and shall be registered to the establishment certificate.

Fourth Part Various Provisions

Application of the Producers

Article 14 has been amended.

14. It is obligatory for the producer to enclose a short summary of the work of art, a translation of the foreign music work of art if there is any or a signed document stating that he takes all the responsibility of the lyricist to the declaration to be given to the Ministry for the cinema, video and music works of art to be inspected by the subcommissions.

15. The producers who want the scenario to be inspected shall apply to the Ministry with four copies of the scenario and a short summary of the scenario enclosed to their petition.

The name, mailing address of the producer and the name of the scenarist shall be included in the petition.

Art Activities

Article 16 has been amended.

16. The foreign film and video works of art brought from the foreign countries to be displayed to the public in the expositions, film festivals and public rejoices that shall be organized in Turkey or to participate in the competitions shall not be inspected. However, it is obligatory for the related organization committees on these activities to get appropriate and positive approval from the Cinema Works of Art Owners Vocation Union of Turkey established according to Article 42 article of law numbered 5846. Domestic film and video works of art with the enterprise certificate can participate in these activities in the same way.

Validity

17. This regulation comes into force on its publication date.



Execution

18. The Minister of Culture and Tourism executes the provisions of this regulation.

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