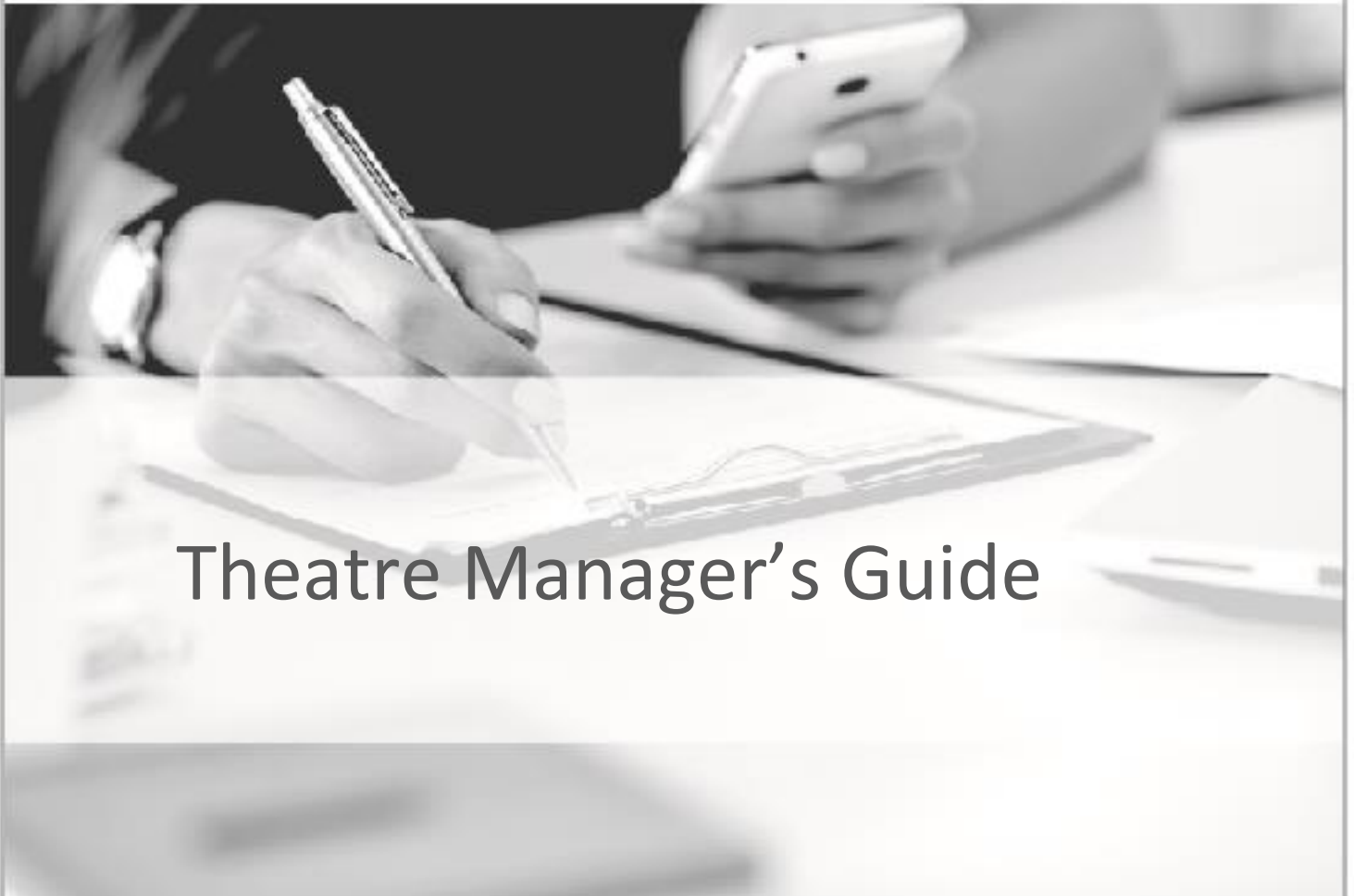




**CONSUMER  
PROTECTION BC**



# Theatre Manager's Guide

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## A special note related to the COVID-19 pandemic

Due to the pandemic, Consumer Protection BC stopped doing in-person inspections of our licensed businesses in March 2020.

Since then, we have learned more about the impact of COVID-19 in the marketplace and on you, as one of our licensed businesses. We have now resumed in-person inspections.

With a few exceptions, our standard inspections policies and rules apply as outlined in this inspection guide. This also means that unless there are mitigating circumstances specific to your business practices, no advance notice of inspection will be made.

### **We take safety seriously.**

Your safety and the safety of our staff matter to us.

Here are some of the changes we've made:

- Inspectors will continue to wear N-95 masks for the foreseeable future.
- Inspectors will have their own supply of PPE and will sanitize their hands and other surfaces.
- Inspectors may ask for licensee-employees to wear masks when communicating with or in the same room as the Inspector. Failing this, the licensee/employees may be asked to remain 2 meters distant from the Inspector at all times.
- Inspectors will allow for their credentials to be examined (from a distance). Inspectors will provide business cards at the time of inspection.
- Where possible, inspectors may ask that they be allowed to isolate themselves in a private area of the business while they perform the administrative functions of the inspection.
- Inspectors will select items to be inspected. This amends the former practice of allowing the licensee's employees assist with that process.

Inspectors may ask you about the status of the location being inspected. These questions will include:

- Have any employees at the location been diagnosed with Covid-19 within the last 2 weeks?
- Is anyone at the licensed location suffering from illness or Covid-19 symptoms?

If you have questions about our protocols and processes, the best option is to speak to the Inspector that engages with you during an inspection.

Thank you,

The Consumer Protection BC Inspections & Case Management Team

## Introduction

Consumer Protection BC is responsible for the administration and enforcement of the *Business Practices and Consumer Protection Act (BPCPA)*, the *Ticket Sales Act (TSA)*, the *Cremation Interment and Funeral Services Act (CIFSA)*, and the *Cremation Interment Funeral Services Regulation (CIFSR)*. The BPCPA, CIFSA, and CIFSR govern the licensing requirements and conduct of businesses and persons that provide crematorium services in the Province of British Columbia.

This guide has been prepared to better inform and educate crematorium operators on the compliance inspection process. As one of our licensed businesses, it is your responsibility to conduct yourself and operate your business in compliance with the laws and conditions on your license. We recommend you take the time needed to read this guide fully and to make sure that your managers and staff are familiar with the information contained herein.

This guide serves as a reference, so you know what to expect and how to prepare for an inspection conducted by a Consumer Protection BC Inspector.

This is a general overview of the inspection process. This guide is not intended to provide legal advice and it is not an exhaustive review of the legislative provisions affecting you or the operation of your licensed business. We recommend that you get copies of the legislation and review it in detail. You can order from Crown Publications at [www.crownpub.bc.ca](http://www.crownpub.bc.ca).

For more general information, visit our corporate website at [www.consumerprotectionbc.ca](http://www.consumerprotectionbc.ca). To learn more about your licensing requirements and legal obligations, [visit the Get & Keep your Licence](#) section of our website. To find out how best to contact us, please [visit the Contact Us](#) page of our website.

## Theatre manager responsibilities

As a theatre manager, you have **five key responsibilities** with regards to the *Motion Picture Act*. If you rent your theatre on occasion to another group, the following responsibilities still apply.

1. **Classification:** You are responsible for ensuring that all your feature films and advertising trailers have been classified by us. You can do this by checking our website at [www.consumerprotectionbc.ca](http://www.consumerprotectionbc.ca). Our website is the official form of approval. If you find your film or trailer on the website, you may proceed with exhibition. You do not need to have a paper certificate.
2. **Age restrictions & accompaniment:** General and Parental Guidance films do not have any age restrictions. Otherwise, you are responsible for ensuring:
  - 14A, people under 14 years of age are accompanied by an adult at least 18 years of age.
  - 18A, people under 18 years of age are accompanied by an adult at least 18 years of age.
  - Restricted, no one under the age of 18 attends under any circumstances.
3. **Trailers:** Whether they are advertising feature films or other products (e.g. cars, cell phones, beverages, etc.) all trailers must be classified. You are responsible for exhibiting all advertising trailers appropriately.



Approved trailers may be exhibited with any feature.



Special Permission trailers may be exhibited with only 14A or 18A features.

Occasionally we classify a trailer Restricted. These may be exhibited with only Restricted features.

4. **Information:** alongside a list of your currently exhibited titles, you are responsible for posting our classifications, including categories and advisories, at your theatre. Post this information where it is easily accessible to consumers such as the box office, automated ticket machines, or other point-of-sale where customers can get tickets.

Remove any ratings from other jurisdictions on posters or advertising material. The classification and advisory information that you post in your theatre should refer to Consumer Protection BC and display our website address as [www.consumerprotectionbc.ca](http://www.consumerprotectionbc.ca).

5. **Licence:** you are responsible for ensuring that you have a valid Consumer Protection BC licence for each of your screens.

## Frequently asked questions

### Who are we?

We are an administrative authority with delegated responsibilities from the Government of BC. We are responsible for regulating several industries in the province. Since 2007, we have been responsible for administering the [Motion Picture Act](#) (Act) through an agreement with the BC Government.

We classify films before they are publicly exhibited and post our decisions on our [website](#). We license theatres and distributors.

It is our job to ensure theatres are in compliance with the legislation; this guide is designed to help you achieve that goal.

### Who do I contact for more information?

Our website has lots of useful information including all the feature films and advertising trailers we have classified.

If you can't find the information you need on our website, please call us at 1. 888.564.9963 ext. 1914 or email us at [classadmin@consumerprotectionbc.ca](mailto:classadmin@consumerprotectionbc.ca).

### What can I expect during an inspection?

Our Inspectors conduct routine unannounced theatre inspections throughout the year. Their goal is to help you understand your responsibilities such as:

- your films and trailers have been classified
- you have a valid licence
- you have our classification information posted at any ticket point-of-sale
- you are exhibiting your advertising trailers appropriately
- children are appropriately accompanied by an adult in 14A or 18A exhibitions

### Would I have to show an inspector a paper certificate to prove that my film has been classified?

No. We don't require that you have a paper certificate. Our website is the official form of approval. If your film is listed on the website, it is approved for exhibition.

### Can I do something that is stricter than my basic responsibilities?

Yes. Although a consistent approach throughout the industry is ideal, the Act does not prevent you from implementing more restrictive policies or procedures. Please contact us if you have any specific questions.

### What are the classification categories?

[Section 3 of the Motion Picture Act Regulations](#) defines the categories as follows:

#### General



Suitable for viewing by persons of all ages. Occasional violence, swearing and coarse language, and the most innocent of sexually suggestive scenes and nudity, are permitted in this category.

#### Parental Guidance



Parental guidance advised. Theme or content may not be suitable for all children although there is no age restriction. Motion pictures in this category may contain less subtle sexually suggestive scenes and nudity and a more realistic portrayal of violence than in the General category; coarse language may occur more often than in the General category.

### 14 Accompaniment



Suitable for persons 14 years of age or older. Persons under 14 years of age must view these motion pictures accompanied by an adult. Motion pictures in this category may contain violence, coarse language or sexually suggestive scenes, or any combination of them.

### 18 Accompaniment



Persons under 18 years of age must view these motion pictures accompanied by an adult. Motion pictures in this category will contain horror, explicit violence, frequent coarse language or scenes that are more sexually suggestive than in the 14A category, or any combination of them.

### Restricted



Restricted to persons 18 years of age and over. Persons under 18 years of age are not permitted to attend under any circumstances. These motion pictures are “adult motion pictures”, as defined in the Act, and may contain explicit sexual scenes, violence or scenes referred to in Section 5(3) of the Act, or any combination of them. The director will assign this classification to motion pictures if the director considers that the theme, subject matter or plot of the adult motion picture is artistic, historical, political, educational or scientific.

### What does the ‘A’ stand for in the 14A and 18A categories?

‘Accompaniment.’ An adult is required to accompany any children in their care for the full duration of the screening.

### What should I do if I find unaccompanied children watching a 14A or 18A film?

Please use your best judgment. You could move them to another safe location within your building where you can monitor them. You may wish to try and contact their caregiver if possible. The best thing to do is prevent them from entering a 14A/18A screening ahead of time.

### How many children can one adult accompany in a 14A or 18A film?

Sometimes an adult can have a large group of children with them (e.g. birthday party). Please use your best judgment when considering whether the adult can control and stay with the children, in other words ‘accompany’ them.

### Does the adult who is accompanying a child need to be a parent?

The legislation does not specify whether the adult must be parent. Please use your best judgment to determine if the adult is responsible and able to safely and appropriately accompany the child.

### Can the adult give me their consent for the child to see a particular film and then leave them unattended at the theatre?

No. The legislation requires that the adult accompany the child during the exhibition.

### What kind of ID is acceptable for verifying a child’s age?

The legislation does not specify. Please use your best judgment when determining if a child’s ID is valid or not.

## Are infants allowed into 14A or 18A screenings?

Yes. The legislation does not prevent adults from bringing infants to these screenings.

## What is an advisory?

Alongside a film's classification category, we include a short list of depiction that is most relevant to our decision. Common examples include violence, nudity and sexually suggestive scenes. Advisories provide consumers with valuable information.

## When do you post your classification information on your website?

Usually, the same day we review the film or trailer. We try our best to accommodate the distributors' schedules. Please contact us if you don't find a title you're looking for.

## What about short films and cartoons?

These require classification. Please contact us if you can't find a particular title on our website.

## Can I exhibit a DVD I bought?

Check our website to see if we have classified it. Its content must be identical to the version we classified. If it is not on our website, contact us for more information.

You may wish to consult the following sites for copyright ownership information:

- the Canadian Intellectual Property Office (CIPO) Canadian Copyrights Database at <http://www.ic.gc.ca/app/opic-cipo/cpyrghts/dsplySrch.do?lang=eng>.
- the United States Copyright Office (<http://www.copyright.gov/records/>)

## Why is a film classified differently in another province?

Each jurisdiction operates under unique legislation, personnel, mandates, systems, policies, procedures and governments. Each program responds to different feedback from their own stakeholders and consumers. And, although some of the category names may be the same (G, PG, 14A, 18A), the definitions vary.

## Why isn't there a national classification system?

Classification has always been administered under provincial governments and legislation. Currently, we have agreements in place with Saskatchewan, Manitoba and Ontario under which they accept our classifications.

## What about the American MPAA system?

MPAA ratings are not valid in BC. The MPAA utilizes a significantly different system. For example, we do not have a PG13 category in BC. And the BC Restricted category is much different than the MPAA's.

A BC Restricted film may contain explicit sex. Admission is limited to persons 18 years of age and over. We usually classify only a couple of these films a year. If you exhibit a Restricted film, you may need a different licence from us.



Unfortunately, consumers are inundated with the American ratings via television advertising; you can assist in minimizing confusion by posting our information clearly at your theatre and removing any visible MPAA ratings.

### What about simultaneous feeds?

Films that are not pre-recorded, such as simultaneous broadcasts of sporting events, do not require classification.

“Encore events” such as of operas, plays, concerts, etc. are “pre-recorded” and must be classified regardless of whether they have been performed with “live” audiences.

### Do “Word of Mouth” screenings require classification?

Yes. “Word of Mouth” screenings, where passes are distributed for promotional purposes, are required to be classified prior to exhibition.

Exhibitions not exhibited to the general public (private screenings) do not require classification. This is the case when all the following apply:

- no ticket sales
- no advertisements or information online, in print or on a phone line
- admittance is restricted to a pre-determined list of people who are invited to attend

Industry-only or press screenings are typically private and outside of our authority.

### Why don't you regulate general release home video or broadcast?

The Act does not include them. General release home video and films available through television, broadcast, VOD, internet, etc. are outside of our mandated authority.

### What about film festivals?

When film festivals meet several criteria prescribed by the Act, they may be exempt from classification requirements. If you are hosting a film festival, this may mean that the films have not been classified. We typically provide film festivals with correspondence which they may share with you. Please contact us if you have any questions.

### What about liquor sales?

The sale of liquor is not regulated by the Act. If you are interested in selling alcohol, you are encouraged to contact the Province of British Columbia's Liquor Control and Licensing Branch.

### What should I do if a customer complains about a classification?

Please share our contact information. Consumer feedback is valuable for us and we are happy to answer their questions.

We have rack cards with helpful information that may answer some of your customers' questions. Please contact us and we'll send some to you.

### What are special conditions?

The Act empowers us to apply special conditions when appropriate. We will post them clearly on our website if applied.

### I have a question that you haven't included here. What should I do?

Please contact us. Not only will we be happy to answer it, but we may also add it to a refreshed version of this guide.

Call us at 1.888.564.9963 ext. 1914 or email us at [classadmin@consumerprotectionbc.ca](mailto:classadmin@consumerprotectionbc.ca).

## Appendix – Inspection Checklist

NOTE: The following are the types of types of things that the inspector is checking during an inspection of your business. This is not a comprehensive list and not all items on this list are inspected during each inspection.		Licence #: Date of inspection:		
Question	<b>THEATRE INSPECTION REPORT</b>	Y	N	N/A
<b>CLASSIFICATIONS AND ADVISORIES</b>				
1	<b>MPA 2(3)</b> Were all copies of feature films being exhibited approved for exhibition?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2	<b>MPA 2(3)</b> Were copies of all trailers being exhibited approved for exhibition?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3	<b>MPA 2(3)</b> Were films being exhibited as showtime advertising approved for exhibition?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	<b>MPA 2(3)</b> Were copies of SP trailers being exhibited only to audiences in theatres exhibiting 14A, 18A and R films?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	<b>MPA 7(a)</b> Were all film classifications being displayed at all point-of-sale?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	<b>MPA 7(b)</b> Were all film advisories displayed at all point-of-sale?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7	<b>MPA 7(a)(b)</b> Were all film classifications being displayed at automated ticket machines on the premises?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	<b>MPA 7(b)</b> Were all the film advisories being displayed at automated ticket machines on the premises?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>RESULTS</b>				
9	<b>MPA 6(1)</b> Were any minors found attending 14A, 18A, Adult or Restricted films?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	<b>MPA 8(3)(a)</b> Were any conditions imposed on the licensee by the Director being complied with?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11	<b>MPA 12(2)</b> Were any films seized?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12	If a seizure was performed, was a receipt that included notice of the reconsideration process given the theatre?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13	Was a Certificate of Inspection sent to the licensee?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

For more information about your obligations as a licensed business, our processes and our organization, please visit [www.consumerprotectionbc.ca](http://www.consumerprotectionbc.ca).