

INSTRUCTIONS FOR PROVIDERS OF AUDIOVISUAL PROGRAMMES ON TELEVISION

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KANSALLINEN AUDIOVISUAALINEN INSTITUUTTI
NATIONELLA AUDIOVISUELLA INSTITUTET
NATIONAL AUDIOVISUAL INSTITUTE



The National Audiovisual Institute (KAVI) is responsible for child protection supervision of TV operations. All providers of audiovisual programmes¹ fall under the same law.

The Act on Audiovisual Programmes (710/2011) is applied if

- the programme is provided via such television operations or on-demand services that fall under the Information Society Code (917/2014);
- the programme is provided by an entrepreneur who is registered in Finland or who has a permanent place of business in Finland;
- the programme is provided by a person whose nationality is Finnish or who has a permanent address in Finland; or
- the decision on providing the programme has been made in Finland.

If the audiovisual programme is included in a programme repertoire that has started abroad and it is provided in Finland at the same time as the original broadcast, the law is used only partly. The only obligations regarding the provision of programmes originating from abroad are registering as a provider and the related obligation to pay the supervision fee, the obligation to inform that the programmes in the repertoire have not been classified and marked according to the Finnish legislation regulates, and the Institute may impose a penalty payment for neglecting the obligation laid down in Section 7 of the Act.

Providers shall register with the provider registry of KAVI

Regular providers of audiovisual programmes for financial purposes must register with the audiovisual programme provider registry of KAVI to facilitate supervision. The provider shall pay an annual supervision fee based on the method and locality of offering.

A provider who only provides content exempt from the classifying and marking obligation is an exception to this rule. He or she is not obligated to register or to pay the supervision fee.

The annual supervision fees for providing audiovisual programmes on television are as follows:

- regional television EUR 100
- for a provider who provides broadcasts sent forward from abroad per one programme repertoire EUR 400
- national television EUR 600

The notification is submitted at kavi.fi/meku/kuvaohjelmat/tarjoajaksi-ilmoittautuminen (only in Finnish or Swedish).

Age limits and markings

Persons under 18 years of age may only be provided an audiovisual programme if it is classified, unless the programme has been exempt from the classification obligation. Symbols representing the age limit and the detrimental content must be visible in the audiovisual programme or in connection to it.

¹ Film, television programme, game or other moving picture content meant for viewing, which has been created by electronic means.

The age limit and content symbols are as follows:



Classified programmes will be marked with an age limit of 7, 12, 16 or 18, or they will be marked as appropriate for all ages. When a programme is provided to the public, the markings must be clearly visible either in the programme or in connection to it.

Symbols representing detrimental content of the audiovisual programme are used. In total, there are four symbols. The content symbol represents the basis for the age limit, i.e. the subject of the content detrimental to children. Content detrimental to children may include violence, sexuality, issues causing anxiety or other content similar to these.

It is prohibited to provide an audiovisual programme that has the age limit of 18 to minors. However, 18 rated programmes can be broadcast on television during times when children younger than 18 do not normally watch television (after 11 pm according to the code of conduct agreed by television companies), or as a programme that demands a protection descrambling device.

The person providing audiovisual programmes must ensure that an audiovisual programme with a 7, 12 or 16 rating is not viewed by a child younger than this. The means of ensuring this include broadcasting the programme on television at such a time when children do not normally watch television, or as a television programme that demands a protection descrambling device.

Providers of audiovisual programmes may draw up codes of conduct to promote best practices for providing audiovisual programmes and media education. Through this code of conduct, the television companies have agreed on e.g.

1. the time slots after which specifically rated programmes can be broadcast
 - 18 rated programmes after 11 pm.
 - 16 rated programmes after 9 pm.
2. on how the age limit markings and content symbols are presented in the programmes and their advance information. The age rating symbols are shown on the screen *at least five seconds in the beginning of each programme*, and if a programme is interrupted with advertisement, *three seconds after each break*.

Programmes (TV-broadcast) originating from abroad

In the marketing material of television programmes which originate from abroad the public must be informed that the programmes may include audiovisual content detrimental to a child's development and that the programmes have not been classified and marked as regulated in the Act on Audiovisual

Programmes. Such a notification must also be included in programmes that are sent forward unless it is technically impossible or causes excessive difficulties. The notification reads as follows: 'Ohjelmisto saattaa sisältää lapsille haitallista sisältöä. Ohjelmaa ei ole ikärajaluokiteltu eikä merkitty kuvaohjelmalain mukaisesti.' (Translation: 'The programme may contain audiovisual material detrimental to the development of children. The programme has not been classified and marked in accordance with the Finnish law.')

KAVI supervises the compliance with the age limits and may impose a penalty payment to enforce its advice if provider, despite requests, refuses to fulfill the obligations as regulated by law.

Classifying audiovisual programmes

KAVI maintains and develops an online classifying system for audiovisual programmes, but classifying the programmes² is mostly the responsibility of autonomous and independent audiovisual programme classifiers who are trained and certified by KAVI. KAVI supervises their operations. The Institute keeps a registry of all the certified classifiers. The kavi.fi web site includes information on classifier training and on the prices of the classification service of KAVI.

A fee for use of the classification system for audiovisual programmes must be paid for every classified item.³ See [Fees](#).

The provider of audiovisual programmes must ensure that the classified programme provided has been registered to the audiovisual programme list (= database) of the Institute and marked accordingly with age limit markings and content symbols. The registration is done in connection with the classification. Each audiovisual programme will be registered only once.

As an example: A film is being shown for the first time in Finland for the public in a cinema. The film will be classified and its age limit and content data will be registered on the KAVI audiovisual programme database. After this, other media showing the film (television, recording distributors etc.) uses the age limit and content data in the database to mark the film before providing it to the public.

The pre-adverts of television programmes shown on television, which are known as TV-spots, are not classified via the classifying system, and therefore the user fee for the classification system does not need to be paid. The TV-spots shall be classified and when the spots are broadcasted the watershed agreement shall be obeyed. However, age and content labels of the TV-spots are not shown in connection with the tv-spot.

Audiovisual programmes exempt from classification

Audiovisual programmes with content meant explicitly for adult audiences can be provided without a classification. Explicitly in this case means that the content of the programme, e.g. violence and sexual content, or content which may cause anxiety or similar, would be detrimental to children. For example, programmes such as *Little House on the Prairie* or *MacGyver* cannot be distributed with the 18 rating. They must be classified immediately.

An unclassified audiovisual programme meant explicitly for adult audience must be marked with this 18-symbol.



2 An evaluation based on viewing the audiovisual programme on whether the audiovisual programme may be detrimental to the development of a child younger than a certain age.

3 All episodes of a TV series will be classified separately.

The provider of programmes explicitly meant for adults shall once a year, by the end of January, deliver to the Institute a list of unclassified 18 rated titles, provided during the previous calendar year.

An audiovisual programme is exempted from classification and labelling if it:

1. includes nothing but educational or cultural material;
2. includes nothing but music, sports or replications of sports or cultural events or religious services or other similar events;
3. includes nothing but hobby crafts, wellbeing, discussions, games and play, fashion, gardening, construction, cooking, interior decoration, quiz shows or other such content provided to people of all ages;
4. includes nothing but marketing material for goods or services (excluding marketing materials for audiovisual programmes);
5. includes nothing but informative material about ideological or political activities;
6. includes topical news material;
7. is a live transmission.

Programmes exempt from the classification and marking based on their content are not marked with an age limit, nor are they reported to the Institute.

The marketing materials for an audiovisual programme must be classified and broadcast in a time slot in accordance with the age limit, but they do not need to be marked with the age limit and content symbols.

Audiovisual programme classifications before year 2012 are still valid

The age limit decisions made by the Finnish Board of Film Classification are valid until the program is reclassified in accordance with law in force.

The audiovisual programme [database](#) of KAVI includes information on whether a certain audiovisual programme has a valid age limit decision. If the programme is not in the database, it must be classified.

Further information:

Act on Audiovisual Programmes (710/2010, www.finlex.fi)

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