



**NATIONAL FILM AND VIDEO CENSORS BOARD
WARNS AGAINST THE DISTRIBUTION OF FILMS
OR VIDEOS WITHOUT ITS CENSORSHIP
AND CLASSIFICATION**



INTRODUCTION

On 26th June, 2024, the National Film and Video Censors Board¹ (the “**NFVCB**” or the “**Board**”), released a notice (“the notice”), warning filmmakers and content creators who have contravened the Same-Sex Marriage Act² and the National Film and Video Censors Board Act by promoting, distributing, and streaming prohibited and unapproved content such as same-sex relationships, and pornography on social media and other digital platforms. This notice by the NFVCB became pertinent as a result of the numerous contents that are posted on social media without proper vetting by the Board. Also in the notice, the Board stated that it will be working with relevant security agencies to track the filmmakers and production companies involved in the production of prohibited and unapproved film and video and will ensure that those identified will face the wrath of the law.

THE ROLE OF NFVCB IN THE APPROVAL OF VIDEOS OR FILMS

By the provisions of the NFVCB Act, before a video or film is distributed in Nigeria, it is required to be censored and classified with appropriate ratings and certified by the NFVCB.³ Some of these classifications ascribed to videos upon approval by the Board are:

1. **G (General):** Suitable for all ages.
2. **PG (Parental Guidance):** Some materials may not be suitable for children without adult supervision.
3. **12/12A:** Suitable for viewers 12 years and older; children under 12 must be accompanied by an adult.
4. **15:** Suitable for viewers 15 years and older.
5. **18:** Suitable only for adults.

¹ The body responsible for classifying all films and videos whether imported or produced locally in Nigeria pursuant to section 1 and 2 of the National Film and Video Censors Board Act Laws of the Federation of Nigeria (LFN), 2004.

² Section 4 of Same Sex Marriage (Prohibition) Act 2014, which prohibits the public show of same sex relationship directly or indirectly and criminalizes same sex marriages or civil union.

³ Section 33 of National Film and Video Censor Board Act.

Primarily, the purpose of the censorship and classification of the contents in line with the above classifications is to ensure that the film does not depict content that is indecent, obscene, or likely to be injurious to morality, likely to incite or encourage public disorder or crime or content that are undesirable in the public interest. After the censorship process, the filmmaker/content creators are informed of the rating and issued a censorship certificate. The Board views it as an offence when a filmmaker and content creator fails to comply with the censorship and rating under the National Film and Video Censors Board Act ("the Act"). This failure will result in a breach of the Act, and such filmmaker/ content creator will be guilty of an offence punishable by imprisonment or fine.⁴

LIKELY IMPACT OF THE NOTICE

1. Curbing Unapproved and Prohibited Content:

The notice is expected to significantly reduce the distribution of unapproved and prohibited content on social media and digital platforms. By strictly enforcing censorship and classification rules, the NFVCB aims to control the type of content accessible to the public, ensuring that it aligns with societal values and legal standards.

2. Increased Accountability for Filmmakers and Content Creators:

Filmmakers and content creators will be more cautious about the content they produce and distribute, knowing that the NFVCB, along with security agencies, will be monitoring and taking legal action against violators. This increased scrutiny will likely lead to greater compliance with censorship regulations.

3. Legal Consequences for Non-compliance:

The Board's collaboration with security agencies to track and prosecute those involved in producing and distributing unapproved content will result in legal consequences for non-compliant individuals and companies. This includes fines, imprisonment, or both, serving as a deterrent to potential violators in line with the provisions of the Act.

4. Impact on Creative Freedom:

While the notice aims to regulate content in line with legal and moral standards, it may also impact creative freedom. Filmmakers and content creators might feel restricted in their artistic expression, potentially leading to a decrease in the production of innovative and diverse content.

⁴Section 33 of National Film and Video Censor Board Act.

5. Public Awareness and Education:

The notice will raise public awareness about the importance of content regulation and the role of the NFVCB. It will educate filmmakers, content creators, and consumers about the legal requirements for content distribution, promoting a more informed and responsible media environment.

6. Shift to Compliant Platforms:

Content creators may shift towards platforms and distribution channels that comply with NFVCB regulations to avoid legal repercussions. This shift could lead to the growth of regulated digital platforms, ensuring that content is properly vetted before reaching the public.

7. Strengthening of the NFVCB's Authority:

The strict enforcement of the notice will reinforce the NFVCB's authority and credibility as the regulatory body for film and video content in Nigeria. This strengthened position will enable the Board to more effectively carry out its mandate and uphold content standards.

CONCLUSION

The notice is a welcome development, but some concerns exist as to how contents that are shot and produced abroad are brought to Nigeria's Social Media Space and whether this content is subject to classification and vetting by the Board. Also, certain concerns exist as to who are content creators, this is so because the Act is silent on the definition of a content creator. In this digital age, a lot of people make content and post online. Some of these contents are live videos, interviews, and the likes. Undoubtedly, the notice issued by the NFVCB will have far-reaching impacts on the film and video industry in Nigeria, influencing content production, distribution, and consumption. While it aims to curb the spread of prohibited content and uphold societal values, it also poses challenges to creative freedom and necessitates a balanced approach to content regulation. However, the notice is a good development and will help to shape content released within the Nigerian social media space.

ABOUT STREN & BLAN PARTNERS

Stren & Blan Partners is an innovative and dynamic Law Firm with a compelling blend of experienced lawyers and energetic talents. We are focused on providing solutions to our client's business problems and adding value to their businesses and commercial endeavours. This underpins our ethos as everything we do flows from these underlying principles.

Stren & Blan Partners is a full-service commercial Law Firm that provides legal services to diverse local and multinational corporations. We have developed a clear vision for anticipating our client's business needs and surpassing their expectations, and we do this with an uncompromising commitment to Client service and legal excellence.

THE AUTHORS



**Christian
Aniukwu**
Partner

Christiananiukwu@strenandblan.com



**Omonefe
Irabor-Benson**
Associate

Stanleyumezuruike@strenandblan.com



**Stanley
Umezuruike**
Associate

Stanleyumezuruike@strenandblan.com

Stren & Blan Partners

+234 (0)702 558 0053

3 Theophilus Orji Street, Off Fola Osibo
Road, Lekki Phase 1, Lagos, Nigeria

www.strenandblan.com

contact@strenandblan.com

[@strenandblan](https://www.instagram.com/strenandblan)

