

Act on children's access to films and video games

2006 No 62 13 June

Entry into force 1 July 2006 Amended by Act No 88/2008 (entry into force 1 January 2009 with the exception of Transitional Provision VII: entry into force 21 June 2008), Act No 38/2011 (entry into force 21 April 2011; EEA Agreement: Annex X, Directive 89/552/EEC), and Act No 126/2011 (entry into force 30 September 2011).

Any reference in this Act to “the Minister” or “the Ministry” not accompanied by express mention of or reference to a specific field of responsibility shall be understood as being a reference to the **Minister of Education, Science and Culture** or to the **Ministry of Education, Science and Culture** as responsible for the implementation of this Act.

Article 1 Definitions

For the purposes of this Act, the following definitions shall apply:

1. *Responsible party*: A party who produces films or video games for viewing or sale in Iceland, or who offers films or video games for viewing, rent, sale or other type of distribution, for commercial purposes, in Iceland.
2. *Film*: Motion picture material produced by any type of technology, including fiction films and animated films, whether intended for viewing in cinemas, on television, in computers or on other devices capable of playing films.
3. *Video game*: A computer program containing interactive games.
4. *Violent film or video game*: A film or video game with a special emphasis on the depiction of various types of physical violence or of brutal ways of killing people or animals, considered potentially harmful to the psyche of children.
5. *Film or video game posing a threat to children's well-being*: A film or video game where the content, the treatment of the material or the moral message may, on account of the language used or the actions depicted, have a serious damaging effect on children's physical, mental or moral development, particularly where the material contains pornography.

Article 2 Age restrictions and mandatory rating

Exposing children under the age of legal majority to the viewing of violent films and video games, or of films or video games posing a threat to their well-being, shall be prohibited. Showing, selling or otherwise supplying such material to children under the age of legal majority shall be prohibited.

Ratings shall be established for all films and video games intended for viewing, sale or other distribution in Iceland for the benefit of children under the age of legal majority, based on an assessment of whether to permit or restrict the viewing, use or supply of such material with regard to minors of a certain age range. The same shall apply to extra material distributed with films and video games and to promotional material for films and video games.

The obligation stated in the second paragraph above shall apply to any party producing films or video games for viewing or sale in Iceland or offering films or video games for viewing, rent, sale or other type of distribution, for commercial purposes, in Iceland. The same parties shall ensure that admission to screenings and the supply of films and video

games take place in conformity with this Article.

Article 3 *Rating and labelling of films and video games*

Responsible parties shall set themselves rules of procedure with respect to the rating of films pursuant to Article 2, second paragraph, and the setting of age restrictions pursuant to Article 2, first and second paragraphs, based on internationally-recognised rating systems for films and video games. The rules of procedure shall take into account issues of child protection, according particular attention to the following aspects and their treatment in each case: the subject, the language, the use of violence, the depiction of nudity or sexual relations, and substance abuse. Ratings shall represent an overall assessment of the abovementioned aspects and of any other aspects that may seem relevant. Responsible parties shall make their rules of procedure publicly available, including on a website accessible to the public and at the points of sale of films and video games. The rules shall be accompanied by the name of the responsible party's director of rating and information to the public on the reception of comments concerning the application of the rules and the treatment of such comments. Ratings applied as a result of an assessment of the suitability for viewing of films and video games shall be recorded by responsible parties in a database accessible to the public.

Where a film or video game has received a rating pursuant to Article 2, second paragraph, that rating may also be applied when releasing the film or video game in another form, on the condition that the version of the film or video game is unquestionably the same.

All copies of films and video games, as well as any packaging, shall be clearly labelled with information on age restrictions imposed pursuant to Article 2, second paragraph, and stating, where applicable, that the film or video game is intended only for viewing by persons who have attained the age of legal majority.

All advertisements and other promotional material for a film or video game shall mention age restrictions imposed pursuant to Article 2, second paragraph, and state, where applicable, that the film or video game is intended only for viewing by persons who have attained the age of legal majority. Where an advertisement or other promotional material for a film or video game is shown in connection with a public screening of a film, or distributed with a copy of the film or video game, the provisions of Article 2, first paragraph, shall apply.

All films may be shown publicly to children from the age of 14, provided that they watch the film in the company of a parent or guardian.

Article 4 *Exceptions from the requirement to establish ratings and set age restrictions*

The provisions of this Act shall not apply to news or educational material. [The assessment of the suitability for viewing of audiovisual material not covered by Article 1, point 2, shall be governed by the provisions of the Broadcasting Act.]¹⁾

¹⁾Act No 38/2011, Article 65.

Article 5 *Monitoring, suspension powers and re-rating*

The [Media Commission]⁽¹⁾ shall monitor the compliance with the provisions of this Act. For this purpose, the [Commission]⁽¹⁾ may carry out evaluations of rules of procedure established pursuant to Article 3, first paragraph, and of their application. The cost of such evaluations shall in each case be borne by the relevant responsible party.

Where the [Media Commission]⁽¹⁾ receives information or a substantiated report indicating that a rating applied as a result of an assessment of the suitability for viewing of a film or video game is in contravention of Article 2, first paragraph, or unacceptable with regard to issues of child protection, cf. Article 3, first paragraph, or that no assessment pursuant to Article 2, second paragraph, has been carried out, the Commission may order the temporary suspension of the screening and distribution of the film or video game for 72 hours, by means of an announcement to the responsible party. The [Commission]⁽¹⁾ may summon the police to assist in enforcing a ban on the screening and distribution of a film or video game.

During the suspension of screening and distribution, the responsible party and the [Media

Commission]⁽¹⁾ shall jointly reassess the suitability for viewing of the film or video game. In the event of a dispute over the rating to be applied as a result of the reassessment, the position adopted by the representative of the [Commission] shall prevail.⁽¹⁾ That decision shall be final, and may not be appealed to a higher authority.

⁽¹⁾If the reassessment of the suitability for viewing of a film or video game leads to it being restricted to audiences older than indicated by the original rating, a screening and distribution ban pursuant to the second paragraph shall apply. The [Media Commission]⁽¹⁾ may grant the responsible party a period of up to one week to comply with the outcome of the reassessment by recalling and relabelling all copies of the film or video game, as well as any packaging and promotional material.

⁽¹⁾Violations of Article 2 of this Act shall be punishable by a fine or by up to six months' imprisonment, unless more severe penalties are applicable under other legislation.

⁽¹⁾...²⁾ Where the police receive a complaint concerning a violation of Article 2, first or second paragraphs, of this Act, they shall immediately report the facts of the case to the [Media Commission]⁽¹⁾. The [Commission]⁽¹⁾ shall evaluate independently whether or not to exercise its suspension powers under the second paragraph.

⁽¹⁾Films or video games may be confiscated if the screening, sale or distribution thereof is in contravention of the provisions of this Act. Confiscated items shall be the property of the Treasury.

⁽¹⁾Act No 38/2011, Article 65. ⁽²⁾Act No 88/2008, Article 233.

⁽¹⁾**Article 6 Regulation**

⁽¹⁾The [Minister]⁽¹⁾ may issue a regulation containing further provisions on the implementation of this Act, including on the publication by responsible parties of their rules of procedure pursuant to Article 3, first paragraph, and of ratings applied as a result of an assessment of the suitability for viewing of films and video games pursuant to Article 2, second paragraph.

⁽¹⁾Act No 126/2011, Article 429.

⁽¹⁾**Article 7 Commencement and repealed statutes.**

⁽¹⁾This Act shall enter into force on 1 July 2006. [...](#)

⁽¹⁾**Transitional provisions** The appointment of the committee members of the Film Inspection and the employment of its director pursuant to the Act on the inspection of films and prohibiting of films of violence, No 47/1995, shall end upon the entry into force of this Act.

Disclaimer: This is an English translation. The original Icelandic text, as published in the Law Gazette (Stjórnartíðindi) is the authoritative text. Should there be discrepancy between this translation and the authoritative text, the latter prevails.