[CH] Harmonisation of Minimum Age for Cinema Attendance

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The minimum age for admission to public showings of films is from now on the same throughout Switzerland. In order to achieve this, the conference of regional directors of justice and police (Conférence des Directeurs Cantonaux de Justice et Police - CCDJP) has drawn up an agreement with the Swiss association of film operators and distributors (ProCinema), the Swiss videogram association (Association Suisse du Vidéogramme - ASV), and the Swiss conference of regional directors of public education (Conférence Suisse des Directeurs Cantonaux de l'Instruction Publique - CDIP). The purpose of the agreement is to create a national commission for films and the protection of minors that will have the task of making recommendations to the cantons and the cinematographic sector on the minimum age for access to cinema performances. The commission's members will be representatives of the cinematographic sector and the authorities as well as independent specialists. The different regions and languages of the country will also be represented.

Until now, each canton has been free to lay down the minimum age for cinema attendance, which meant that the regulations varied from one canton to another. During the procedure of consultation for the Cinema Act of 14 December 2001, a number of cantons and associations in the cinematographic sector had proposed the adoption of national rules for the protection of young people, as they felt that the cantons' regulations were no longer in line with the new methods of audiovisual consumption. Standardised regulations were also needed in order to avoid the distortions in competition produced by the differing cantonal arrangements. The Federal Council had set this proposal aside however, as it felt that the Constitution did not allow federal intervention in an area where the cantons continued to have sole competence.

The new commission will lay down age limits on the basis of the recommendations of the Freiwillige Selbstkontrolle der Filmwirtschaft (FSK), the German body responsible for film classification. Its classification will theoretically stand as a commission recommendation, although the commission may diverge from the FSK's opinion if it feels this is necessary. If a film has not been classified by the FSK, the age limit will be laid down by the commission, which may base its decision on a proposal from the distributor.

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The age classifications range from 0 (i.e., no age limit) to 18 years. Until a film has been classified, the minimum age limit will be 18 years. Children and young people no more than two years younger than the given minimum age limit may watch films in the next higher category if they are accompanied by a person invested with parental authority. Apart from a recommendation concerning the authorised age, the commission will also draw up a recommendation on the age groups it considers suitable for the films concerned.

The commission will also apply the FSK's classification to DVDs and films on Blu-ray. For films that have not been shown in cinema theatres and have not been classified by the FSK, the commission will validate the distributor's proposal or will decide on its own classification. The commission will not, however, cover video games; these will remain subject to the Pan European Game Information (PEGI) classification system.

Agreement on a national film commission and the protection of minors, 11 November 2011

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