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Law on Public Performances, Audiovisual and Printed Materials

NOTE: This Law was regulated by Executive Decree No. 26937 of April 27, 1999.

GENERAL LAW OF PUBLIC SPECTACLES,
AUDIOVISUAL AND PRINTED MATERIALS

CHAPTER ONE

GENERAL PROVISIONS

ARTICLE 1.- Obligation of the State.

This Law governs the activities that the State must carry out to protect
The law regulates the protection of society, particularly minors and the
family, in terms of access to public entertainment, audiovisual and
printed materials; it also regulates the dissemination and
commercialization of such materials.

[Article sheet](#)

ARTICLE 2.- Public spectacle.

For the purposes of this Law, a public spectacle shall be understood as
any public performance, representation, broadcast or public reception that
gathers, in any place, persons to witness or listen to it.

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ARTICLE 3.- Activities.

This Law regulates the valuation of the contents of the following
activities:

a) Public shows, particularly movies and theatricals

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live presentations.

b) Radio.

c) Television by VHF, UHF, cable, wireless, satellite or any other form of transmission.

d) Video games.

e) Video film rental.

f) Written material of a pornographic nature.

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CHAPTER TWO AUTHORITIES AND AGENCIES

ARTICLE 4.- Executors.

The execution of this Law shall be the responsibility of the National Council of Public Entertainment and the Commission of Control and Qualification.

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ARTICLE 5.- National Council of public spectacles and related.

The National Council for Public Entertainment and Related Activities is created, at hereinafter referred to as the Council, as a body attached to the Ministry of Justice and Grace, which shall be composed as follows:

a) The Minister of Justice and Grace or his representative, who shall preside.

b) A delegate of the Minister of Culture, Youth and Sports.

c) A delegate of the Minister of Public Education.

d) The National Director of Prevention of the Ministry of Justice and

Thank you.

e) The head of the Propaganda Control Department of the Ministry of Interior and Police.

f) A delegate from the National Women's Institute.

(This subsection was added by Article 27 (now 29), paragraph a), of the Law of the National Women's Institute No. 7801 of April 30, 1998).

Article sheet

ARTICLE 6.- Operation of the Council.

The resolutions of the Board shall be adopted by an absolute majority of the members present. In the event of a tie, the Chairman shall have a double vote. For matters not provided for in this Law, the Council shall be governed by the General Law of Public Administration.

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ARTICLE 7.- Installation of the members of the Council.

The Minister of Justice and Grace shall install and swear in the members of the Council, who shall not receive a per diem.

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ARTICLE 8.- Functions of the Council.

The functions of the Council are

a) To resolve appeals filed for the application of this Law. The resolutions of the Council exhaust the administrative channels.

b) Establish the policies to comply with the purposes of the and to make the necessary decisions and agreements.

to implement these policies, which will be mandatory.

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ARTICLE 9.- Commission of control and qualification of public spectacles.

The Commission for the control and qualification of shows is created.

The National Council of Public Entertainment is a body under the National Council of Public Entertainment.

Article sheet

Article 10.-Integration of **the Commission for the control and qualification of public spectacles**. The Commission shall be composed of the Executive Director of the Council, who shall preside over it, and of ten professionals in Psychology or Psychiatry, Education, Sociology and Law, appointed as follows:

a) Four representatives of the Ministry of (*)Justice and Peace.

() (Modified by Article 3 of Law No. 8771 of September 14, 2009)*

b) Two representatives of the Ministry of Culture, Youth and Sports.

c) Two representatives of the Patronato Nacional de la Infancia.

d) A representative of the Ministry of Public Education.

e) A representative of the National Women's Institute.

While they are members of the Commission, these officers shall be on loan from the respective institution, without prejudice to the possibility that the latter may replace them when it deems it appropriate. For their participation in the Commission, they shall not receive any amount in addition to the salary they earn in their institutions, and they shall maintain their labor relationship with these institutions.

(As amended by Law No. 8186 of December 17, 2001)

Article sheet

ARTICLE 11.- Functions of the Commission.

The functions of the Commission shall be as follows:

- a) To resolve, in the first instance, on the qualification and regulation of the activities contained in this Law. Against its resolutions, the appeals of revocation and subsidiary appeal may be filed before the Council, within five working days after the resolution is notified.
- b) To regulate, for the common good and on the basis that freedom of expression does not include freedom of exhibition, the activities mentioned in Article 2, and to prohibit those that constitute a social danger, because of their strictly pornographic or violent content, because of their potential for incitement to crime or vice, or because they degrade the condition of the human being.
- c) Encourage the exhibition of films of high artistic, social, cultural and educational value and other shows.
- d) To formulate technical recommendations to the Council, which serve as a basis for defining radio, film and television policies, videos and public shows of any kind.
- e) To ensure compliance with this Law.
- f) Other functions established in this Law and its regulations.

Before issuing the resolution referred to in paragraph (a) of the The Commission shall hear those who may be affected by it, in accordance with the procedure defined in the Regulations of this Law.

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ARTICLE 12.- Resources.

Natural or legal persons whose subjective rights or legitimate interests are affected are entitled to file appeals for revocation and subsidiary appeals against decisions of the Commission and appeals for reconsideration against acts of the Council.

The Ombudsman's Office has equal standing to protect the general interests of the community.

[Article sheet](#)

ARTICLE 13.- Limitations.

An activity listed above may not be prohibited or restricted. in article 2, for the ideas it supports; except when the activity incites subversion, vice, crime, hatred for religious, racial or nationality reasons or when its content is strictly pornographic.

[Article sheet](#)

ARTICLE 14.- The Executive Director.

There will be an Executive Director who will be part of the regular staff of the Ministry of Justice and Grace, his appointment will be governed by the Civil Service Statute and must be a professional in Law, Social Sciences or Psychology.

[Article sheet](#)

ARTICLE 15.- Functions of the Executive Director.

The functions of the Executive Director are

- a) To ensure compliance with the resolutions of the Council and the Commission for the control and qualification of public shows.
- b) To constitute itself as the leading body of the procedure, when necessary.
- c) To preside over the Commission for the control and qualification of public spectacles.
- d) To act as secretary of the National Council of Public Entertainment and Related Activities, with voice but without vote.
- e) To procure and administer the material resources that allow for the optimal functioning of the control bodies established in this Law.
- f) To be part of the Commission of control and qualification of public spectacles.

[Article sheet](#)

ARTICLE 16.- Cantonal Auxiliary Commissions.

These commissions are auxiliary bodies of the Commission of control and qualification of public spectacles. In each canton of the country, there will be one composed of three neighbors.

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ARTICLE 17.- Functions of the Cantonal Auxiliary Commissions.

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The cantonal auxiliary commissions are responsible for supporting the tasks of disseminating the policies in the matter of this Law; detecting any violation of the regulations imposed by the Commission and the Council and immediately informing the Executive Director.

Article sheet

ARTICLE 18.- Appointment of the Cantonal Auxiliary Commissions.

The members of these commissions shall be appointed by the respective municipality for three years; but they may be reelected for successive periods. For the beginning of their functions, it is indispensable that they pass the training course that will be given by the Ministry of Justice. If not approved, the municipality will make a new appointment.

Article sheet

ARTICLE 19.- Identification Card.

The members of the Council, of the Commission and of the cantonal auxiliary commissions and the Executive Director of the Council shall have free access to public shows of any kind, for which purpose shall be accredited with an identification card issued by the Minister of Justice and Grace.

Article sheet

ARTICLE 20.- Obligations of the employer.

The natural person who, on his own behalf or on behalf of a legal entity,

distributes, presents, transmits or captures, for commercial or free distribution, motion pictures or video films, video games, radio or television programs and live shows, is obliged to make such material available to the competent bodies, to provide them with the necessary information, and to provide them with the necessary information. means to examine it and comply with the respective agreements. In addition, it must cede to the Council, free of charge, the necessary space to warn the public about the classification and restrictions of the shows. and indicate them in the respective advertising.

Article sheet

CHAPTER THREE

ADMINISTRATIVE SANCTIONS

ARTICLE 21.- Distribution of material without authorization.

The natural person who, on his own behalf or on behalf of a legal person, distributes or exhibits, commercially or free of charge, material regulated by this Law, without the qualification or prior authorization of the Commission, for each unit distributed or exhibited, will be sanctioned with a fine equivalent to seven times the base salary of the clerk 1, established by in the National Budget. When this infraction is incurred more than once, this fine will be doubled.

Article sheet

ARTICLE 22.- Advances without authorization.

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It shall be punishable by a fine equivalent to twice the salary.

basis of the clerk 1, established in the National Budget, the individual

The fine shall be imposed for each showing of a film that, on behalf of a natural person who, on his own behalf or on behalf of a legal person, shows a trailer or portion of a film not authorized for persons of that age in a film with restricted access for a certain age. The fine shall be imposed for each exhibition.

When this infraction is committed more than once, the fine will be doubled.

Article sheet

ARTICLE 23.- Material exhibited to an unauthorized public. The following shall be sanctioned with a fine equivalent to the base salary of the clerk 1, established in the National Budget, the natural person who, on his own behalf or on behalf of a legal person, exhibits material regulated by this Law to minors under the age for which he the exhibition was authorized. The fine shall be imposed for each exhibition. When this infraction is incurred more than once, the fine shall be doubled.

Article sheet

ARTICLE 24.- Closing of premises.

When the same infraction is committed more than once, the judicial authority shall order to close the premises where it was committed and suspend the operations of the person or company, as follows:

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- a) For one month, upon committing the infraction for the second time.
- b) For three months, upon committing the infraction for the third time.
- c) When the same infraction is committed for the fourth time, the

The judicial authority shall order the definitive closing of the establishment and shall communicate it to the respective municipality, which shall cancel the license plate, or to the Ministry of the Interior to cancel the television or radio frequency concessions, or to the competent authorities to cancel the respective permit or authorization.

The Executive Director shall keep a well-supported record of jurisdictionally established violations and the persons and companies responsible.

Article sheet

ARTICLE 25.- Acting on behalf of a juridical person.

In all cases in which a natural person acts on behalf of a legal entity, the latter shall be jointly and severally liable for the payment of fines.

Article sheet

CHAPTER FOUR JURISDICTIONAL PROCEEDINGS

ARTICLE 26.- Competent authorities.

The mayor's offices for misdemeanors and contraventions shall be the competent authorities to hear the infractions described in this Law.

Article sheet

ARTICLE 27.- Procedure.

The procedure shall be initiated by a complaint from the Director.

Executive, either by itself or through the Office of the Attorney General of the Republic, or through the cantonal auxiliary commissions before the mayor's office.

of misdemeanors and contraventions of the corresponding territorial jurisdiction.

When the complaint is filed by a private individual, it shall be transferred the Executive Director of the Council so that, as appropriate and possible, he may substantiate the complaint himself or through the Office of the Attorney General of the Republic.

[Article sheet](#)

ARTICLE 28.- Action by the Office of the Attorney General of the Republic. Regardless of the complainant, in all cases the Office of the Attorney General of the Republic shall be considered as a party.

[Article sheet](#)

ARTICLE 29.- Basis of the process.

For the substantiation of the process, the rules established for the reporting of misdemeanors and contraventions shall be followed.

[Article sheet](#)

ARTICLE 30.- Deposit of the fine.

In the event of a conviction, a period of eight days shall be granted to

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deposit the respective fine.

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If the violator does not deposit it, the mayor's office will order the provisional closure of the business and will suspend the authorization to carry out the commercial activity until the fine is paid, without prejudice to the sanctions of closure and suspension for repeated offenses.

Article sheet

CHAPTER FIVE FINAL PROVISIONS

ARTICLE 31.- Proceeds of the fines.

The proceeds of the fines for the application of this Law will go to the State's single fund, from where they will be transferred to the National Council of Public Entertainment, which will use them for the acquisition of goods and services necessary for the fulfillment of this Law.

Article sheet

ARTICLE 32.- Law of public order.

This Law is of public order and repeals those that are incompatible with its application.

Article sheet

ARTICLE 33.- Validity of this Law. It is in force as of its publication.

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