

## Annual Report to the Council of Australian Governments

This update on key issues and outcomes should be submitted to the Department of the Prime Minister and Cabinet annually, no later than 30 September. Updates should be no longer than two pages and should be submitted to [csrs@pmc.gov.au](mailto:csrs@pmc.gov.au).

Name of ministerial council	Standing Committee of Attorneys-General (Censorship)	
Dates of ministerial council meetings during the past financial year	<ul style="list-style-type: none"> <li>• 27 July 2006</li> <li>• 13 April 2007</li> </ul>	
Dates of officials' meetings during the past financial year	<ul style="list-style-type: none"> <li>• 26 September 2006</li> <li>• 1 March 2007</li> <li>• 7 June 2007</li> </ul>	
Have minutes or resolutions of all ministerial council meetings within the past financial year been submitted to PM&C?	Yes	July 2006 submitted in May 2007
	Yes	April 2007 submitted in August 2007
Summary of key outcomes during the past financial year, including out-of-session outcomes	<ul style="list-style-type: none"> <li>• Ministers in relation to <b>RC Guidelines and Matters of Crime: Graffiti</b> expressed their views on a proposal to expand the current guidelines so that matters portraying crime in a favorable light would be refused classification, with a majority expressing opposition to the proposal. Ministers agreed to remove this item from the agenda.</li> <li>• Ministers in relation to <b>amendments to Commonwealth Legislation—section 21 amendments for menus and captions</b> agreed that officers develop a model provision for consequential amendments to State and Territory legislation to implement the amendments to the Commonwealth Classification Act.</li> <li>• Ministers, in relation to <b>amendments to Commonwealth Legislation—section 21 amendments for additional content</b>, noted that the Commonwealth Attorney-General released a discussion paper on the issue, noted a report on consultations and agreed to amendments to the Commonwealth Classification Act to enable authorised industry assessors to make assessments and classification recommendations to the Classification Board about sale/hire films containing additional content where the feature has already been classified.</li> </ul>	

- Ministers, in relation to **amendments to Commonwealth Legislation—Determined Markings**, agreed that the Commonwealth amend section 8 of their Act to confer responsibility for determining markings and the manner of display of the markings on the Commonwealth Minister after consultation with State and Territory Ministers. Ministers agreed, in principle, to amend State and Territory classification enforcement legislation to omit references to the Director in provisions which refer to the markings determined under section 8 and agreed, in principle, to amend State and Territory classification enforcement legislation requiring the display of a notice in the approved form in cinemas and at points of sale to refer to notices approved by the Minister.
- Ministers, **in relation to all legislative amendments** further agreed to complementary amendments to State and Territory legislation, approved an approach for consequential amendments to State and Territory legislation, and agreed that States and Territories will use their best endeavours to introduce State and Territory legislation with a view to commencement before March 2008.
- Ministers, in relation to **Material that Urges or Advocates Acts of Terrorism**, expressed their views on amending the Commonwealth Classification Act to require the Classification Board to refuse classification of material submitted by law enforcement authorities that contain depictions and descriptions that advocate terrorist acts. Ministers noted a proposal for material that advocates terrorist acts and requested officers to report back to Ministers on amendments to the code (and guidelines, if necessary) that could be made to ensure this material is adequately captured. Ministers agreed to release a discussion paper for consultation on *'Material that urges or Advocates Acts of Terrorism'* that sets out a proposal to amend the national Classification Code and Classification guidelines to ensure that material that advocates terrorist acts is refused classification.
- Ministers, in relation to **Advertising Unclassified Films and Computer Games, Ministers:** noted the summary of consultation on the discussion paper *'Review of Advertising of Unclassified Material'* and that key industry stakeholders strongly supported the proposal. Ministers agreed in principle to proceed with the proposal including that the Commonwealth remove

the advertising exemption scheme in their Act and the States and Territories remove the general prohibition on advertising unclassified films and computer games in classification enforcement legislation. Ministers agreed that, as part of the proposal, the ability to advertise unclassified films should be limited to films likely to be classified R18+ or lower. Ministers agreed to enact amendments to State and Territory legislation, and noted the Commonwealth amendments will commence no later than 12 months after passage.

- Ministers, in relation to **Availability of RC Material for Research**, agreed that access to Refused Classification material for legitimate academic research and educational purposes may be appropriate in specified and limited circumstances and noted that current provisions in some State and Territory jurisdictions may be able to facilitate such access. Ministers requested officers to develop proposals for mechanisms to provide access to such material, including the persons, bodies or classes of persons who should be permitted to access it, the type of material, and conditions for doing so.
- Ministers, in relation to **Research into Community Standards**, agreed to conduct survey research to assess whether, and the extent to which, classification decisions on films and computer games generally reflect community standards, and classification decisions on films appropriately apply the R18+ classification guidelines, particularly with respect to actual sex and the level of violence. Ministers noted that, on this occasion, the costs of the survey research will be met by the Australian Government, and requested that officers report the results of the research to Ministers.
- Ministers, in relation to the **Australian Centre for the Moving Image—Legislative Amendments**, noted the difficulties faced by the Australian Centre for the Moving Image (ACMI) under the National Classification Scheme, noted that Victoria intends to amend their Act to better accommodate ACMI's needs, and noted that the Commonwealth has agreed in principle to amend their Act to enable the Director of the Classification Board to exercise powers to approve an organisation for the purpose of an exemption in relation to computer games.
- Ministers, in relation to the **Classification of Emerging and Contemporary Media**, noted the

contents of a paper prepared by officers and the Convergent Communications Research Group (CCRG) fourth quarterly report on new and emerging technologies.

- Ministers noted an **Additional Submission from the Australian Federation against Copyright Theft**, and noted a report from the Australasian Police Ministers Council on its consideration of AFACT's submission on classification and copyright offences.
- Ministers, in relation to the **Music Ombudsman Annual Report**, noted the report on the operation of the *ARIA/AMRA Recorded Music Labelling Code of Practice* (the Code) for the period 1 April 2005 to 31 March 2006; and noted that the Commonwealth will continue to evaluate the operation and effectiveness of the Code and report to Ministers.
- Ministers noted a **Community Liaison Scheme (CLS) Report** for the period September 2006 to January 2007.
- Ministers approved the **SCAG (Censorship) Annual Report** for 2005 – 2006.
- Ministers noted the **Progress Reports** on matters not on the main or pre-approval agendas.

Date of last review of council operations

April 2006

Current chair

The chair is the host Minister. Meetings rotate through all the States and Territories.

Current location of the secretariat

Commonwealth Attorney-General's Department

Please confirm contact details for the secretariat

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