



Australian Government

Office of Film and Literature Classification

Classification (Publications Films and Computer Games) Regulations

No. 331 of 1996

In force: 24 December 1996 – 31 October 1997



Statutory Rules 1996 No. 1

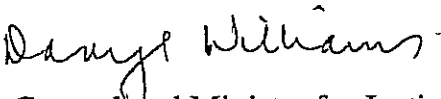
Classification (Publications, Films and Computer Games) Regulations² (Amendment)

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Classification (Publication, Films and Computer Games) Act 1995*.

Dated 20 December 1996.

WILLIAM DEANE
Governor-General

By His Excellency's Command,


Attorney-General and Minister for Justice

1. Amendment

1.1 The Classification (Publications, Films and Computer Games) Regulations are amended as set out in these Regulations.

[NOTE: These Regulations commence on gazettal: see *Acts Interpretation Act 1901*, s. 48.]

2. New regulation 10A

2.1 After regulation 10, insert:

Powers of Director under State or Territory laws

“10A. For subparagraph 53 (b) (iii) of the Act, the Director may exercise powers conferred on him or her by the following provisions:

- (a) sections 8 and 29 of the *Classification (Publications, Films and Computer Games) Enforcement Act 1995* of New South Wales;
- (b) sections 7, 17 and 35 of the *Classification (Publications, Films and Computer Games) (Enforcement) Act 1995* of Victoria;
- (c) section 30 of the *Classification of Films Act 1991* of Queensland;
- (d) section 15 of the *Classification of Computer Games and Images Act 1995* of Queensland;
- (e) sections 29, 39 and 55 of the *Classification (Publications, Films and Computer Games) Act 1995* of South Australia;
- (f) sections 67, 75 and 83 of the *Censorship Act 1996* of Western Australia;
- (g) sections 21, 34 and 50 of the *Classification (Publications, Films and Computer Games) Enforcement Act 1995* of Tasmania;
- (h) sections 7, 17 and 34 of the *Classification (Publications, Films and Computer Games) (Enforcement) Act 1995* of the Australian Capital Territory;
- (i) sections 36, 46 and 50L of the *Classification of Publications, Films and Computer Games Act 1995* of the Northern Territory.”.

NOTES

- 1. Notified in the *Commonwealth of Australia Gazette* on 1996.
- 2. Statutory Rules 1995 No. 401.

DRAFT ONLY

EXPLANATORY MEMORANDUM

Minute No 64 of 1996 - Attorney-General and Minister for Justice

Subject - *Classification (Publications, Films and Computer Games) Act 1995*

*Classification (Publications, Films and Computer Games) Regulations
(Amendment)*

Section 93 of the *Classification (Publications, Films and Computer Games) Act 1995* (the Act) provides, among other matters, that the Governor-General may make regulations prescribing matters permitted by the Act to be prescribed.

The Act is the Commonwealth's contribution to a new Commonwealth, State and Territory cooperative scheme for the classification of publications, films and computer games.

The Act establishes the Classification Board (the Board) and Classification Review Board (the Review Board) and sets out procedures for classification. Under the scheme, State and Territory legislation adopts in enforcement laws, classification decisions made under the Act.

State and Territory legislation requires that notices about the classifications for films, videos and computer games are displayed at retail, hire and exhibition premises. State and Territory legislation also requires such notices to be in a form approved by the Director of the Classification Board.

The purpose of the proposed Regulations is to prescribe certain provisions in State and Territory classification enforcement legislation to enable the Director to approve notices for the display of classifications for films, videos and computer games.

Section 53 of the Act enables the Director to exercise powers that are conferred on him by, among other things, a provision of a law of a State or Territory that is prescribed.

Details of the proposed Regulations are as follows:

Regulation 1 provides that the Classification (Publication, Films and Computer Games) Regulations are amended as set out in these Regulations.

Regulation 2 provides that a new regulation be inserted to prescribe that, for subparagraph 53(b)(iii) of the Act, the Director of the Classification Board may exercise powers conferred on him by the cited provisions in State and Territory classification enforcement legislation which relate to the display of approved notices.

The proposed Regulations would commence on the date of gazettal.

The Minute recommends that the Regulations are made in the form proposed.

Authority: Section 93 of the
*Classification
(Publications, Films and
Computer Games) Act
1995*

NRW

EXPLANATORY STATEMENT

STATUTORY RULES 1996 NO. _____

Issued by the authority of the Attorney-General

Classification (Publications, Films and Computer Games) Act 1995

Classification (Publications, Films and Computer Games) Regulations (Amendment)

Section 93 of the *Classification (Publications, Films and Computer Games) Act 1995* (the Act) provides, among other matters, that the Governor-General may make regulations prescribing matters permitted by the Act to be prescribed.

The Act is the Commonwealth's contribution to a new Commonwealth, State and Territory cooperative scheme for the classification of publications, films and computer games.

The Act establishes the Classification Board (the Board) and the Classification Review Board (the Review Board) and sets out procedures for classification. Under the scheme, State and Territory legislation adopts in enforcement laws, classification decisions made under the Act.

State and Territory legislation requires that notices about the classifications for films, videos and computer games are displayed at retail, hire and exhibition premises. State and Territory legislation also requires such notices to be in a form approved by the Director of the Classification Board.

The purpose of the Regulations is to prescribe certain provisions in State and Territory classification enforcement legislation to enable the Director to approve notices for the display of classifications for films, videos and computer games.

Section 53 of the Act enables the Director to exercise powers that are conferred on him by, among other things, a provision of a law of a State or Territory that is prescribed.

Details of the Regulations are as follows:

Regulation 1: provides that the Classification (Publication, Films and Computer Games) Regulations are amended as set out in these Regulations.

Regulation 2: provides that, for subparagraph 53(b)(iii) of the Act, the Director of the Classification Board may exercise powers conferred on him by the cited provisions in State and Territory classification enforcement legislation which relate to the display of approved notices.