

NORTHERN TERRITORY OF AUSTRALIA
CLASSIFICATION OF PUBLICATIONS AND
FILMS AMENDMENT ACT 1992

No. 82 of 1992

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NORTHERN TERRITORY OF AUSTRALIA

No. 82 of 1992

AN ACT

to amend the *Classification of Publications and Films Act*

[Assented to 18 December 1992]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. **SHORT TITLE**

This Act may be cited as the *Classification of Publications and Films Amendment Act 1992*.

2. **PRINCIPAL ACT**

The *Classification of Publications and Films Act* is in this Act referred to as the Principal Act.

3. **COMMENCEMENT**

This Act shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

4. **CLASSIFICATION OF FILM TO BE SHOWN BEFORE SCREENING**

Section 38B(3) of the Principal Act is amended by omitting "agreement" and substituting "arrangement".

*Classification of Publications
and Films Amendment*

5. NEW PARTS

The Principal Act is amended by inserting, after section 56, the following:

"PART IVA - PRODUCTION OR COPYING
OF FILMS CLASSIFIED 'X', &c.

"Division 1 - Registration

"56A. INTERPRETATION

"(1) For the purposes of this Division -

"'produce' means to provide creative, technical or theatrical services including scripting, directing, filming and performing whether or not for a fee, reward or other consideration.

"56B. OFFENCE RELATING TO PRODUCTION OF FILM CLASSIFIED 'X', &c.

"(1) A person shall not participate in the production of a film that is, or is likely to be, classified 'X' or refused classification.

Penalty: \$20,000.

"(2) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves on the balance of probabilities that the defendant believes and always believed that the film, the result of the production -

(a) is classified, or is intended (and always was intended) to be presented for classification and that it is classified, or is expected to be classified, other than as an 'X' film and is not expected to be refused classification; or

(b) is not intended, and was never intended, to be published or made available for publication.

"56C. COPYING OF FILMS CLASSIFIED 'X', &c.

"A person shall not copy or cause to be copied in the Territory, for the purposes of publication, a film that is classified 'X', has been refused classification or that is not classified.

Penalty: \$20,000 in respect of each copy taken."

*Classification of Publications
and Films Amendment*

6. INTERPRETATION

Section 60A(2) of the Principal Act is amended by
omitting "agreement" and substituting "arrangement".
