

Serial 284

Classification of Publications, Films and Computer Games Amendment Bill 2005

Dr Toyne

**A BILL
for
AN ACT**

to amend the *Classification of Publications, Films and Computer Games Act*

NORTHERN TERRITORY OF AUSTRALIA
CLASSIFICATION OF PUBLICATIONS, FILMS AND COMPUTER GAMES
AMENDMENT ACT 2005

Act No. [] of 2005

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NORTHERN TERRITORY OF AUSTRALIA

Act No. [] of 2005

AN ACT

to amend the *Classification of Publications, Films and Computer Games Act*.

[Assented to [] 2005]
[Second reading [] 2005]

The Legislative Assembly of the Northern Territory enacts as follows:

1. Short title

This Act may be cited as the *Classification of Publications, Films and Computer Games Amendment Act 2005*.

2. Commencement

This Act comes into operation on the commencement of Schedule 1 to the *Classification (Publications, Films and Computer Games) Amendment Act 2004 (Cth)*.

3. Principal Act amended

This Act amends the *Classification of Publications, Films and Computer Games Act*.

4. Amendment of section 35 (Exhibition of films in public place)

Section 35, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

5. Amendment of section 36 (Display of notice about classifications)

Section 36, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 20 penalty units.

If the offender is a body corporate – 100 penalty units.

6. Amendment of section 37 (Exhibition of RC and X 18+ films)

(1) Section 37(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

(2) Section 37(2) –

omit

classified X

substitute

classified X 18+

(3) Section 37(2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

7. Amendment of section 38 (Exhibition of unclassified, RC and X 18+ films)

- (1) Section 38(a) and (b) –

omit (all references)

classified RC or X

substitute

classified RC or X 18+

- (2) Section 38, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

8. Amendment of section 39 (Prohibition of exhibition of R 18+ or MA 15+ films in certain places)

- (1) Section 39(1) –

omit

classified R or MA

substitute

classified R 18+ or MA 15+

- (2) Section 39(3), penalty provision –

omit, substitute

Penalty: For a film classified MA 15+ –

(a) if the offender is a natural person – 100 penalty units or imprisonment for 12 months; or

(b) if the offender is a body corporate – 500 penalty units.

For a film classified R 18+ –

- (a) if the offender is a natural person – 200 penalty units or imprisonment for 2 years; or
- (b) if the offender is a body corporate – 1 000 penalty units.

9. Amendment of section 40 (Attendance of minor at certain films – offence by parents or guardians)

(1) Section 40(b) –

omit (all references)

classified RC, X or R

substitute

classified RC, X 18+ or R 18+

(2) Section 40, penalty provision –

omit, substitute

Penalty: 50 penalty units.

10. Amendment of section 41 (Attendance of minor at certain films – offence by minor)

(1) Section 41 –

omit

classified RC, X or R

substitute

classified RC, X 18+ or R 18+

(2) Section 41, penalty provision –

omit, substitute

Penalty: 50 penalty units.

11. Amendment of section 42 (Private exhibition of certain films in presence of minor)

(1) Section 42(1) –

omit (all references)

classified RC, X or R

substitute

classified RC, X 18+ or R 18+

(2) Section 42(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

12. Amendment of section 43 (Attendance of minor at R 18+ films – offence by exhibitor)

(1) Section 43(1) –

omit

classified R

substitute

classified R 18+

(2) Section 43(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

13. Amendment of section 44 (Attendance of minor at MA 15+ films – offence by exhibitor)

(1) Section 44(1) –

omit

classified MA

substitute

classified MA 15+

(2) Section 44(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 20 penalty units.

If the offender is a body corporate – 100 penalty units.

14. Amendment of section 45 (Sale of films)

Section 45, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

15. Amendment of section 46 (Display of notice about classifications)

Section 46, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 20 penalty units.

If the offender is a body corporate – 100 penalty units.

16. Amendment of section 47 (Films to bear determined markings and consumer advice)

Section 47(1), (2) and (3), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

17. Amendment of section 48 (Keeping unclassified or RC films with other films)

Section 48(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

18. Amendment of section 49 (X 18+ films)

(1) Section 49 –

omit

classified X

substitute

classified X 18+

(2) Section 49, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

19. Amendment of section 50 (Sale or delivery of certain films to minors)

- (1) Section 50(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

- (2) Section 50(2) –

omit

classified X or R

substitute

classified X 18+ or R 18+

- (3) Section 50(2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

- (4) Section 50(3)(b) –

omit

classified R

substitute

classified R 18+

- (5) Section 50(4) –

omit

classified RC, X or R

substitute

classified RC, X 18+ or R 18+

Classification of Publications, Films and Computer Games Amendment Act 2005

- (6) Section 50(4), penalty provision –

omit, substitute

Penalty: 50 penalty units.

- (7) Section 50(5) –

omit

classified MA

substitute

classified MA 15+

- (8) Section 50(5), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

20. Amendment of section 50A (Power to demand particulars and expel minors)

Section 50A(3) and (5), penalty provision –

omit, substitute

Penalty: 10 penalty units.

21. Amendment of section 50B (Leaving films in certain places)

- (1) Section 50B(a) and (b) –

omit (all references)

classified RC, X, R or MA

substitute

classified RC, X 18+, R 18+ or MA 15+

(2) Section 50B, penalty provision –

omit, substitute

Penalty: For a film classified MA 15+ or an unclassified film that would, if classified, be classified MA 15+ –

- (a) if the offender is a natural person – 50 penalty units;
or
- (b) if the offender is a body corporate – 250 penalty units.

For another film –

- (a) if the offender is a natural person – 200 penalty units or imprisonment for 2 years; or
- (b) if the offender is a body corporate – 1 000 penalty units.

22. Amendment of section 50C (Possession or copying film for purpose of sale or exhibition)

(1) Section 50C(1)(a) –

omit

classified RC or R

substitute

classified RC or R 18+

(2) Section 50C(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

(3) Section 50C(2) –

omit

classified X, R, MA, M, PG or G

substitute

classified X 18+, R 18+, MA 15+, M, PG or G

23. **Amendment of section 50D (Sale of unclassified or RC publications)**

Section 50D(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

24. **Amendment of section 50E (Category 1 restricted publications)**

Section 50E(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

25. **Amendment of section 50F (Category 2 restricted publications)**

Section 50F(2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

26. Amendment of section 50FA (Sale or delivery of publications contrary to conditions)

Section 50FA, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

27. Amendment of section 50FB (Consumer advice for Unrestricted publications)

Section 50FB, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

28. Amendment of section 50G (Misleading or deceptive markings)

Section 50G(1) and (2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

29. Amendment of section 50H (Sale of certain publications to minors)

Section 50H(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

30. Amendment of section 50I (Leaving or displaying publications in certain places)

Section 50I(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

31. Amendment of section 50J (Possession or copying of publication for purpose of publishing)

Section 50J(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

32. Amendment of section 50K (Sale or demonstration of computer game in public place)

Section 50K, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

33. Amendment of section 50L (Display of notice about classification)

Section 50L, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 20 penalty units.

If the offender is a body corporate – 100 penalty units.

34. Amendment of section 50M (Unclassified and RC computer games)

(1) Section 50M(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

(2) Section 50M(2), penalty provision –

omit, substitute

Penalty: 50 penalty units.

35. Amendment of section 50N (MA 15+ computer games)

(1) Section 50N –

omit

classified MA (15+)

substitute

classified MA 15+

(2) Section 50N, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 20 penalty units.

If the offender is a body corporate – 100 penalty units.

36. Amendment of section 50P (Demonstration of unclassified, RC and MA 15+ computer games)

(1) Section 50P(a) and (b) –

omit (all references)

classified RC or MA (15+)

substitute

classified RC or MA 15+

(2) Section 50P, penalty provision –

omit, substitute

Penalty: For a computer game classified MA 15+ or an unclassified computer game that would, if classified, be classified MA 15+ –

- (a) if the offender is a natural person – 50 penalty units; or
- (b) if the offender is a body corporate – 250 penalty units.

For a computer game classified RC or an unclassified computer game that would, if classified, be classified RC –

- (a) if the offender is a natural person – 100 penalty units or imprisonment for 12 months; or
- (b) if the offender is a body corporate – 500 penalty units.

37. Amendment of section 50Q (Private demonstration of RC computer games in presence of minor)

Section 50Q(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

38. Amendment of section 50R (Computer games to bear determined markings and consumer advice)

(1) Section 50R(1), (2) and (3), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

- (2) Section 50R(3A), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 20 penalty units.

If the offender is a body corporate – 100 penalty units.

- 39. Amendment of section 50S (Keeping unclassified or RC computer games with other computer games)**

Section 50S(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

- 40. Amendment of section 50T (Sale or delivery of certain computer games to minors)**

- (1) Section 50T(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

- (2) Section 50T(2) –

omit

classified MA (15+)

substitute

classified MA 15+

- (3) Section 50T(2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

41. Amendment of section 50U (Power to demand particulars and expel unaccompanied minors under 15)

- (1) Section 50U(3), penalty provision –
omit, substitute

Penalty: 10 penalty units.

- (2) Section 50U(4) –
omit

classified MA (15+)

substitute

classified MA 15+

- (3) Section 50U(5), penalty provision –
omit, substitute

Penalty: 10 penalty units.

42. Amendment of section 50V (Leaving computer games in certain places)

- (1) Section 50V(1), penalty provision –
omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

- (2) Section 50V(2)(a) and (b) –
omit (all references)

classified MA (15+)

substitute

classified MA 15+

- (3) Section 50V(2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

43. Amendment of section 50W (Possession or copying of computer game for the purpose of sale or demonstration)

- (1) Section 50W(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

- (2) Section 50W(2) –

omit

classified MA (15+), M (15+), G (8+) or G

substitute

classified MA 15+, M, PG or G

44. Amendment of section 50Z (Objectionable material)

Section 50Z(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

45. Amendment of section 50ZA (Restricted material – offences)

Section 50ZA(1) and (2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

46. Amendment of section 50ZB (Certain advertisements not to be published)

Section 50ZB, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

47. Amendment of section 50ZC (Certain films, publications and computer games not to be advertised)

Section 50ZC(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

48. Amendment of section 50ZD (Screening of advertisements with feature films)

(1) Section 50ZD, table –

omit, substitute

TABLE

Item	Column 1 Feature film	Column 2 Advertised film
1	G	G
2	PG	PG or G
3	M	M, PG or G
4	MA 15+	MA 15+, M, PG, or G
5	R 18+	R 18+, MA 15+, M, PG or G

- (2) Section 50ZD, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

49. Amendment of section 50ZE (Liability of occupier for certain advertisements)

- (1) Section 50ZE(1) –

omit

classified X, R or MA

substitute

classified X 18+, R 18+ or MA 15+

- (2) Section 50ZE(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

- (3) Section 50ZE(2)(a) –

omit

classified MA

substitute

classified MA 15+

- (4) Section 50ZE(2)(a) –

omit

classified R or MA

substitute

classified R 18+ or MA 15+

- (5) Section 50ZE(2)(b) –

omit (all references)

classified R

substitute

classified R 18+

50. Amendment of section 50ZF (Sale of feature films with advertisements)

- (1) Section 50ZF, table –

omit, substitute

TABLE

Item	Column 1 Feature film	Column 2 Advertised film
1	G	G
2	PG	PG or G
3	M	M, PG or G
4	MA 15+	MA 15+, M, PG, or G
5	R 18+	R 18+, MA 15+, M, PG or G

- (2) Section 50ZF, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

51. Amendment of section 50ZG (Advertisements with computer games)

(1) Section 50ZG, table –

omit, substitute

TABLE

Item	Column 1 Main game	Column 2 Advertised computer game
1	G	G
2	PG	PG or G
3	M	M, PG or G
4	MA 15+	MA 15+, M, PG, or G

(2) Section 50ZG, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

52. Amendment of section 50ZH (Advertisements to contain determined markings and consumer advice)

Section 50ZH(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 20 penalty units.

If the offender is a body corporate – 100 penalty units.

53. Amendment of section 50ZI (Misleading or deceptive advertisements)

Section 50ZI(1) and (2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

54. Amendment of section 50ZJ (Advertisements for category 2 restricted publications)

- (1) Section 50ZJ(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

- (2) Section 50ZJ(3), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

55. Amendment of section 50ZK (Advertisement of X 18+ films)

- (1) Section 50ZK(1)(a) –

omit

classified R

substitute

classified R 18+

- (2) Section 50ZK(1)(b) –

omit

classified X

substitute

classified X 18+

- (3) Section 50ZK(1) and (2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

56. Amendment of section 50ZL (Classification symbols and determined markings to be published with advertisements)

Section 50ZL, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 50 penalty units.

If the offender is a body corporate – 250 penalty units.

57. Amendment of section 50ZM (Calling in submittable publications for classification)

Section 50ZM(3), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

58. Amendment of section 50ZMA (Calling in films for classification)

Section 50ZMA(3), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

59. Amendment of section 50ZN (Calling in computer games for classification)

Section 50ZN(3), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

60. Amendment of section 50ZP (Calling in advertisements)

Section 50ZP(2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

61. Amendment of section 50ZPA (Calling in publications, films, computer games for reclassification)

Section 50ZPA(2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

62. Amendment of section 50ZPB (Obtaining copies for review)

Section 50ZPB(2), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units.

If the offender is a body corporate – 500 penalty units.

63. Amendment of section 52 (Display of sexual articles)

Section 52(1), at the end –

insert

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

64. Amendment of section 53 (Advertising sexual articles)

Section 53(1), at the end –

insert

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

65. Repeal of section 54

Section 54 –

repeal

66. Amendment of section 55 (Restricted publication area – construction and management)

Section 55(5), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 100 penalty units or imprisonment for 12 months.

If the offender is a body corporate – 500 penalty units.

67. Amendment of section 56 (Restricted publication area – offences)

Section 56(1) and (3), penalty provision –

omit, substitute

Penalty: 50 penalty units.

68. Amendment of Part XIII heading

Part XIII, heading –

omit

CLASSIFIED "X", &C.

substitute

CLASSIFIED X 18+ OR RC

69. Amendment of section 56B (Offence relating to production of film or computer game classified X 18+ or RC)

(1) Section 56B(1) –

omit

classified "X" or refused classification.

substitute

classified X 18+ or RC.

(2) Section 56B(1), penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units.

(3) Section 56B(2)(a) –

omit

classified, or is expected to be classified, other than as an "X" film or computer game and is not expected to be refused classification;

substitute

classified, or is expected to be classified, other than as X 18+ or RC;

70. Amendment of section 56C (Copying of films or computer games classified X 18+ or RC)

(1) Section 56C –

omit

classified "X", has been refused classification or that is not classified.

substitute

classified X 18+ or RC or that is not classified.

- (2) Section 56C, penalty provision –

omit, substitute

Penalty: If the offender is a natural person – 200 penalty units (for each copy taken) or imprisonment for 2 years.

If the offender is a body corporate – 1 000 penalty units (for each copy taken).

71. **Amendment of section 64B (Publication to prescribed person or body)**

Section 64B(a) –

omit

classified RC, X, R or MA

substitute

classified RC, X 18+, R 18+ or MA 15+

72. **Amendment of section 66 (Regulations)**

Section 66(2) –

omit, substitute

- (2) The Regulations may –

- (a) prescribe a fine for an offence against the Regulations not exceeding –

(i) if the offender is a natural person – 20 penalty units; or

(ii) if the offender is a body corporate – 100 penalty units;

- (b) provide for –

(i) the payment of a prescribed amount instead of a penalty that may otherwise be imposed for an offence against this Act or the Regulations;

(ii) the service of a notice relating to payment of the amount on a person alleged to have committed the offence; and

(iii) the particulars to be included in the notice; or

- (c) prescribe requirements for the construction, conduct and management of restricted publications areas.

73. Repeal and substitution of Part XVI heading

Part XVI heading –

repeal, substitute

**PART XVI – REPEALS AND TRANSITIONAL MATTERS FOR
CLASSIFICATION OF PUBLICATIONS ACT 1985**

74. New Part XVII

After section 68 –

insert

**PART XVII – TRANSITIONAL MATTERS FOR CLASSIFICATION OF
PUBLICATIONS, FILMS AND COMPUTER GAMES AMENDMENT
ACT 2005**

69. Definitions

In this Part –

"amending Commonwealth Act" means the *Classification (Publications, Films and Computer Games) Amendment Act 2004* (Cth);

"commencement date" means the date on which this Part commences;

"equivalent classification" means –

- (a) for a film classified under the former scheme with a classification specified in column 1 of an item in the Table – the classification specified in column 3 of that item; or
- (b) for a computer game classified under the former scheme with a classification specified in column 2 of an item in the Table – the classification specified in column 3 of that item;

"former scheme" means the scheme for the classification of publications, films and computer games under the Commonwealth Act as in force immediately before the commencement of Schedule 1 to the amending Commonwealth Act;

"new scheme" means the scheme for the classification of publications, films and computer games under the Commonwealth Act as in force on and after the commencement of Schedule 1 to the amending Commonwealth Act.

TABLE

Item	Column 1 Film classification – former scheme	Column 2 Computer game classification – former scheme	Column 3 Film and computer game classifications – new scheme (<i>see note</i>)
1	G	G	G
2	PG	G (8+)	PG
3	M	M (15+)	M
4	MA	MA (15+)	MA 15+
5	R		R 18+
6	X		X 18+
7	RC	RC	RC

Note for table –

The classifications R 18+ and X 18+ apply only to films.

70. Classifications made before commencement date

(1) On and after the commencement date, a film or computer game classified under the former scheme is taken to have the equivalent classification under the new scheme.

(2) On and after the commencement date, a marking on an advertisement for the film or computer game, or on the container, wrapping or casing in which it is sold, showing the classification under the former scheme is taken to show the equivalent classification under the new scheme.

71. Offences committed before commencement date

(1) Proceedings for an offence against this Act that was committed or is alleged to have been committed before the commencement date must be dealt with as if this Act and the Commonwealth Act, as in force immediately before the commencement date, had continued in force.

(2) Subsection (1) has effect whether the proceedings commence before or after the commencement date.