

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1993, No. 5*

Regulations under the *Classification of Publications and Films Act*

I, KEITH JOHN AUSTIN ASCHE, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Classification of Publications and Films Act*.

Dated 29 April 1993.

K.J.A. ASCHE
Administrator

AMENDMENTS OF CLASSIFICATION OF PUBLICATIONS
AND FILMS REGULATIONS

1. PRINCIPAL REGULATIONS

The Classification of Publications and Films Regulations are in these Regulations referred to as the Principal Regulations.

2. COMMENCEMENT

These Regulations shall come into operation on the commencement of the *Classification of Publications and Films Amendment Act 1993*.

3. REPEAL AND SUBSTITUTION

Regulation 5 of the Principal Regulations is repealed and the following substituted:

"5. MARKINGS

"(1) In these Regulations -

(a) a reference to the classification symbol appropriate to a film is a reference to -

* Notified in the *Northern Territory Government Gazette* on 30 April 1993.

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- (i) in the case of a 'G' film - a symbol consisting of the capital letter 'G' enclosed in, but not touched at any point by, a triangle;
 - (ii) in the case of a 'PG' film - a symbol consisting of the capital letters 'PG' enclosed in, but not touched at any point by, a rectangle;
 - (iii) in the case of an 'M' film - a symbol consisting of the capital letter 'M' enclosed in, but not touched at any point by, a circle, followed by '15+';
 - (iv) in the case of an 'MA' film - a symbol consisting of the capital letters 'MA' enclosed in, but not touched at any point by, a hexagonal, followed by '15+';
 - (v) in the case of an 'R' film - a symbol consisting of the capital letter 'R' enclosed in, but not touched at any point by, a diamond, followed by '18+'; and
 - (vi) in the case of an 'X' film - a symbol consisting of the capital letter 'X' enclosed in, but not touched at any point by, a square, followed by '18+';
- (b) a reference to the classification description appropriate to a film is a reference to -
- (i) in the case of a 'G' film - the description 'for general exhibition';
 - (ii) in the case of a 'PG' film - the description 'parental guidance recommended for persons under 15 years';
 - (iii) in the case of an 'M' film - the description 'recommended for mature audiences 15 years and over';
 - (iv) in the case of an 'MA' film - the description 'restrictions apply to persons under 15 years';
 - (v) in the case of an 'R' film - the description 'restricted to adults 18 years and over'; and

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(vi) in the case of an 'X' film - the description 'restricted to adults 18 years and over'; and

(c) a reference to consumer advice appropriate to a film is a reference to a statement, if any, setting out a warning or advice about the contents of the film to be given to potential consumers included in the certificate of classification of the film issued by the Censor.

"(2) For the purposes of section 36(1) of the Act, the prescribed markings are -

(a) the capital letter 'R' not less than 5 mm in height enclosed in, but not touched at any point by, a diamond shape; and

(b) the word and figure 'CATEGORY 1' printed in legible capital letters immediately below or beside the shape referred to in paragraph (a) and the words 'NOT TO BE AVAILABLE TO MINORS. NOT TO BE EXHIBITED PUBLICLY UNLESS IN A SEALED PACKAGE' in legible capital letters, with or without the addition of other words.

"(3) For the purposes of section 36(2) of the Act, in relation to a video tape, the prescribed markings (which must appear in the places specified) are -

(a) on the spine of the casing of the video tape, the classification symbol appropriate to the film on tape; and

(b) on the cover of the video tape, being a cover that includes written or pictorial matter relating to the film it contains, the following:

(i) on a band, 20 mm in width, across the base of the front of the cover -

(A) displayed at the left hand edge, the classification symbol appropriate to the film it contains;

(B) displayed immediately to the right of that symbol, the appropriate classification description; and

(C) displayed directly beneath that description, the appropriate consumer advice (if any); and

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- (ii) the appropriate classification symbol -
 - (A) displayed on a band, 20 mm in width, across the base of the spine of the cover; and
 - (B) displayed on a rectangular space, 30 mm x 20 mm, at the right hand edge of the base of the back of the cover (the shorter measurement being taken from the bottom edge of the cover),

but no further information may be displayed on the parts of the cover referred to in subparagraphs (i) and (ii).

"(4) For the purposes of section 36(2) of the Act, in relation to a video disc, the prescribed markings (which must appear in the places specified) are -

- (a) on the front of the cover of the video disc and, where the video disc has a label, on the label of the video disc, within a block on the bottom left corner of the cover or label -
 - (i) displayed at the left hand edge, the classification symbol appropriate to the film it contains;
 - (ii) displayed immediately to the right of that symbol, the appropriate classification description; and
 - (iii) displayed directly beneath that description, the appropriate consumer advice (if any); and
- (b) on the back of the cover, the classification symbol appropriate to the film it contains.

"(5) For the purposes of subregulation (4) -

- (a) the block shall be -
 - (i) 300 mm², 150 mm wide 20 mm high, where the laser disc is a 300 mm or 200 mm laser disc; and
 - (ii) 180 mm², 120 mm wide and 15 mm high, where the laser disc is a 120 mm laser disc;
- (b) a geometric symbol shall be -
 - (i) for 'PG' films, where the laser disc is a 120 mm laser disc, not less than 36 points long and 32 points high; and

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- (ii) for any other film, not less than 36 points high;
 - (c) the letters forming part of the geometric symbol shall be not less than 18 points high;
 - (d) the numerals forming part of the geometric symbol shall be -
 - (i) not less than 12 points high, where the laser disc is 300 mm or 200 mm laser disc; and
 - (ii) not less than 10 points high where the laser disc is a 120 mm disc;
 - (e) the classification description shall be in upper case, not less than 10 points high where the laser disc is a 120 mm laser disc; and
 - (f) the consumer advice description shall be not less than 9 points high where the laser disc is a 120 mm laser disc.
- "(6) For the purposes of section 36(3)(e) of the Act, the prescribed markings -
- (a) in relation to a Category 2 restricted publication, are -
 - (i) the capital letter 'R' not less than 5 mm in height enclosed in, but not touched at any point by, a diamond shape; and
 - (ii) the word and figure 'CATEGORY 2' printed in legible capital letters immediately below or beside the shape referred to in paragraph (a) and the words 'NOT TO BE AVAILABLE TO MINORS. NOT TO BE EXHIBITED OR DISPLAYED EXCEPT IN A RESTRICTED PUBLICATIONS AREA' in legible capital letters, with or without the addition of other words; and
 - (b) in relation to a film classified as an 'R' or 'X' film, are those specified in subregulation (3), in the case of a video tape, or (4), in the case of a video disc.
- "(7) For the purposes of the Act, any package, container, wrapping or casing that is designed or used to hold a film (other than a video tape or video disc) and that contains a film and includes written or pictorial matter relating to the film shall be marked in a prominent position with -

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- (a) the appropriate classification symbol;
- (b) the appropriate classification description; and
- (c) the appropriate consumer advice, if any.

"(8) Any markings required to be displayed under this regulation for which the size is not otherwise prescribed shall be of a size not less than that specified in the Schedule.

"(9) The typeface and colours used for any markings required to be displayed under this regulation shall be such as to ensure that the markings are clearly visible.

"(10) Where a film has been assigned a classification under the Act before 1 May 1993 and that classification has not subsequently been altered, the film and any package, container, wrapping or casing containing such a film may, instead of being marked in accordance with these Regulations, be marked in accordance with the Regulations as in force when it was classified for the purposes of the Act."

4. SCHEDULE

The Schedule to the Principal Regulations is amended -

- (a) by omitting "Regulation 5(6)" and substituting "Regulation 5(8)";
 - (b) by omitting "regulation 5(3) or (5)" and substituting "regulation 5(3) or (7)"; and
 - (c) by omitting "'M' or 'R'" and substituting "'M', 'MA', 'R'".
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