

NORTHERN TERRITORY OF AUSTRALIA

AMENDMENTS OF CLASSIFICATION OF
PUBLICATIONS REGULATIONS

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NORTHERN TERRITORY OF AUSTRALIA

Regulations 1992, No. 40*

Regulations under the *Classification of Publications and Films Act*

I, JAMES HENRY MUIRHEAD, 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 30 July 1992.

J.H. MUIRHEAD
Administrator

AMENDMENTS OF CLASSIFICATION OF
PUBLICATIONS REGULATIONS

1. CITATION

Regulation 1 of the Classification of Publications Regulations is amended by inserting, after "Publications", the words "and Films".

2. COMMENCEMENT

These Regulations shall come into operation on the commencement of the *Classification of Publications Amendment Act 1991*.

3. PRINCIPAL REGULATIONS

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

4. REPEALS

Regulations 3 and 4 of the Principal Regulations are repealed.

* Notified in the *Northern Territory Government Gazette* on 12 August 1992.

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5. 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Regulation 5 of the Principal Regulations is repealed and the following substituted: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 -
 - (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 'R' film - a symbol consisting of the capital letter 'R' enclosed in, but not touched at any point by, a diamond, followed by '18+';
 - (v) 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 'R' film - the description 'restricted to adults 18 years and over'; and

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(v) 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 and of section 36(3)(e) of the Act in relation to a publication that is a film classified as an 'R' film or an 'X' film, the prescribed markings (which must appear in the places specified) are -

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

(b) on the cover of a video tape or disc, 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(3)(e) of the Act, the prescribed markings in relation to a Category 2 restricted publication, 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 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.

"(5) 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 -

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

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

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

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"(8) Where a film has been assigned a classification under the Act before 1 June 1990 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 immediately before that date."

6. EXEMPTIONS

Regulation 8 of the Principal Regulations is amended by omitting "the Darwin Institute of Technology, the Community College of Central Australia" and substituting "the Northern Territory University established under the *Northern Territory University Act*, the Alice Springs College of Technical and Further Education, Batchelor College, the Northern Territory Open College of Technical and Further Education, Katherine Rural College (known as the Northern Territory Rural College)".

7. SCHEDULE

The Principal Regulations are amended by adding at the end the following:

"SCHEDULE

Regulation 5(6)

"Size of Markings

Marking	Displayed in accordance with regulation 5(3) or (5)
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CLASSIFICATION SYMBOL	
geometric symbol for "PG" films	48 pts long 36 pts high
geometric symbol for other films	48 pts high
letter forming part of geometric symbol	24 pts high
numerals and plus sign ("M" or "R" or "X" film only)	16 pts high
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CLASSIFICATION DESCRIPTION	12 pts high
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CONSUMER ADVICE	10 pts high"
