

NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1985, No. *29* \*

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Regulations under the *Classification of Publications Act*

I, ERIC EUGENE JOHNSTON, 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 Act*.

Dated this *28<sup>th</sup>* day of *October*, 1985.

**E. E. JOHNSTON**

Administrator

By His Honour's Command

I. L. TUXWORTH

~~Chief Minister for and on behalf of~~  
Attorney-General

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CLASSIFICATION OF PUBLICATIONS REGULATIONS

1. CITATION

These Regulations may be cited as the *Classification of Publications Regulations*.

2. COMMENCEMENT

These Regulations shall come into operation on the commencement of the *Classification of Publications Act 1985*.

3. FEE UNDER SECTION 27(3)

(1) For the purposes of section 27(3) of the Act, the prescribed fee is \$35.

(2) The fee referred to in sub-regulation (1) shall be apportioned between the Territory and the Commonwealth in the ratio 20:15.

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\* Notified in the *Northern Territory Government Gazette* on *6 NOV*, 1985.

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4. FEE UNDER SECTION 32

For the purposes of section 32(3) of the Act, the prescribed fee is \$50 and shall be retained by the Commonwealth.

5. MARKING OF CLASSIFIED PUBLICATIONS

(1) 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.

(2) For the purposes of section 36(2) of the Act, the prescribed marking in relation to a video tape or video disc classified as -

- (a) a "G" film is the capital letter "G" enclosed in, but not touched at any point by, a triangle;
- (b) a "PG" film is the capital letters "PG" enclosed in, but not touched at any point by, a rectangle; or
- (c) an "M" film is the capital letter "M" enclosed in, but not touched at any point by, a circle,

with both the letters and the triangle, rectangle or circle being black or red on a white background and the height of the letters being 5 mm, with or without the addition of any words.

(3) For the purposes of section 36(3)(e) 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 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.

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(4) For the purposes of section 36(3)(e) of the Act, the prescribed marking in relation to a film classified as -

- (a) an "R" film is the capital letter "R" enclosed in, but not touched at any point by, a diamond shape; or
- (b) an "X" film is the capital letter "X" enclosed in, but not touched at any point by, a square,

with both the letters and the diamond shape or square being black or red on a white background and the height of the letter being 5 mm, with or without the addition of any words.

### 6. RESTRICTED PUBLICATIONS AREA

(1) A restricted publications area shall be so constructed that -

- (a) no publication or matter relating to publications displayed in the area is visible to a person outside the area; and
- (b) it can be closed by means of a gate or door reasonably capable of excluding access of persons to the area when the area is not open to the public.

(2) A person who has the management or control of a restricted publications area shall ensure that there is a person in attendance in or near the area at all times during which the area is open to the public.

Penalty: \$200.

(3) For the purposes of section 50(2) of the Act, the prescribed notice shall be comprised of the words "RESTRICTED PUBLICATIONS AREA - PERSONS UNDER THE AGE OF 18 YEARS MAY NOT ENTER. THE PUBLIC IS WARNED THAT SOME MATERIAL DISPLAYED HEREIN MAY CAUSE OFFENCE" written in legible letters of not less than 15 mm in height and in a colour that contrasts with the background of the notice.

(4) For the purposes of section 50(3) of the Act, the prescribed dimensions are 150 mm by 150 mm.

### 7. DISPLAY OF SEXUAL ARTICLES

For the purposes of section 52(3)(a) of the Act, the business of a pharmacist conducted by a registered pharmacist within the meaning of the *Pharmacy Act* is a prescribed business.

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8. EXEMPTIONS

For the purposes of section 61(2) of the Act, the Darwin Institute of Technology, the Community College of Central Australia and the Museum and Art Galleries Board of the Northern Territory are prescribed persons.

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