



Classification (Publications, Films and Computer Games) Amendment (Terrorist Material) Act 2007

No. 179, 2007

**An Act to amend the *Classification (Publications,
Films and Computer Games) Act 1995*, and for
related purposes**

Note: An electronic version of this Act is available in ComLaw (<http://www.comlaw.gov.au/>)

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**An Act to amend the *Classification (Publications,
Films and Computer Games) Act 1995*, and for
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[Assented to 28 September 2007]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Classification (Publications, Films
and Computer Games) Amendment (Terrorist Material) Act 2007*.

*Classification (Publications, Films and Computer Games) Amendment (Terrorist Material) Act
2007 No. 179, 2007 1*

2 Commencement

This Act commences on the day after it receives the Royal Assent.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Amendments

Classification (Publications, Films and Computer Games) Act 1995

1 Section 5 (definition of *submittable publication*)

After “regard to”, insert “section 9A or to”.

2 Section 9

Omit “Publications,”, substitute “Subject to section 9A, publications,”.

3 After section 9

Insert:

9A Refused Classification for publications, films or computer games that advocate terrorist acts

- (1) A publication, film or computer game that advocates the doing of a terrorist act must be classified RC.
- (2) Subject to subsection (3), for the purposes of this section, a publication, film or computer game *advocates* the doing of a terrorist act if:
 - (a) it directly or indirectly counsels or urges the doing of a terrorist act; or
 - (b) it directly or indirectly provides instruction on the doing of a terrorist act; or
 - (c) it directly praises the doing of a terrorist act in circumstances where there is a risk that such praise might have the effect of leading a person (regardless of his or her age or any mental impairment (within the meaning of section 7.3 of the *Criminal Code*) that the person might suffer) to engage in a terrorist act.
- (3) A publication, film or computer game does not advocate the doing of a terrorist act if it depicts or describes a terrorist act, but the depiction or description could reasonably be considered to be done merely as part of public discussion or debate or as entertainment or satire.

(4) In this section:

terrorist act has the meaning given by section 100.1 of the *Criminal Code* (no matter where the action occurs, the threat of action is made or the action, if carried out, would occur).

Note: The definition of ***terrorist act*** in that section covers actions or threats of actions.

4 Application

The amendments made by items 2 and 3 apply in relation to decisions made by the Board or Review Board on or after the commencement of this item.

[*Minister's second reading speech made in—
House of Representatives on 21 June 2007
Senate on 15 August 2007*]

(129/07)

4 *Classification (Publications, Films and Computer Games) Amendment (Terrorist Material) Act 2007* No. 179, 2007