



# **Classification (Publications, Films and Computer Games) Amendment Regulations 2007 (No. 1)<sup>1</sup>**

**Select Legislative Instrument 2007 No. 180**

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I, PROFESSOR MARIE BASHIR, AC, CVO, Deputy for the Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following Regulations under the *Classification (Publications, Films and Computer Games) Act 1995*.

Dated 28 June 2007

MARIE BASHIR  
Deputy for the Governor-General  
By Her Excellency's Command

PHILIP RUDDOCK  
Attorney-General

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**1 Name of Regulations**

These Regulations are the *Classification (Publications, Films and Computer Games) Amendment Regulations 2007 (No. 1)*.

**2 Commencement**

These Regulations commence on 1 July 2007.

**3 Amendment of *Classification (Publications, Films and Computer Games) Regulations 2005***

Schedule 1 amends the *Classification (Publications, Films and Computer Games) Regulations 2005*.

**Schedule 1 Amendments**

(regulation 3)

**[1] Subregulations 16 (2) to (5)**

*omit each mention of*

Director

*insert*

Convenor

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**[2] After regulation 19**

*insert*

**20 Calculation of period within which Board is to make decision (Act s 87A)**

- (1) For subsection 87A (1) of the Act, the period runs from the start of the first business day after the day when staff assisting the Board make a recommendation that an application is complete because the application satisfies the requirements of section 13, 14, 17 or 29 of the Act.
- (2) The period does not include any period:
  - (a) commencing on a day when the Board requests any of the following:
    - (i) expert, technical or other advice or information;
    - (ii) rectification of a copy of a publication, film, computer game or advertisement; and
  - (b) ending at the start of the business day after the Board receives a complete response to the request.
- (3) The period also does not include any period:
  - (a) commencing on a day when the Board finds that the application does not meet the requirements of section 13, 14, 17 or 29 of the Act; and
  - (b) ending at the start of the business day after the Board determines that the application does meet the requirements of sections 13, 14, 17 and 29 of the Act.

**21 Period within which the Review Board is to make a decision (Act s 87B)**

- (1) For subsection 87B (1) of the Act, the period is:
  - (a) if the Convenor considers the application to be sufficiently complex that it is not likely to be completed within 20 business days — 40 business days; or
  - (b) in any other case — 20 business days.

- (2) Without limiting subregulation (1), the Convenor may be satisfied that an application is complex if:
- (a) the application deals with a computer game; or
  - (b) the publication, film, computer game or advertisement under review has the potential to promote, incite or instruct in a matter of crime or violence; or
  - (c) the original application was an enforcement application made under section 22A of the Act; or
  - (d) the Review Board is considering at least 2 applications covering similar subject matter at the same time; or
  - (e) the Convenor agrees to accept submissions from a person other than the applicant for review or the applicant for the original application; or
  - (f) at least 2 applicants apply for a review of the same publication, film, computer game or advertisement.
- (3) On written application by the applicant for review and the applicant for the original application, the Review Board may extend the time mentioned in paragraph (1) (b) up to 40 business days.
- (4) For subsection 87B (1) of the Act, the period runs from the start of the first business day after the Review Board:
- (a) decides that an application for review satisfies the requirements of Part 5 of the Act; and
  - (b) receives a copy of the publication, film, computer game or advertisement for the purpose of review.
- (5) The period does not include any period:
- (a) commencing on a day when the Review Board:
    - (i) receives a written request mentioned in subregulation (3); or
    - (ii) requests expert, technical or other advice or information; and
  - (b) ending at the start of the business day:
    - (i) after the Review Board makes a decision under subregulation (3); or
    - (ii) after the Review Board receives a complete response to the request.

**Note**

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See [www.frli.gov.au](http://www.frli.gov.au).