



Classification (Publications, Films and Computer Games) Amendment Regulations 2011 (No. 1)¹

Select Legislative Instrument 2011 No. 160

I, QUENTIN BRYCE, 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 1 September 2011

QUENTIN BRYCE
Governor-General

By Her Excellency's Command

BRENDAN O'CONNOR
Minister for Justice

1 Name of Regulations

These Regulations are the *Classification (Publications, Films and Computer Games) Amendment Regulations 2011 (No. 1)*.

2 Commencement

These Regulations commence on 5 September 2011.

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] Subregulation 4 (1), definitions of *Assessed Computer Game — Level 1*, *Assessed Computer Game — Level 2* and *Assessed Computer Game — Level 3*

substitute

Assessed Computer Game means the category of computer game for which an application for classification of the game is accompanied by an assessment of the game by an authorised person that recommends that the game be classified G, PG or M.

[2] Subregulation 4 (1), definitions of *Computer Game — Level 1* and *Computer Game — Level 2*

substitute

Computer Game — Level 1 means:

- (a) for an application for classification of a computer game — the category of computer game:
 - (i) for which the application is not accompanied by an assessment of the game by an authorised person; and

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- (ii) that is not covered by paragraph (a) of the definition of ***Computer Game — Level 2***; and
 - (b) for an application for a certificate that an unclassified computer game is an exempt computer game — the category of computer game that is not covered by paragraph (b) of the definition of ***Computer Game — Level 2***.

Computer Game — Level 2 means:

- (a) for an application for classification of a computer game — the category of computer game for which the application:
 - (i) is not accompanied by an assessment of the game by an authorised person; and
 - (ii) if subsection 17 (2) of the Act applies — is accompanied by a separate recording of any part of the computer game that is likely to be regarded as containing contentious material; and
 - (iii) is accompanied by a separate recording of the game that displays typical game play; and
- (b) for an application for a certificate that an unclassified computer game is an exempt computer game — the category of computer game:
 - (i) for which the game does not contain material that could cause the game to be classified M or a higher classification; and
 - (ii) for which the application is accompanied by a separate recording of the game that displays typical game play.

[3] **Subregulation 4 (1), definition of *Demonstrated Computer Game Level***

omit

Game Level,

insert

Game,

[4] Regulation 15, heading

substitute

15 Refund of fee for application for classification

[5] Subregulation 15 (1)

omit

partial refund

insert

refund of all or part

[6] Subregulation 15 (2)

omit

partial refund

insert

refund of all or part

[7] Subregulation 15 (3)

substitute

- (3) In determining the amount of the fee to be refunded (if any), the Director must have regard to the following:
 - (a) the applicant is entitled to a full refund of the amount of the fee paid only if:
 - (i) the application for refund was made no later than 1 business day after the application for classification was made; and
 - (ii) the Board had not made a decision about the application for classification at the time the application for refund was made;

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- (b) the Director is entitled to retain \$180 of the amount of the fee paid if:
- (i) the application for refund was made in the period commencing 2 business days after the application for classification was made and ending at the end of 5 business days after the application for classification was made; and
 - (ii) the Board had not made a decision about the application for classification at the time the application for refund was made;
- (c) the Director is entitled to retain \$360 of the amount of the fee paid if:
- (i) the application for refund was made 6 business days, or later, after the application for classification was made; and
 - (ii) the Board had not made a decision about the application for classification at the time the application for refund was made;
- (d) in any other case — the applicant is not entitled to a refund of all or part of the amount of the fee paid.

[8] Regulation 16, heading

substitute

16 Refund of fee for application for review

[9] Subregulation 16 (2)

omit

partial refund

insert

refund of all or part

[10] Subregulation 16 (3)

omit

partial refund

insert

refund of all or part

[11] Before paragraph 16 (4) (a)

insert

(aa) if the application for refund was made no later than 1 business day after the application for review of a decision was made — the applicant is entitled to a full refund of the amount of the fee paid;

[12] Subregulation 17 (1), note

substitute

Note Paragraphs 7 (1) (ba) to (g), subregulation 7 (1A) and regulation 8 set out the prescribed fees for the items mentioned in paragraphs (1) (a) to (d).

[13] Schedule 1

substitute

Schedule 1 Fees

Part 1 Fee for classification of a publication

(regulation 5)

Division 1 Publications

Item	Number of pages	Fee (\$)
1	0–76	420
2	77–152	480
3	153–252	560

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Item	Number of pages	Fee (\$)
4	253–500	790
5	501–800	1 230
6	More than 800	1 860

Division 2 Other

Item	Category	Fee (\$)
1	Revised publication	210
2	Title change	190

Part 2 Fee for classification of a film for public exhibition

(paragraphs 7 (1) (a) and (b))

Division 1 New application

Item	Duration of film	Fee (\$)
1	0–60 minutes	1 180
2	61–120 minutes	2 180
3	121–180 minutes	2 760
4	181–240 minutes	3 540
5	More than 240 minutes	6 540

Division 2 Other

Item	Category	Fee (\$)
1	Title change	190

Part 3 Fee for classification of a film other than a film for public exhibition

(paragraphs 7 (1) (ba) to (g) and subregulations 7 (1A) and 9 (1))

Division 1 New application

Item	Duration of film	Fee (\$)
1A	n/a — television series film assessed by authorised television series assessor (paragraph 7 (1) (ba))	640
1	0–60 minutes	550
2	61–120 minutes	730
3	121–180 minutes	900
4	181–240 minutes	1 090
5	241–300 minutes	1 290
6	301–400 minutes	1 690
7	401–500 minutes	2 010
8	501–600 minutes	2 530
9	601–700 minutes	2 830
10	701–800 minutes	3 300
11	801–900 minutes	3 620
12	901–1 000 minutes	4 100
13	1 001–1 100 minutes	4 420
14	1 101–1 200 minutes	4 900
15	1 201–1 300 minutes	5 220
16	1 301–1 400 minutes	5 700
17	1 401–1 500 minutes	6 020
18	1 501–1 600 minutes	6 490
19	1 601–1 700 minutes	6 970
20	1 701–1 800 minutes	7 290
21	1 801–1 900 minutes	7 770
22	1 901–2 000 minutes	8 090

Division 1A Fee for classification of previously classified or certified exempt film with extra content not submitted with assessment by additional content assessor

Item	Duration of extra content	Fee (\$)
1	0–60 minutes	550
2	61–120 minutes	730
3	121–180 minutes	900
4	181–240 minutes	1 090
5	241–300 minutes	1 290
6	301–400 minutes	1 690
7	401–500 minutes	2 010
8	501–600 minutes	2 530
9	601–700 minutes	2 830
10	701–800 minutes	3 300
11	801–900 minutes	3 620
12	901–1 000 minutes	4 100
13	1 001–1 100 minutes	4 420
14	1 101–1 200 minutes	4 900
15	1 201–1 300 minutes	5 220
16	1 301–1 400 minutes	5 700
17	1 401–1 500 minutes	6 020
18	1 501–1 600 minutes	6 490
19	1 601–1 700 minutes	6 970
20	1 701–1 800 minutes	7 290
21	1 801–1 900 minutes	7 770
22	1 901–2 000 minutes	8 090

Note *Duration of extra content* is defined in subregulation 7 (1C).

Division 2 Other

Item	Category	Fee (\$)
1	Title change — paragraph 7 (1) (d)	190
2	Additional content — paragraph 7 (1) (e)	480
3	Additional content — paragraphs 7 (1) (f) and (g)	230

Division 3 Priority processing

Item	Category	Fee (\$)
1	Priority processing	420

Part 4 Fee for classification of computer game

(regulation 8 and subregulation 9 (1A))

Division 1 Category of computer game

Item	Category of computer game	Fee (\$)
1	Computer Game — Level 1	1 210
2	Computer Game — Level 2	890
3	Assessed Computer Game	430

Division 2 Computer game for which demonstration required or accepted

Item	Category of computer game	Fee (\$)
1	Demonstrated Computer Game	2 460

Division 3 Other

Item	Category	Fee (\$)
1	Title change	190

Division 4 Priority processing

Item	Category	Fee (\$)
1	Priority processing	420

Part 5 Fee for information

(regulation 10)

Item	Category of information	Fee (\$)
1	Copy of a classification certificate	50
2	Copy of a notice under section 26 of the Act	50

Part 6 Fee for exempt film or exempt computer game certificate

(regulation 11)

Division 1 Film for public exhibition

Item	Duration of film	Fee (\$)
1	0–60 minutes	1 180
2	61–120 minutes	2 180
3	121–180 minutes	2 760
4	181–240 minutes	3 540
5	More than 240 minutes	6 540

Division 2 Film other than a film for public exhibition

Item	Duration of film	Fee (\$)
1	0–60 minutes	550
2	61–120 minutes	730
3	121–180 minutes	900
4	181–240 minutes	1 090
5	241–300 minutes	1 290

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Item	Duration of film	Fee (\$)
6	301–400 minutes	1 690
7	401–500 minutes	2 010
8	501–600 minutes	2 530
9	601–700 minutes	2 830
10	701–800 minutes	3 300
11	801–900 minutes	3 620
12	901–1 000 minutes	4 100
13	1 001–1 100 minutes	4 420
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18	1 501–1 600 minutes	6 490
19	1 601–1 700 minutes	6 970
20	1 701–1 800 minutes	7 290
21	1 801–1 900 minutes	7 770
22	1 901–2 000 minutes	8 090

Division 3 Category of computer game

Item	Category of computer game	Fee (\$)
1	Computer Game — Level 1	1 210
2	Computer Game — Level 2	890

Division 4 Computer game for which demonstration required or accepted

Item	Category of computer game	Fee (\$)
1	Demonstrated Computer Game	2 460

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Part 7 Fee for evidentiary certificate under section 87 of Act

(regulation 18)

Item	Category of evidentiary certificate	Fee (\$)
1	A certificate stating that the classification, title and version of a publication, film or computer game are unchanged since classification, based on: <ul style="list-style-type: none"> (a) a title cross-check with the records of the previous classification; and (b) a confirmatory viewing of the publication, film or computer game 	1 410
2	A certificate confirming the classification and title of a publication, film or computer game that has been previously classified, based on a title cross-check with the records of the previous classification	475
3	A certificate describing a publication, film or computer game in relation to which action has been taken, or not taken, under the Act	475

Part 8 Other fees

(regulations 6 and 12 to 14)

Item	Category	Fee (\$)
1	Fee for declaration that classification applies to future issues of publication	1 080
2	Fee for approval of advertisement	470
3	Fee for assessment of likely classification of unclassified film or unclassified computer game	590
4	Fee for review of decision	10 000

Note

- All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See <http://www.frli.gov.au>.