



Classification (Publications, Films and Computer Games) Amendment Act (No. 2) 2004

No. 140, 2004

**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 SCALEplus
(<http://scaleplus.law.gov.au/html/comact/browse/TOCN.htm>)

Contents

1	Short title	2
2	Commencement	2
3	Schedule(s)	2

Schedule 1—Amendments	3
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<i>Classification (Publications, Films and Computer Games) Act 1995</i>	3
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No. 140, 2004

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

[Assented to 14 December 2004]

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Classification (Publications, Films and Computer Games) Amendment Act (No. 2) 2004*.

2 Commencement

This Act commences on the day on which 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Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.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 At the end of Division 2 of Part 2

Add:

22C Validation of Board decisions etc. on applications by law enforcement agencies

- (1) A decision (the *original decision*) made by the Board (whether before or after the commencement of this section) on an application:
 - (a) made by or on behalf of a law enforcement agency of the Commonwealth, a State or a Territory; and
 - (b) that did not satisfy the requirements of this Act for the making of the application;is as valid, and is taken always to have been as valid, as it would have been if the application had satisfied those requirements.
- (2) Any later decision made, or any later action taken by, the Board, the Review Board or the Director under this Act (whether before or after the commencement of this section) on the basis of the original decision is as valid, and is taken always to have been as valid, as it would have been if the original decision had been made on an application that satisfied the requirements of this Act for the making of the application.

2 At the end of Part 5

Add:

44B Validation of Review Board decisions etc. in relation to decisions on applications by law enforcement agencies

- (1) A decision (the *review decision*) made by the Review Board (whether before or after the commencement of this section) on an application (the *review application*):

- (a) for review of a decision on an application made by or on behalf of a law enforcement agency of the Commonwealth, a State or a Territory; and
 - (b) that did not satisfy the requirements of this Act for the making of the review application;
 - is as valid, and is taken always to have been as valid, as it would have been if the review application had satisfied those requirements.
 - (2) Any later decision made, or any later action taken by, the Board, the Review Board or the Director under this Act (whether before or after the commencement of this section) on the basis of the review decision is as valid, and is taken always to have been as valid, as it would have been if the review decision had been made on an application that satisfied the requirements of this Act for the making of the application.
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*[Minister's second reading speech made in—
House of Representatives on 17 November 2004
Senate on 2 December 2004]*

(188/04)
