

EXPLANATORY STATEMENT

ISSUED BY THE AUTHORITY OF THE ATTORNEY-GENERAL

NATIONAL CLASSIFICATION CODE

The Classification (Publications, Films and Computer Games) Act 1995 ('the Classification Act') facilitates the operation of the intergovernmental co-operative legislative scheme for censorship in Australia.

The Classification (Publications, Films and Computer Games) Amendment Act 2004 ('the Amendment Act') introduced common classification types for films and computer games. The film and computer game classification types are:

G	General
PG	Parental Guidance
M	Mature
MA 15+	Mature Accompanied
R 18+	Restricted (this category applies to films only)
X 18+	Restricted (this category applies to films only)
RC	Refused Classification

Under section 9 of the Classification Act, publications, films and computer games are to be classified in accordance with the National Classification Code (the Code) and the classification guidelines. The Code is the Code that is amended from time-to-time in accordance with Section 6 of the Classification Act.

Amendments to the Code and relevant guidelines are necessary to incorporate the new common classification types introduced by the Amendment Act.

Specifically, the references in the Code to the current classification types have been replaced with references to the new classification types. This amendment is solely consequential to the Amendment Act and does not affect the type of material that is permitted within each classification.

There was no public consultation on the amendments to the Code itself. This is because the changes are necessary to incorporate the new common classification types introduced by the Amendment Act and are purely consequential. The OFLC undertook comprehensive consultation with industry and consumers in the context of the Amendment Act.

The Code is a legislative instrument for the purposes of the *Legislative Instruments Act 2003* (LIA). In accordance with sections 44(1) and 55(1) of the LIA, the Code is not subject to disallowance or sunseting.

Section 6 of the Classification Act provides that if the Commonwealth Attorney-General and each participating State and Territory Censorship Minister agree to an amendment of the Code, the Code is taken to be amended accordingly. Ministers agreed that the revised Code would commence on the day on which the Amendment Act commenced.

The amended Code commenced on 26 May 2005, which is the same day the Amendment Act commenced.