



Classification (Markings for Films and Computer Games) Amendment Determination 2009 (No. 1)¹

Classification (Publications, Films and Computer Games) Act 1995

I, BRENDAN O'CONNOR, Minister for Home Affairs, make this Determination under section 8 of the *Classification (Publications, Films and Computer Games) Act 1995*.

Dated 17 June 2009

BRENDAN O'CONNOR
Minister for Home Affairs

1 Name of Determination

This Determination is the *Classification (Markings for Films and Computer Games) Amendment Determination 2009 (No. 1)*.

2 Commencement

This Determination commences on 1 July 2009.

3 Amendment of *Classification (Markings for Films and Computer Games) Determination 2007*

Schedule 1 amends the *Classification (Markings for Films and Computer Games) Determination 2007*.

Schedule 1 Amendments

(section 3)

[1] Section 7, after definition of *Act*

insert

Advertising Determination means the *Classification (Advertising of Unclassified Films and Computer Games Scheme) Determination 2009*.

Note *Long message* and *message* are defined in clause 1.1 of the Advertising Determination.

[2] After section 34

insert

34A Cinema advertising following film classification

- (1) A cinema must display a notice showing clearly the classification of each film being shown.
- (2) The notice must be positioned in the cinema where it can be read by people before the point of ticket purchase.
- (3) A notice is not required if a film guide or directory mentioned in section 34 complies also with the requirements of this section.

[3] Before section 35

insert in Subdivision 6

35A Compliance with Advertising Determination

Despite anything in this Subdivision, advertising material for a film or a computer game must comply with the Advertising Determination if:

- (a) the advertising material displays the message; and
- (b) the film or the computer game has not been classified X 18+ or RC.

[4] Paragraph 40 (2) (b)

substitute

- (b) during the advertisement:

-
- (i) for an advertisement of at least 10 seconds — a ticker, shown for at least 10 seconds, that includes the long message in a height of at least 5% of the height of the active screen area of the presentation format; or
 - (ii) for an advertisement of less than 10 seconds — a ticker, shown for the length of the advertisement, that includes the long message in a height of at least 5% of the height of the active screen area of the presentation format.

Note The advertising time for an advertisement for a film or computer game contained in a larger advertisement does not include the advertising time for other material also included in the larger advertisement.

[5] Subparagraphs 40 (3) (b) (i) and (ii)

omit each mention of

30

insert

10

[6] Section 41

omit

seconds:

insert

seconds, or, if the advertisement is less than 10 seconds, the length of the advertisement:

[7] Section 41, note

omit

Note

insert

Note 1

[8] Section 41, after the note

insert

Note 2 The advertising time for an advertisement for a film or computer game contained in a larger advertisement does not include the advertising time for other material also included in the larger advertisement.

Note

1. 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>.