



Classification (Publications, Films and Computer Games) (Markings and Consumer Advice) Determination 2014

Classification (Publications, Films and Computer Games) Act 1995

I, Michael Keenan, Minister for Justice, make the following instrument under section 8 of the *Classification (Publications, Films and Computer Games) Act 1995*.

10 December 2014

Michael Keenan

Minister for Justice

Section 1**Contents**

Part 1	Preliminary	
1	Name	4
2	Commencement	4
3	Revocation	4
4	Transitional	4
5	Objective	5
6	Application	5
7	Definitions	5
Part 2	Markings for films and computer games	
8	Markings for films and computer games	8
Part 3	Display of markings for publications, films and computer games	
Division 1	General	
9	Display of markings and consumer advice	9
10	Placement of markings	9
11	Visibility of markings	9
12	Format and proportion of markings	9
Division 2	Requirements for display of markings	
13	Display of markings for publications, films and computer games	10
14	Compliance with Advertising Determination	10
15	Display of markings for an advertisement for a classified film or computer game	10
16	Display of markings for an advertisement for a classified publication	11
17	Cross promotions	11
Part 4	Further transitional provisions	
18	Limited exemption to 15(1)(c) where person incapable of adding content to an advertisement on a screen	12
19	Expiry of this Part	12

Section 1

Schedule 1	Markings for films and computer games	
Part 1	Interpretation	13
Part 2	Classification characters, symbols and descriptions	15
Part 3	Classification symbol boxes and classification description boxes	16
Part 4	Alternative classification symbol boxes — MA 15+ and R 18+	18
Part 5	Examples of combination boxes	19
Schedule 2	Markings for publications	
Part 1	Interpretation	20
Part 2	Markings	20
Schedule 3	Classification legislation in force before 1 January 1996	22

Section 4

Part 1 Preliminary**1 Name**

This determination is the *Classification (Publications, Films and Computer Games) (Markings and Consumer Advice) Determination 2014*.

2 Commencement

This determination commences on the 11 December 2014.

3 Revocation

This determination revokes the *Classification (Markings for Films and Computer Games) Determination 2007*, the *Classification (Markings for Certified Exempt Films and Computer Games) Determination 2007*, and the *Classification (Markings for Publications) Determination 2007*.

4 Transitional

- (1) A film or computer game that was classified before the day this determination commences complies with the markings determined for that film or computer game if its markings, and the manner in which the markings are displayed, are in accordance with:
 - (a) this determination; or
 - (b) for a film or computer game classified on or after 1 July 2007 — the *Classification (Markings for Films and Computer Games) Determination 2007*; or
 - (c) for a film or computer game classified on or after 26 May 2005 — the *Classification (Markings for Films and Computer Games) Determination 2005*; or
 - (d) for a film or computer game classified on or after 1 January 1996 — the determination under section 8 of the Act that applied on the day the film or computer game was classified; or
 - (e) for a film or computer game classified before 1 January 1996 — the legislation (Commonwealth, State or Territory) that applied on the day the film or computer game was classified.
- (2) A publication that was classified before 11 December 2014 complies with the markings determined for that publication if its markings, and the manner in which the markings are displayed, are in accordance with:
 - (a) this determination; or
 - (b) for a publication classified on or after 1 January 2008:
 - (i) the *Classification (Markings for Publications) Determination 2007* as in force on 1 July 2007; or
 - (ii) the *Classification (Markings for Publications) Determination 2007* as in force on 1 February 2008; or

Section 7

- (c) for a publication classified on or after 1 September 1999:
 - (i) the *Classification (Markings for Publications) Determination 2007* as in force on 1 July 2007; or
 - (ii) the *Classification (Markings for Publications) Determination 2007* as in force on 1 February 2008; or
 - (iii) the Determination of Markings for Publications, made under section 8 of the Act on 18 August 1999; or
- (d) for a publication classified on or after 31 October 1996 — the determined markings published in the Commonwealth of Australia Gazette No. GN 38 dated 25 September 1996.

Note Schedule 3 lists classification legislation that was in force before 1 January 1996.

5 Objective

The objective of this determination is to ensure that consumers have ready access to clear classification information to inform their choices about publications, films and computer games.

6 Application

This determination applies in relation to publications, films and computer games classified on or after 11 December 2014.

Note Complementary classification enforcement laws may include requirements concerning the display of classification markings and consumer advice relating to classified publications, films and computer games.

7 Definitions

In this determination:

Act means the *Classification (Publications, Films and Computer Games) Act 1995*.

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

classification means:

- (a) for a publication — a classification mentioned in subsection 7(1) of the Act; and
- (b) for a film — a classification mentioned in subsection 7(2) of the Act; and
- (c) for a computer game — a classification mentioned in subsection 7(3) of the Act;

classification character, for a classification mentioned in an item in Part 2 of Schedule 1, means the character set out in column 3 of the item.

classification description, for a classification mentioned in an item in Part 2 of Schedule 1, means the description set out in column 5 of the item.

classification description box, for a classification mentioned in an item in Part 3 of Schedule 1, means the 2-dimensional box set out in column 6 of the item.

classification symbol, for a classification mentioned in an item in Part 2 of Schedule 1, means the symbol set out in column 4 of the item.

Section 7

classification symbol box, for a classification mentioned in an item in Part 3 of Schedule 1, means any of the:

- (a) classification symbol square; and
 - (b) classification symbol rectangle; and
 - (c) classification symbol rectangle component;
- applicable to the item.

classification symbol rectangle, for a classification mentioned in an item in Part 3 of Schedule 1, means the rectangle set out in column 4 of the item.

classification symbol rectangle component, for a classification mentioned in an item in Part 3 of Schedule 1, means the rectangle set out in column 5 of the item.

classification symbol square, for a classification mentioned in an item in Part 3 of Schedule 1, means the square set out in column 3 of the item.

combination box means a 2-dimensional box comprising, on the left, the applicable classification symbol rectangle component, and, on the right, the consumer advice determined in relation to the film or computer game concerned.

Note Part 5 of Schedule 1 contains examples of combination boxes.

complementary classification enforcement laws mean a provision of any of the following:

- (a) *Classification (Publications, Films and Computer Games) (Enforcement) Act 1995* of the Australian Capital Territory;
- (b) *Classification (Publications, Films and Computer Games) Enforcement Act 1995* of New South Wales;
- (c) *Classification (Publications, Films and Computer Games) (Enforcement) Act 1995* of Victoria;
- (d) *Classification of Films Act 1991* of Queensland;
- (e) *Classification of Publications Act 1991* of Queensland;
- (f) *Classification of Computer Games and Images Act 1995* of Queensland;
- (g) *Classification (Publications, Films and Computer Games) Act 1995* of South Australia;
- (h) *Classification (Publications, Films and Computer Games) Enforcement Act 1996* of Western Australia;
- (i) *Classification (Publications, Films and Computer Games) Enforcement Act 1995* of Tasmania;
- (j) *Classification of Publications, Films and Computer Games Act* of the Northern Territory.

consumer advice, for a publication, film or computer game, means the consumer advice determined in relation to the publication, film or computer game under section 20 of the Act.

consumer advice box, for a film or computer game, means a 2-dimensional box that is part of a combination box and contains the consumer advice for the film or computer game.

Note Part 5 of Schedule 1 contains examples of combination boxes.

Section 7

physical product means a physical item on which a publication, film or computer game, or an advertisement for a publication, film or computer game, is recorded, stored, contained, or printed for the purpose of retail distribution or presentation to a consumer.

Examples of physical products

- 1 disc
- 2 container for a disc
- 3 memory stick
- 4 poster
- 5 magazine
- 6 activation card
- 7 a title board for a computer game that is available for play in a public place

Note 1 The following words and expressions used in this determination are defined in section 5 of the Act: ***advertisement, classified, and film.***

Note 2 ***Computer game*** is defined in section 5A of the Act.

Part 2

Markings for films and computer games

8 Markings for films and computer games

- (1) For paragraph 8(1)(a) of the Act, the classification markings for films and computer games are the following:
 - (a) the classification character;
 - (b) the classification symbol;
 - (c) the classification symbol square;
 - (d) the classification symbol rectangle;
 - (e) the classification symbol rectangle component;
 - (f) the classification description;
 - (g) the classification description box;
 - (h) the combination box;prescribed for that classification by this determination.

Part 3 **Display of markings for publications, films and computer games**

Division 1 **General**

9 **Display of markings and consumer advice**

For section 8 of the Act, markings and consumer advice for films and computer games and markings and any consumer advice for publications must be displayed in accordance with this Part.

Note 1 Subsections 7(2) and (3) of the Act set out the classifications for films and computer games in ascending order of restriction.

10 **Placement of markings**

- (1) Where practicable, a marking must be displayed:
 - (a) on the lower left corner of the front face of the thing on which it is displayed;
or
 - (b) in close proximity to the title of the publication, film or computer game.
- (2) For a 'Category 1 Restricted' publication or a 'Category 2 Restricted' publication contained in opaque packaging material, both the publication and the packaging must display the classification markings.

11 **Visibility of markings**

- (1) A marking must be displayed so that the marking is:
 - (a) prominent, readily identifiable and clearly legible; and
 - (b) easily distinguishable from the background and any other information or moving image with which the marking is displayed.
- (2) A marking must not be obscured by other material.
- (3) A marking that is displayed on a screen must be displayed for a period of time that is sufficient to allow the marking to be read in full.

12 **Format and proportion of markings**

A marking that is required to be displayed must be:

- (a) for a film or computer game — in the format and proportions shown in Schedule 1.
- (b) for a publication — in the format and proportions shown in Schedule 2.

Division 2

Requirements for display of markings

13 Display of markings for publications, films and computer games

- (1) A classified film or computer game must display:
 - (a) the marking that applies to the film or computer game; and
 - (b) the consumer advice relating to the film or game.

Note Schedule 1 shows the classification markings for films and computer games.
- (2) A classified publication must display the classification marking that applies to the publication and any consumer advice.

Note Schedule 2 shows the classification markings for publications.
- (3) Any marking or consumer advice that is required to be displayed under subsection 13(1) or subsection 13(2) must be displayed:
 - (a) if the publication, film or computer game is a physical product — on the physical product; or
 - (b) if the publication, film or computer game is not a physical product or if, considering the size and type of the physical product, it would not be practicable to display the classification in accordance with paragraph 13(3)(a) — before the point of purchase of the publication, film or computer game; or

Note The point of purchase for a film includes the point of purchase of tickets to film screenings.

 - (c) if it is not practicable to display the marking before the point of purchase — before the point of access to the publication, film or computer game.

14 Compliance with Advertising Determination

Despite anything in this Division, an advertisement for a film or a computer game must comply with the Advertising Determination if:

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

15 Display of markings for an advertisement for a classified film or computer game

- (1) Markings for advertisements for classified films and computer games must be displayed in the following manner:
 - (a) a printed advertisement for a film or computer game must display the combination box or, if the combination box would not be legible, the classification symbol square or classification symbol rectangle that applies to the film or computer game;
 - (b) a printed advertisement for multiple films or computer games must display:
 - (i) the markings in accordance with section 15(1)(a); and
 - (ii) a legend that lists all classifications and the classification descriptions;

- (c) A still or moving image that advertises a film or computer game on a screen (including an online advertisement) must display:
 - (i) the combination box or, if the combination box would not be legible, the classification symbol rectangle or classification symbol square applicable to the film or computer game; and
 - (ii) the consumer advice relating to the film or game;
 - (d) A physical product that contains only advertisements for 1 or more films or computer games must display:
 - (i) the combination box or, if the combination box would not be legible, the classification symbol square or classification symbol rectangle that applies to the film or computer game that has the highest classification; and
 - (ii) if the title of any of the films or computer games for which the physical product contains an advertisement is listed on the back of the physical product:
 - (A) next to the title of each film or game, the classification symbol square or classification symbol or classification character applicable to the film or computer game; and
 - (B) if practicable, the consumer advice relating to the film or computer game.
- (2) Subsection 15(1) does not apply to an advertisement for a film or computer game that is in the form of a window cling, a display bin or a standee.

16 Display of markings for an advertisement for a classified publication

In a printed advertisement for a classified publication, the markings shall be:

- (a) the markings set out in Part 2 of Schedule 2; and
- (b) the markings shall be increased or reduced in size and scale, along with the rest of the material included in the advertisement; and
- (c) the markings shall remain in proportion to that material included in the advertisement based upon the publication's front cover scale.

17 Cross promotions

- (1) This section applies to an advertisement:
 - (a) for a product that is not a film or computer game; and
 - (b) that includes:
 - (i) a reference to a film or computer game; and
 - (ii) a reference to the film or computer game being available for viewing, playing, sale or hire.
- (2) The advertisement must display the markings required under this Subdivision as if the advertisement were an advertisement for the film or computer game.

Part 4 Further transitional provisions**18 Limited exemption to 15(1)(c) where person incapable of adding content to an advertisement on a screen**

If the person to whom the requirement to display either a combination box or consumer advice under paragraph 15(1)(c) is incapable of adding to the content of the advertisement, the display of the classification symbol rectangle or classification symbol square applicable to the film or computer game will be sufficient to comply with the paragraph.

19 Expiry of this Part

This Part expires on 11 December 2015 as if it had been repealed by another legislative instrument.

Schedule 1 Markings for films and computer games

Part 1 Interpretation

1.01 Meaning of markings required under paragraph 13(1)(a)

A marking that is required to be displayed under paragraph 13(1)(a) means:

- (a) the combination box that applies to the film or computer game; or
- (b) if the combination box would not be legible, the classification symbol rectangle or classification symbol square; or
- (c) if the classification symbol rectangle or classification symbol square would not be legible, the classification symbol or classification character.

1.02 Indicated markings do not include black background

In this Schedule, a marking that is superimposed on a black background does not include the black background.

1.03 Colour of classification symbol boxes and classification description boxes not displayed on screens

A classification symbol box or classification description box must be:

- (a) if the display is in colour — coloured in accordance with the CMYK values mentioned in column 7 of Part 3 of Schedule 1, or column 5 of Part 4 of Schedule 1 (whichever is applicable), for the applicable classification; and
- (b) if the display is in black and white — either:
 - (i) coloured in accordance with the CMYK values mentioned in column 7 of Part 3 of Schedule 1, or column 5 of Part 4 of Schedule 1 (whichever is applicable), for the applicable classification; or
 - (ii) in black and white.

1.04 Colour of classification symbol boxes and classification description boxes displayed on screens

A classification symbol box or classification description box that is displayed on a screen, must be coloured in accordance with the RGB values mentioned in column 8 of Part 3 of Schedule 1, or column 6 of Part 4 of Schedule 1 (whichever is applicable), for the applicable classification.

1.05 Font for classification symbol

A classification symbol must be in FF Din Bold font.







1.06 Font for text in consumer advice boxes and classification description boxes

- (1) Text that is displayed in a consumer advice box must be printed in black Univers condensed regular type on a white background.
















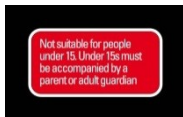



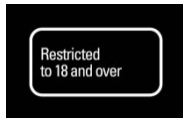
Note Part 5 of Schedule 1 contains examples of combination boxes.





- (2) A classification description displayed in a classification description box, must be printed in Univers condensed regular type.

Part 2 Classification characters, symbols and descriptions





Item	Classification	Classification character	Classification symbol	Classification description
1	G	G		General
2	PG	PG		Parental guidance recommended
3	M	M		Recommended for mature audiences
4	MA 15+	MA 15+		Not suitable for people under 15. Under 15s must be accompanied by a parent or adult guardian
5	R 18+	R 18+		Restricted to 18 and over
6	X 18+	X 18+		Restricted to 18 and over

Part 3 **Classification symbol boxes and classification description boxes**

Item	Classification	Classification symbol square	Classification symbol rectangle	Classification symbol rectangle component	Classification description box	CMYK values	RGB values
1	G					C 80 M 0 Y 100 K 0	R 51 G 160 B 44
2	PG					C 0 M 0 Y 100 K 0	R 255 G 255 B 0
3	M					C 100 M 0 Y 0 K 0	R 0 G 160 B 198
4	MA 15+					C 0 M 100 Y 100 K 0	R 255 G 0 B 0
5	R 18+					C 0 M 0 Y 0	R 0 G 0 B 0

Item	Classification	Classification symbol square	Classification symbol rectangle	Classification symbol rectangle component	Classification description box	CMYK values	RGB values
6	X 18+					K 100 C 0 M 0 Y 0 K 100	R 0 G 0 B 0

Part 4 **Alternative classification symbol boxes — MA 15+ and R 18+**

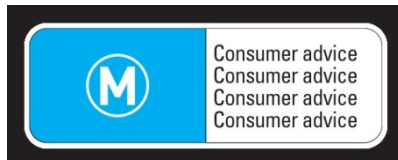
Item	Classification	Alternative classification symbol square	Alternative classification symbol rectangle	CMYK values	RGB values
1	MA 15+			C 0 M 100 Y 100 K 0	R 255 G 0 B 0
2	R 18+			C 0 M 0 Y 0 K 100	R 0 G 0 B 0

Part 5 Examples of combination boxes

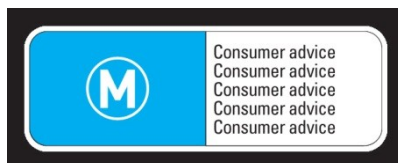
Division 5.1 2 lines of consumer advice



Division 5.2 3 or 4 lines of consumer advice



Division 5.3 5 lines of consumer advice



Schedule 2 Markings for publications

Part 1 Interpretation

1.01 Indicated markings do not include black background

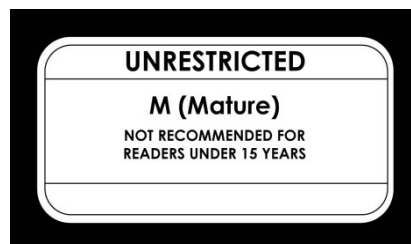
In this Schedule, a marking that is superimposed on a black background does not include the black background.

Part 2 Markings

The marking for a publication classified Unrestricted is as follows:



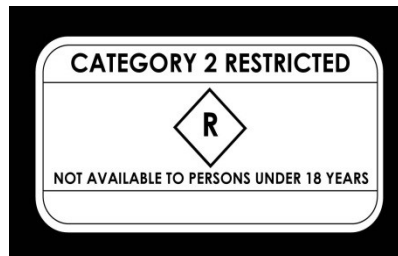
For Unrestricted publications with the consumer advice 'M (Mature) — Not Recommended for Readers under 15 Years', the marking is as follows:



The marking for a publication classified Category 1 Restricted is as follows:



The marking for a publication classified Category 2 Restricted is as follows:



Schedule 3**Classification legislation in force before 1 January 1996**

(section 4, note)

Item	Legislation
1	<i>Film and Computer Games Classification Act 1984</i> of New South Wales
2	<i>Indecent Articles and Classified Publications Act 1975</i> of New South Wales
3	<i>Classification of Films and Publications Act 1990</i> of Victoria
4	<i>Classification of Films Act 1991</i> of Queensland
5	<i>Censorship of Films Act 1947</i> of Western Australia
6	<i>Video Tapes Classification and Control Act 1987</i> of Western Australia
7	<i>Classification of Films for Public Exhibition Act, 1971</i> of South Australia
8	<i>Films Act 1971</i> of Tasmania
9	<i>Classification of Publications Act 1984</i> of Tasmania
10	<i>Film Classification Act 1971</i> of the Australian Capital Territory
11	<i>Classification of Publications Ordinance 1983</i> of the Australian Capital Territory
12	<i>Classification of Publications and Films Act 1979</i> of the Northern Territory