



Classification (Markings for Certified Exempt Films and Computer Games) Determination 2005

Classification (Publications, Films and Computer Games) Act 1995

I, DESMOND MATTHEW CLARK, Director of the Classification Board, make this Determination under section 8 of the *Classification (Publications, Films and Computer Games) Act 1995*.

Dated 16 December 2005

DESMOND MATTHEW CLARK
Director of the Classification Board

Contents

| | | |
|---------------|--|---|
| Part 1 | Preliminary | |
| | 1 Name of Determination | 3 |
| | 2 Commencement | 3 |
| | 3 Application | 3 |
| | 4 Definitions | 3 |
| Part 2 | Exempt markings | |
| | 5 Exempt markings | 5 |
| Part 3 | Display of exempt markings | |
| | 6 Display of exempt markings | 6 |
| | 7 Manner of display of exempt markings | 6 |

| | Page | |
|-------------------|--|---|
| 8 | Colour of exempt combination box, exempt description box or exempt symbol rectangle or square not displayed on screens | 7 |
| 9 | Colour of exempt combination box, exempt description box or exempt symbol rectangle or square displayed on screens | 8 |
| 10 | Format and proportion of exempt markings | 8 |
| Schedule 1 | Markings | 9 |
| Part 1 | Interpretation | 9 |
| 1.01 | Indicated markings do not include black background | 9 |
| Part 2 | Exempt markings | 9 |

Part 1 Preliminary

1 Name of Determination

This Determination is the *Classification (Markings for Certified Exempt Films and Computer Games) Determination 2005*.

2 Commencement

This Determination commences on 1 January 2006.

3 Application

This Determination applies in relation to a certified exempt film or computer game.

4 Definitions

In this Determination:

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

certified exempt computer game means a computer game for which a certificate is in force under Division 6 of Part 2 of the Act.

certified exempt film means a film for which a certificate is in force under Division 6 of Part 2 of the Act.

Classification Markings Determination means the *Classification (Markings for Films and Computer Games) Determination 2005*, as in force from time to time.

equivalent classification marking, for an exempt marking, is the classification marking mentioned in column 3 of the table in subsection 5 (1) in relation to the exempt marking.

exempt advice means 'Exempt from classification'.

exempt advice box means a 2-dimensional box that is part of an exempt combination box and contains the exempt advice.

exempt character means 'E'.

exempt combination box means the box set out in column 2 of Part 2 of Schedule 1.

exempt description means 'Certified as exempt from classification'.

exempt description box means the box set out in column 3 of Part 2 of Schedule 1.

exempt marking means a marking mentioned in column 2 of the table in subsection 5 (1).

Section 4

exempt symbol means the symbol set out in column 4 of Part 2 of Schedule 1.

exempt symbol rectangle means the rectangle set out in column 5 of Part 2 of Schedule 1.

exempt symbol square means the square set out in column 6 of Part 2 of Schedule 1.

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

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

Part 2 Exempt markings

5 Exempt markings

- (1) For paragraph 8 (4) (a) of the Act, the markings for a certified exempt film or computer game are the markings mentioned in column 2 of the following table.

| Item | Exempt marking | Equivalent classification marking |
|------|-------------------------|-----------------------------------|
| 1 | exempt character | classification character |
| 2 | exempt combination box | combination box |
| 3 | exempt description | classification description |
| 4 | exempt description box | classification description box |
| 5 | exempt symbol | classification symbol |
| 6 | exempt symbol rectangle | classification symbol rectangle |
| 7 | exempt symbol square | classification symbol square |

- (2) A term used in column 3 of the table in subsection (1) has the meaning given by the Classification Markings Determination.

Section 6

Part 3 Display of exempt markings

6 Display of exempt markings

An exempt marking may be displayed only in relation to a certified exempt film or computer game.

Note 1 An exempt film or computer game may be marked as exempt, but under this Determination an exempt marking may be displayed only in relation to a certified exempt film or computer game.

Note 2 Under this Determination:

- a person may, but is not required to, display an exempt marking in relation to a certified exempt film or computer game; but
- if a person does display an exempt marking in relation to a certified exempt film or computer game, the marking must be displayed in accordance with this Part.

7 Manner of display of exempt markings

- (1) For paragraph 8 (4) (b) of the Act, an exempt marking that is displayed in relation to a certified exempt film or computer game must be displayed in accordance with the Classification Markings Determination, as if:
 - (a) the certified exempt film or computer game were a classified film or computer game; and
 - (b) the exempt marking were the equivalent classification marking; and
 - (c) a reference in the Classification Markings Determination to consumer advice were a reference to exempt advice; and
 - (d) a reference in the Classification Markings Determination to a consumer advice box were a reference to an exempt advice box; and
 - (e) the Classification Markings Determination did not include sections 23, 24 and 34.
- (2) The display of an exempt marking on or during any one or more (but not all) of the following in relation to a certified exempt film or computer game does not require the display of an exempt marking on or during all of the following in relation to the film or computer game:
 - (a) the main title-board for the computer game, if available for play on a device set up for that purpose in a public place;
 - (b) the screening of the film, or the display of the computer game on a screen;
 - (c) a videocassette containing the film, or a standard disc on which the film or computer game is recorded or stored;
 - (d) the casing of a small storage device on which the film or computer game is recorded or stored;
 - (e) a container for the film or computer game;
 - (f) a printed advertisement for the film or computer game;
 - (g) an advertisement on the Internet for the film or computer game;

Section 8

- (h) a moving image that advertises the film or computer game;
- (i) a storage device that contains only an advertisement for the film or computer game;
- (j) a container for a storage device mentioned in paragraph (i);
- (k) an advertisement displayed by an unclassified product, or a container for an unclassified product, mentioned in section 46 of the Classification Markings Determination;
- (l) an advertisement mentioned in section 47 of the Classification Markings Determination.

(3) In subsection (2):

small storage device has the meaning given by section 7 of the Classification Markings Determination.

standard disc has the meaning given by section 7 of the Classification Markings Determination.

storage device has the meaning given by section 7 of the Classification Markings Determination.

8 Colour of exempt combination box, exempt description box or exempt symbol rectangle or square not displayed on screens

- (1) This section applies to an exempt combination box, exempt description box or exempt symbol rectangle or square displayed in relation to a certified exempt film or computer game:
 - (a) on a storage device for the film or computer game; or
 - (b) on the casing for a storage device for the film or computer game; or
 - (c) on a label on the casing of a storage device for the film or computer game; or
 - (d) on the container for a storage device for the film or computer game; or
 - (e) on a printed advertisement for the film or computer game; or
 - (f) on the main title-board for a computer game available for play on a device set up for that purpose in a public place.
- (2) The exempt combination box, exempt description box or exempt symbol rectangle or square must be:
 - (a) if the device, casing, label, container, advertisement or title-board is coloured — coloured in accordance with the CMYK values mentioned in column 7 of Part 2 of Schedule 1; and
 - (b) if the device, casing, label, container, advertisement or title-board is black and white, or a combination of white and one colour:
 - (i) coloured in accordance with the CMYK values mentioned in column 7 of Part 2 of Schedule 1; or
 - (ii) black and white.

Section 9

- (3) For subparagraph (2)(b)(ii), the exempt combination box, exempt description box or exempt symbol rectangle or square must be displayed in high contrast to the background on which it appears.

9 Colour of exempt combination box, exempt description box or exempt symbol rectangle or square displayed on screens

An exempt combination box, exempt description box or exempt symbol rectangle or square displayed on a screen in relation to a certified exempt film or computer game must be coloured in accordance with the RGB values mentioned in column 8 of Part 2 of Schedule 1.

10 Format and proportion of exempt markings

An exempt marking displayed in relation to a certified exempt film or computer game must be in the format and proportions shown in Part 2 of Schedule 1.

Schedule 1 Markings

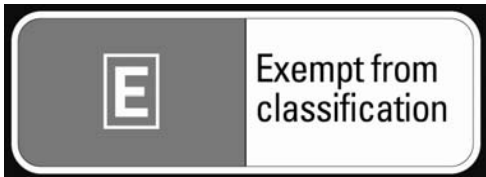
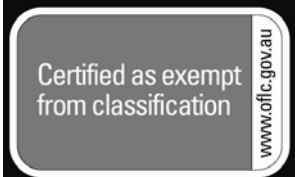



(sections 4, 8, 9 and 10)

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 Exempt markings

| Item | Exempt combination box | Exempt description box | Exempt symbol | Exempt symbol rectangle | Exempt symbol square | CMYK values | RGB values |
|------|--|---|---|--|--|-----------------------------|-------------------------|
| 1 |  |  |  |  |  | C 52 M 43 Y 40 K 6 | R 129 G 130 B 134 |