

1993
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Attorney-General)

Film Classification (Amendment) Bill 1993

**A BILL
FOR
An Act to amend the *Film Classification
Act 1971***

The Legislative Assembly for the Australian Capital Territory enacts as follows:

Short title

- 5 1. This Act may be cited as the *Film Classification (Amendment) Act 1993*.

Commencement

- 10 2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.
 (2) Section 4 commences on a day fixed by the Minister by notice in the *Gazette*.

83020 1992/189 (T20/93)

(3) If section 4 has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that section, by force of this subsection, commences on the first day after the end of that period.

5 Principal Act

3. In this Act, "Principal Act" means the *Film Classification Act 1971*.¹

Insertion

4. After section 8 of the Principal Act the following section is inserted:

10 Admission of persons to "MA" films

"9. (1) In this section—

'"MA" film' means a film classified as such under the State Act;

15 'young person', in relation to an alleged offence under subsection (2), means a person who had attained 2 years of age but who had not yet attained 15 years of age at the time the offence is alleged to have been committed.

"(2) Where—

- 20 (a) an 'MA' film is, or is about to be, exhibited to persons on payment of a charge or on presentation of a ticket or other token;
- (b) a young person is in a place from which the exhibition of the film is, or will be, capable of being seen; and
- (c) that person is not accompanied by his or her parent or guardian;

the person who has the management of the place at which the film is, or is about to be, exhibited is guilty of an offence.

25 Penalty: \$500.

"(3) It is a defence to a prosecution for an offence against subsection (2) if it is proved that—

- 30 (a) the person charged with the offence took reasonable precautions to ensure that young persons were not admitted to the exhibition unaccompanied by their parents or guardians; and
- (b) the young person named in the charge appeared to be younger than 2 years of age, or 15 years of age or older, at the time the offence is alleged to have been committed.

35 (2) (4) It is a defence to a prosecution for an offence against subsection (2) if it is proved that the young person named in the charge was

accompanied, at the time the offence is alleged to have been committed, by a person who appeared to be the young person's parent or guardian.”

NOTE

1. Reprinted as at 30 June 1991. See also Act No. 45, 1991.

NOTE ABOUT SECTION HEADING

On the day on which section 4 of this Act commences, the heading to section 8 of the *Film Classification Act 1971* is altered by omitting from the heading “young”.

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