

Classification (Publications, Films and Computer Games) (Enforcement) (Fees) Determination 2021 (No 2)

Disallowable instrument DI2021-241

made under the

**Classification (Publications, Films and Computer Games) (Enforcement) Act 1995, s 67
(Determination of fees)**

EXPLANATORY STATEMENT

The *Classification (Publications, Films and Computer Games) (Enforcement) Act 1995* (the Act), division 6.2, provides for the licensing of the selling and copying of X 18+ films.

Section 67 of the Act provides the Minister with the power to determine fees for the purposes of the Act.

This determination revokes the previous fee determination [DI2021-141] and sets fees for the application and renewal of a new licence class - the licence to deal in X 18+ films.

The determination commences on 27 August 2021.

The ACT Government regulates the X 18+ film industry through a licensing scheme to ensure the safe distribution of X 18+ films to appropriate consumers. The *Justice Legislation Amendment Bill 2020* amended the Act to remove the three existing licence classes (to sell, copy and to sell and copy X18+ films), replacing them with a single category of licence - to deal in X 18+ films. This new licence category will allow licence holders to sell and/or copy X 18+ films. The purpose of this change is to simplify the licencing options available to business owners in the local industry allowing them to both sell and copy films and minimise associated costs. The fees for the 2021 financial year were set in the previous determination DI2021-141, this determination has not affected the applicable fees for 2021 but implements the amended licencing structure. That is, the available licence category is a licence to deal in X 18+ films.

The previous determination set the fees that apply from 1 July 2021 repealing the *Classification (Publications, Films and Computer Games) (Enforcement) (Fees) Determination 2020* DI2020-142. Fees for the 2021 financial year were increased from fees in the previous financial year by a Wage Price Index (WPI) of 1.75%. This aligns with the 2021 Treasury Guidelines for Fees and Charges and allows for the recovery of costs associated with the licensing and regulation of the industry and for some additional revenue to be collected.

Item numbers, included in the schedule, column 2, enable the comparison of past fees set under the Act with those set by this instrument.