

AUSTRALIAN CAPITAL TERRITORY

Publications Control Ordinance 1989

No. 47 of 1989

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AUSTRALIAN CAPITAL TERRITORY

Publications Control Ordinance 1989

No. 47 of 1989

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated 9 May 1989.

BILL HAYDEN
Governor-General

By His Excellency's Command,

CLYDE HOLDING
Minister of State for the Arts
and Territories

An Ordinance to provide for the control of publications and for related purposes

PART I—PRELIMINARY

Short title

1. This Ordinance may be cited as the *Publications Control Ordinance 1989*.¹

Commencement

2. This Ordinance commences on such date as is fixed by the Minister by notice in the *Gazette*.

Interpretation

3. In this Ordinance, unless the contrary intention appears—

“adult” means a person of or above the age of 18 years;

“advertising matter”, in relation to a film, means any written or pictorial matter contained or displayed in or on any container or wrapping, where—

(a) that container or wrapping is used to enclose the film; and

(b) the film, so enclosed, is intended to be made available for exhibition, display, sale, letting on hire or distribution to the public;

“approved” means approved under the Classification Ordinance;

“Category 1 restricted publication” means a publication classified as such;

“Category 2 restricted publication” means a publication classified as such;

“Classification Ordinance” means the *Classification of Publications Ordinance 1983*;

“classify” means classify under the Classification Ordinance;

“Court” means the Magistrates Court;

“determined markings”, in relation to a film, means the markings determined under subsection 35 (5) in relation to the classification given to that film;

“film” includes a cinematograph film, a slide, video tape and video disc and any other form of recording from which a visual image can be produced;

“Films Regulations” means the Customs (Cinematograph Films) Regulations made and in force from time to time under the *Customs Act 1901* of the Commonwealth;

“ ‘G’ film” means a film classified as such;

“ ‘M’ film” means a film classified as such;

“minor” means a person under the age of 18 years;

“objectionable child publication” means an objectionable publication of the kind referred to in paragraph (b) of the definition of “objectionable publication”;

“objectionable publication” means an unclassified publication, or advertising matter in relation to a film, being advertising which is not approved, that—

- (a) describes, depicts, expresses or otherwise deals with matters of sex, drug misuse or addiction, crime, cruelty, violence or revolting or abhorrent phenomena in a manner that is likely to cause offence to a reasonable adult person;
- (b) depicts in pictorial form a child (whether engaged in sexual activity or otherwise) who is, or who is apparently, under the age of 16 years in a manner that is likely to cause offence to a reasonable adult person;
- (c) promotes, incites or instructs in matters of crime or violence;
or
- (d) has been refused classification or approval, as the case requires;

“offence” means an offence against this Ordinance or the regulations;

“ ‘PG’ film” means a film classified as such;

“prescribed markings” means the markings prescribed in the Classification of Publications Regulations;

“prescribed person or body” means a person or body prescribed in the Classification of Publication Regulations;

“public place” means any premises, street, road, footpath, public park within the meaning of the *Public Parks Ordinance 1928*, reserve or other place which the public is entitled to use or which is open to, or used by, the public whether on payment of money or otherwise;

“publication” means any book, paper, magazine, film or other written or pictorial matter that is made available, or is intended to be made available, for exhibition, display, sale, letting on hire or distribution to the public, but does not include advertising matter in relation to a film;

“publish” includes sell, let on hire, exhibit, display and distribute;

“restricted publications area” means any premises, or part of any premises, constructed, conducted and managed in accordance with the requirements prescribed in the Regulations;

“ ‘R’ film” means a film classified as such;

“sell” means sell by retail or exchange and includes an agreement or offer to sell or exchange;

“ ‘X’ film” means a film classified as such.

Application

4. Nothing in this Ordinance applies to, or in relation to, a film that—

- (a) is registered under the Films Regulations; or
- (b) has been produced in Australia by or on behalf of an Australian television station.

PART II—OFFENCES

Division 1—Unclassified publications

Sale etc. of objectionable publications

5. A person shall not advertise, sell, let on hire or distribute an objectionable publication.

Penalty:

- (a) in the case of an objectionable child publication—\$2,000 or imprisonment for 12 months, or both;
- (b) in any other case—\$1,000 or imprisonment for 6 months, or both.

Possession of objectionable publications

6. A person shall not possess an objectionable publication for the purpose of publishing it.

Penalty:

- (a) in the case of an objectionable child publication—\$2,000 or imprisonment for 12 months, or both;
- (b) in any other case—\$1,000 or imprisonment for 6 months, or both.

Keeping objectionable publications at premises

7. The occupier of any premises shall not keep or permit to be kept at those premises an objectionable publication for the purpose of publishing it.

Penalty:

- (a) in the case of an objectionable child publication—\$2,000 or imprisonment for 12 months, or both;
- (b) in any other case—\$1,000 or imprisonment for 6 months, or both.

Exhibition or display of objectionable publications

8. A person shall not exhibit or display an objectionable publication in a public place, or in such a manner that it is visible to persons in or on a public place.

Penalty:

- (a) in the case of an objectionable child publication—\$2,000 or imprisonment for 12 months, or both;
- (b) in any other case—\$1,000 or imprisonment for 6 months, or both.

Depositing objectionable publications in public places

9. A person shall not deposit, or cause to be deposited, an objectionable publication in or on a public place.

Penalty:

- (a) in the case of an objectionable child publication—\$2,000 or imprisonment for 12 months, or both;
- (b) in any other case—\$1,000 or imprisonment for 6 months, or both.

Depositing objectionable publications on private premises

10. A person shall not deposit, or cause to be deposited, an objectionable publication in or on private premises without the occupier's permission.

Penalty:

- (a) in the case of an objectionable child publication—\$2,000 or imprisonment for 12 months, or both;
- (b) in any other case—\$1,000 or imprisonment for 6 months, or both.

Producing objectionable child publications

11. A person shall not print or otherwise make or produce an objectionable child publication for the purpose of publishing it.

Penalty: \$2,000 or imprisonment for 12 months, or both.

Sale etc. of video tapes and discs

12. (1) A person shall not sell, let on hire or distribute a video tape or video disc that has not been classified or that has been refused classification.

Penalty:

- (a) in the case of an unclassified video tape or video disc that is subsequently classified as a “G” film—\$100;
- (b) in the case of an unclassified video tape or video disc that is subsequently classified as a “PG” film—\$200;
- (c) in the case of an unclassified video tape or video disc that is subsequently classified as a “M” film—\$400;
- (d) in the case of an unclassified video tape or video disc that is subsequently classified as a “R” film—\$600;
- (e) in the case of an unclassified video tape or video disc that is subsequently classified as a “X” film—\$800;
- (f) in the case of a video tape or video disc that has been refused classification pursuant to subsection 25 (3) or paragraph 25 (4) (b) of the Classification Ordinance or that was, at the time of the offence, unclassified and that is subsequently refused classification pursuant to that subsection or paragraph—\$1,000 or imprisonment for 6 months, or both; and
- (g) in the case of a video tape or video disc that has been refused classification pursuant to paragraph 25 (4) (a) of the Classification Ordinance or that was, at the time of the offence, unclassified and that is subsequently refused classification pursuant to that paragraph—\$2,000 or imprisonment for 12 months, or both.

(2) Proceedings for an offence under subsection (1) in relation to a video tape or video disc that is unclassified at the time of the alleged offence shall not be instituted until the tape or disc has been classified or refused classification.

Advertisement of unclassified video tapes and discs

13. A person shall not advertise an unclassified video tape or video disc.

Penalty: \$100.

Unclassified publications—false markings

14. A person shall not sell, let on hire or distribute an unclassified publication if the publication, or the container or wrapping in which the publication is sold, let on hire or distributed, bears prescribed markings, determined markings, or any other mark or matter that indicates that the publication is classified.

Penalty: \$500 or imprisonment for 3 months, or both.

Objectionable publications—general character

15. (1) For the purpose of determining whether a publication or advertising matter in relation to a film is an objectionable publication, the Court shall have regard to the general character of the publication or advertising.

(2) Subsection (1) does not apply to a publication that has been refused classification, or to advertising matter in relation to a film, being advertising that has been refused approval.

Exemption of literary etc. works

16. (1) The Court shall not find a publication or advertising matter in relation to a film to be an objectionable publication if it possesses literary or artistic merit or is of a medical, legal or scientific character unless the Court is satisfied that the conduct of the person alleged to have committed an offence against a provision of this Division in relation to the publication or advertising was not justified in the circumstances, having regard, in particular, to the persons or classes of persons into whose hands the publication or advertising was intended or was likely to come.

(2) Subsection (1) does not apply to or in relation to—

- (a) a publication that has been refused classification;
- (b) advertising matter in relation to a film, being advertising that has been refused approval; or

- (c) a publication or advertising matter in relation to a film, being a publication or advertising that is of a kind referred to in paragraph (b) or (c) of the definition of “objectionable publication” in section 3.

Subsequent classification

17. A person shall not be convicted of an offence against a provision of this Division in relation to an objectionable publication, other than a video tape or video disc, if the person establishes that—

- (a) in the case of a publication—
 - (i) since the offence was alleged to have been committed the publication has been classified; and
 - (ii) the act alleged to constitute the offence did not infringe any of the conditions set out in section 19, other than the conditions relating to prescribed markings or determined markings, that would have been applicable to the publication had it been so classified at the time when the act was done; or
- (b) in the case of advertising matter in relation to a film—since the offence was alleged to have been committed, the advertising has been approved.

Division 2—Classified publications

Publishing certain classified publications

18. A person shall not publish—

- (a) a Category 1 or a Category 2 restricted publication; or
- (b) an “R” film or an “X” film;

otherwise than in accordance with the conditions set out in section 19 which are applicable to that publication.

Penalty: \$500 or imprisonment for 3 months, or both.

Conditions of publication applying to certain classified publications

19. (1) The following conditions apply in relation to a publication that is classified as a Category 1 restricted publication:

- (a) the publication shall not be sold, let on hire or delivered to a minor, other than by a parent or guardian of that minor;

- (b) the publication shall not be exhibited or displayed for sale or hire in a public place unless the publication is contained in a sealed package;
- (c) where the sealed package referred to in paragraph (b) is made of transparent material—the publication shall bear the prescribed markings;
- (d) where the sealed package referred to in paragraph (b) is made of opaque material—both the publication and the package shall bear the prescribed markings.

(2) The following conditions apply in relation to an “R” film:

- (a) the film shall not be sold, let on hire or delivered to a minor, other than by a parent or guardian of that minor;
- (b) the film shall not be exhibited or displayed in a public place unless the container, wrapping and casing in which the film is contained bear the determined markings.

(3) The following conditions apply in relation to an “X” film or a publication that is classified as a Category 2 restricted publication:

- (a) the publication shall not be sold, let on hire or delivered to a minor, other than by a parent or guardian of that minor;
- (b) the publication shall not be exhibited or displayed, except in a restricted publications area;
- (c) the publication shall not be sold, let on hire or exhibited, displayed or delivered for or on sale or hire unless the publication bears the prescribed or determined markings, as the case requires;
- (d) the publication shall not be delivered to a person who has not made a direct request for the publication;
- (e) the publication shall not be delivered to a person unless it is contained in a package made of plain opaque material.

Depositing certain classified publications in public places

20. A person shall not deposit, or cause to be deposited—

- (a) a Category 1 or a Category 2 restricted publication; or
- (b) an “R” or an “X” film;

in or on a public place.

Penalty: \$1,000 or imprisonment for 6 months, or both.

Depositing certain classified publications on private premises

21. A person shall not deposit, or cause to be deposited—

- (a) a Category 1 or a Category 2 restricted publication; or
- (b) an “R” or an “X” film;

in or on private premises without the occupier’s permission.

Penalty: \$1,000 or imprisonment for 6 months, or both.

Video tapes and discs—trailers

22. A classified video tape or video disc shall not be sold, let on hire, exhibited or displayed for sale or hire in a public place or exhibited or displayed in a public place if, after classification, it has been edited to include a trailer advertising another film, unless—

- (a) in the case of a video tape, or a video disc, classified as a “R” film—the advertised film is classified as a “G”, “PG”, “M” or “R” film; or
- (b) in the case of a video tape, or a video disc, classified as a “X” film—the advertised film is classified as an “X” film.

Penalty: \$500 or imprisonment for 3 months, or both.

Video tapes and discs—false advertisement of classification

23. A person shall not publish advertising matter in relation to a classified video tape or video disc that indicates that the tape or disc is not classified or is differently classified.

Penalty: \$100.

Exhibiting or displaying “G”, “PG” and “M” video tapes and discs in public places

24. A person shall not exhibit, or display, in a public place a video tape or a video disc that is a “G”, “PG” or “M” film in a container, wrapping or casing that does not bear the determined markings.

Penalty: \$200.

“G”, “PG” and “M” films other than video tapes and discs—false markings

25. A person shall not sell, let on hire or distribute a film, other than a video tape or video disc, that is a “G”, “PG” or “M” film if the film, or the container or wrapping in which the film is sold, let on hire or distributed, bears any mark or matter indicating that the film is not so classified, or that the film is differently classified.

Penalty: \$500 or imprisonment for 3 months, or both.

Display of information about classification

26. (1) A person who sells, lets on hire or distributes a classified film shall keep displayed, in accordance with subsection (2), a notice about classifications in the form determined by the Chief Censor by notice published in the *Gazette*.

Penalty: \$500 or imprisonment for 3 months, or both.

(2) A notice referred to in subsection (1) shall be displayed on premises open to the public for the purposes of the sale, hire or distribution of the classified film, in a conspicuous place where, and in such a form that, the notice may be conveniently read by any person on the premises.

(3) In subsection (1), “Chief Censor” means the person appointed as such under the Films Regulations.

Division 3—Miscellaneous

Advertising matter—approval

27. (1) A person shall not sell, let on hire or distribute a film in association with advertising matter that has been refused approval.

(2) A person shall not publish approved advertising matter in relation to a film except in accordance with the conditions (if any) to which the approval is subject.

Penalty: \$500 or imprisonment for 3 months, or both.

Restricted publications areas

28. (1) A person who is in charge of, or who has the management or control of, a restricted publications area shall not permit a minor to enter that area.

Penalty: \$500 or imprisonment for 3 months, or both.

(2) A person who is in charge of a restricted publications area shall cause a notice in the prescribed form to be displayed in a prominent place on or near each entrance to the area, so that it is clearly visible from outside the area.

Penalty: \$500 or imprisonment for 3 months, or both.

(3) A person who is in charge of, or who has the management or control of, a restricted publications area shall not, in that area, screen a cause or permit to be screened an “R” film or an “X” film, other than by means of a slot-machine operated by a coin or token.

Penalty: \$500 or imprisonment for 3 months, or both.

(4) A person shall not be convicted of an offence against subsection (1) if evidence is adduced that the person believed on reasonable grounds that the person in relation to whom the offence is alleged to have been committed was an adult, and that evidence is not rebutted.

Conduct of directors, servants and agents

29. (1) Where, in proceedings for an offence, it is necessary to establish the state of mind of a body corporate in relation to particular conduct, it is sufficient to show—

- (a) that the conduct was engaged in by a director, servant or agent of the body corporate within the scope of his or her actual or apparent authority; and
- (b) that the director, servant or agent had that state of mind.

(2) Any conduct engaged in on behalf of a body corporate by a director, servant or agent of the body corporate within the scope of his or her actual or apparent authority shall be taken, for the purposes of a prosecution for an offence against this Ordinance, to have been engaged in also by the body corporate unless the body corporate establishes that it took reasonable precautions and exercised due diligence to avoid the conduct.

(3) Where, in proceedings for an offence, it is necessary to establish the state of mind of a person other than a body corporate in relation to particular conduct, it is sufficient to show—

- (a) that a servant or agent of the person had that state of mind; and
- (b) that the conduct was engaged in by the servant or agent within the scope of his or her actual or apparent authority.

(4) Any conduct engaged in on behalf of a person other than a body corporate by a servant or agent of the person within the scope of his or her actual or apparent authority shall be taken, for the purposes of a prosecution for an offence, to have been engaged in also by the first-mentioned person unless the first-mentioned person establishes that the first-mentioned person took reasonable precautions and exercised due diligence to avoid the conduct.

(5) Where—

- (a) a person other than a body corporate is convicted of an offence; and
- (b) the person would not have been convicted of the offence if subsections (3) and (4) had not been enacted;

the person is not liable to be punished by imprisonment for that offence.

(6) A reference in subsection (1) or (3) to the state of mind of a person includes a reference to—

- (a) the knowledge, intention, opinion, belief or purpose of the person; and
- (b) the person's reasons for the intention, opinion, belief or purpose.

(7) A reference in this section to engaging in conduct includes a reference to failing or refusing to engage in conduct.

Corporations—penalties

30. Where a body corporate is convicted of an offence, the penalty that the Court may impose is a fine not exceeding 5 times the maximum amount that, but for this section, the Court could impose as a pecuniary penalty for that offence.

PART III—ENFORCEMENT

Interpretation

31. (1) In this Part—

“place” includes vacant land, premises, a vehicle, a vessel or an aircraft;

“publication” includes advertising matter in relation to a film.

(2) For the purposes of this Part, a thing is connected with a particular offence if—

- (a) the offence has been committed with respect to it;
- (b) it will afford evidence of the commission of the offence; or
- (c) it was used, or it is intended to be used, for the purpose of committing the offence.

(3) A reference in this Part to an offence shall be read as including a reference to an offence that there are reasonable grounds for believing has been, or will be, committed.

(4) Where a police officer is authorised under this Part to enter a place, and enters that place, a reference in this Part to the occupier of such a place shall include a reference to a person reasonably believed by the police officer to be the occupier, or to be in charge, of that place.

Search and seizure

32. A police officer may enter any place, and may search for and seize any thing that he or she believes on reasonable grounds to be connected with an offence that is found on or in the place if, and only if, the search and seizure is made by the police officer—

- (a) after obtaining the consent of the occupier of the place to the entry; or
- (b) in pursuance of a warrant issued under this Part.

Consent to search

33. (1) Before obtaining the consent of a person for the purpose of section 32, a police officer shall inform the person that he or she may refuse to give consent.

(2) A police officer who obtains the consent of a person for the purposes of section 32 shall ask the person to sign an acknowledgement—

- (a) that the person has been informed that he or she may refuse to give consent;
- (b) that the person has given consent; and
- (c) of the date on which, and the time at which, the person gave consent.

(3) Where it is material, in any proceedings, for the Court to be satisfied of the consent of a person for the purposes of section 32, and an acknowledgement in accordance with subsection (2) has not been produced in evidence, the Court shall presume that the person did not give such consent, but that presumption is rebuttable.

Search warrants

34. (1) Where an information on oath is laid before a Magistrate alleging that there are reasonable grounds for suspecting that, on the day on which, or a day within 28 days after the date on which, the information is laid, there is or will be a thing or things of a particular kind connected with a particular offence on or in a place, and the information sets out those grounds, the Magistrate may issue a search warrant authorising a police officer named in the warrant, with such assistance and by such force as is necessary and reasonable—

- (a) to enter the place;
- (b) to search the place for things of that kind; and

- (c) to seize any thing of that kind found upon the place that the police officer believes on reasonable grounds to be connected with that offence.

(2) A Magistrate shall not issue a warrant under subsection (1) unless—

- (a) the informant or some other person has given to the Magistrate, either orally or by affidavit, such further information (if any) as the Magistrate requires concerning the grounds on which the issue of the warrant is being sought; and
- (b) the Magistrate is satisfied that there are reasonable grounds for issuing the warrant.

(3) A warrant issued under subsection (1) shall state or set out—

- (a) the purpose for which the warrant is issued, including a reference to the nature of the offence in relation to which the entry and search are authorised;
- (b) whether the entry is authorised to be made at any time of the day or night or during specified hours of the day or night;
- (c) a description of the kind of things authorised to be seized;
- (d) the conditions (if any) to which the warrant is subject; and
- (e) a date, not being later than 28 days after the date of issue of the warrant, upon which the warrant will cease to have effect.

(4) If, in the course of searching, in accordance with a warrant issued under subsection (1), for things connected with a particular offence, being things of a kind specified in the warrant, a police officer finds any thing that he or she believes on reasonable grounds—

- (a) to be connected with the offence, although not of a kind specified in the warrant; or
- (b) to be connected with another offence;

and he or she believes on reasonable grounds that it is necessary to seize that thing in order to prevent its concealment, loss or destruction, or its use in committing, continuing or repeating either offence, the warrant shall be deemed to authorise him or her to seize that thing.

Forfeiture of objectionable publications

35. (1) Where a person is charged with an offence in relation to an objectionable publication and the Court is satisfied that the person committed the offence, the Court may order the publication to be forfeited to the Commonwealth.

(2) Where a publication has been lawfully seized by a police officer as an objectionable publication but no person has been charged with an offence in respect of that publication, a Magistrate shall, on the application of a police officer made within 60 days after the seizure of the publication, issue a summons requiring the occupier of the premises from which the publication was seized, or the person from whom it was seized, or both, as the Magistrate determines, to appear before the Court and show cause why the publication seized should not be forfeited to the Commonwealth.

(3) Where the Magistrate issues a summons under subsection (2) in relation to a publication, he or she shall, so far as he or she considers it reasonably practicable to do so, cause notice of the proceedings to be given to every person whose name appears on the publication as the author, publisher, printer, manufacturer or owner of the publication.

(4) In proceedings under this section, the Court may permit a person who claims to be the author, publisher, printer, manufacturer or owner of the publication to which the proceedings relate (whether or not a notice has been given to the person under subsection (3)) and who appears or is represented in the proceedings to intervene in the proceedings for the purpose of maintaining that the publication is not objectionable.

(5) Upon the hearing of the summons issued under subsection (2), the Court shall—

- (a) if it is satisfied that there was a contravention of a provision of this Ordinance in respect of the publication and that it is desirable that the publication should be forfeited to the Commonwealth—order the publication to be forfeited to the Territory; or
- (b) if it is not so satisfied—order that the publication be delivered to the person appearing to the Court to have been entitled to possession of the publication immediately before its seizure.

(6) Subject to subsection (7), a publication which is forfeited to the Commonwealth under this section may be destroyed or otherwise dealt with, as directed by the Minister.

(7) Where the Court has ordered a publication to be forfeited to the Commonwealth, the Minister shall not direct the destruction of the publication

before the expiration of the time allowed for instituting an appeal against the order, or, if an appeal is lodged within that time, before the determination of the appeal.

Return of seized publications

36. (1) Where a person is charged with an offence, the Court shall, after hearing the matter, order that any publication to which the prosecution relates that has been seized be delivered to the person appearing to the Court to have been entitled to possession of the publication immediately before the seizure.

(2) Subsection (1) does not apply to a publication forfeited to the Commonwealth under subsection 35 (1).

(3) Where a publication has been lawfully seized by a police officer from a place entered in accordance with this Part and, at the expiration of 60 days after the seizure—

- (a) no person has been charged with an offence in respect of the publication; and
- (b) no summons has been issued under subsection 35 (2) in respect of the publication;

the publication shall be returned to the person from whom it was seized or to the occupier of that place.

Evidence

37. (1) In any proceedings for an offence, a certificate signed or purporting to be signed by the Chief Censor, the Acting Chief Censor, the Deputy Chief Censor or the Acting Deputy Chief Censor and stating that—

- (a) a film has been classified or refused classification;
- (b) a film has not been classified;
- (c) advertising matter in relation to a film has been approved or refused approval; or
- (d) advertising matter in relation to a film has not been approved;

is evidence of the matters stated in the certificate.

(2) In subsection (1), “Chief Censor”, “Acting Chief Censor”, “Deputy Chief Censor” or “Acting Deputy Chief Censor” means the person appointed as such under the Films Regulations.

PART V—MISCELLANEOUS**Exemptions**

38. (1) The regulations may exempt a specified person or body from specified provisions of this Ordinance, subject to specified conditions (if any).

(2) Notwithstanding anything in this Ordinance, it is not an offence for a person—

- (a) to publish to a prescribed person or body a Category 1 or Category 2 restricted publication or an “R” film or an “X” film;
- (b) to publish to a prescribed person or body a video tape or video disc that is unclassified or that has been refused classification; or
- (c) to do any act or thing that falls within the scope of a prescribed exemption under subsection (1) and is done in accordance with the conditions (if any) to which the exemption is subject.

Regulations

39. The Minister may make regulations, not inconsistent with this Ordinance, prescribing—

- (a) all matters which by this Ordinance are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Ordinance; and
- (b) penalties for offences against the regulations not exceeding—
 - (i) in the case of a body corporate—\$1,000; and
 - (ii) in the case of an individual—\$200.

NOTE

1. Notified in the *Commonwealth of Australia Gazette* on 10 May 1989.