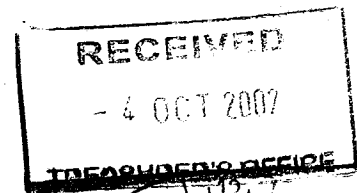




NEW SOUTH WALES
ATTORNEY GENERAL



- 3 OCT 2002

The Hon M R Egan, MLC
Treasurer, Minister for State Development and
Vice President of the Executive Council
Level 33, Governor Macquarie Tower
1 Farrer Place
SYDNEY 2000

Dear Minister

The Standing Committee on Social Issues' report, *Inquiry into the Classification (Publications, Films and Computer Games) Enforcement Amendment Act 2001 - Interim Report: Off-Line Matters* was tabled in the Legislative Council on 14 March 2002.

The report made three recommendations, namely:

- Schedule 1 of the *Classification (Publications, Films and Computer Games) Enforcement Amendment Act 2001* (the Act) should be proclaimed to commence by 22 March 2002, or as soon as possible thereafter;
- Proposed section 61A of the Act should be amended in terms similar to existing s.59(1)(a) so that penalty notices cannot be issued for unclassified publications, films or computer games; and
- No regulations relating to the issuing of penalty notices for unclassified publications, films or computer games should be proclaimed until after the recommended amendment to s.61A commences.

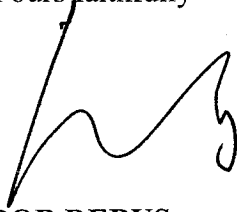
Schedule 1 of the Act has been proclaimed and commenced on 22 March 2002.

To date no regulations have been proclaimed. It is presently my Department's intention to make some regulations for the issuing of penalty notices. Under these regulations, there will be no requirement for people without specialist classification skills, such as police officers, to make classification decisions and issue penalty notices based on those decisions.

We believe it is not necessary to amend section 61A. We propose to analyse all offences individually to ensure that they are amenable to the penalty notice procedure before they are included in the regulations.

I would be grateful if you would table this response with the Clerk of the Legislative Council.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Bob Debus', written over the closing 'Yours faithfully'.

BOB DEBUS

SEEN