



Guidelines for the Classification of Films 2012¹

Classification (Publications, Films and Computer Games) Act 1995

I, Jason Clare, Minister for Justice, with the agreement of each participating Minister mentioned in subsection 12 (1) of the *Classification (Publications, Films and Computer Games) Act 1995*, determine the following guidelines under that subsection.

Dated

10 December 2012

Jason Clare
Minister for Justice

Section 1

Part 1 Preliminary

1 Name of instrument

This instrument is the *Guidelines for the Classification of Films 2012*.

2 Commencement

This instrument commences on 1 January 2013.

3 Repeal

The following instruments are repealed:

- (a) Guidelines for the Classification of Films and Computer Games;
- (b) *Guidelines for the Classification of Films and Computer Games Amendment 2008 (No. 1)*.

Part 2 Guidelines for the Classification of Films

Introduction to the Guidelines

Background

The *Guidelines for the Classification of Films* (the Guidelines) are a tool for classifying films. They help explain the different classification categories, and the scope and limits of material suitable for each category. They are revised from time to time, with extensive community input.

The legal context

The national classification scheme is based on:

- the Commonwealth *Classification (Publications, Films and Computer Games) Act 1995* (the Act), and
- a cooperative agreement between Commonwealth, State and Territory governments.

Under the scheme, the Commonwealth makes the classification decisions, and the States and Territories enforce them.

The Act contains a National Classification Code (the Code). It also allows Guidelines to be made. By agreement, the Commonwealth, State and Territory Ministers can vary the Code and the Guidelines.

The Act requires films and computer games to be classified, using the Code and the Guidelines, before they are released or advertised.

Classification decisions are made by the Classification Board. Its decisions can be reviewed by the Classification Review Board. Administrative support for both Boards is provided by the Australian Government Attorney-General's Department.

Classification categories

The Act names the classification categories for films, and the Code describes them.

The categories are:

- G
- PG
- M
- MA 15+
- R 18+
- X 18+
- RC

Classification criteria**The Act**

Under the Act, each of the following matters must be taken into account in classifying films:

- (a) the standards of morality, decency and propriety generally accepted by reasonable adults;
- (b) the literary, artistic or educational merit (if any) of the publication, film or computer game;
- (c) the general character of the publication, film or computer game, including whether it is of a medical, legal or scientific character;
- (d) the persons or class of persons to or amongst whom it is published or is intended or likely to be published.

The Code

Under the Code, classification decisions are to give effect, as far as possible, to the following principles:

- (a) adults should be able to read, hear, see and play what they want;
- (b) minors should be protected from material likely to harm or disturb them;

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- (c) everyone should be protected from exposure to unsolicited material that they find offensive;
 - (d) the need to take account of community concerns about:
 - (i) depictions that condone or incite violence, particularly sexual violence; and
 - (ii) the portrayal of persons in a demeaning manner.

Consumer advice

Except for G classifications, the Act requires the Classification Board to provide consumer advice about the content of films it classifies. (For G classifications, the Act gives the Board the option whether to provide consumer information.) This information helps consumers make informed choices.

The Guidelines

Using the Guidelines: Essential principles

Three essential principles underlie the use of the Guidelines:

- the importance of context
- assessing impact
- the six classifiable elements

Except for the X 18+ category, each classification category takes a similar form. It begins with an “impact test” that determines the threshold for the category. It then lists the six classifiable elements, with a statement limiting the content of each element.

Importance of context

Context is crucial in determining whether a classifiable element is justified by the story-line or themes. In particular, the way in which important social issues are dealt with may require a mature or adult perspective. This means that material that falls into a particular classification category in one context may fall outside it in another.

Assessing impact

The Guidelines use the following hierarchy of impact:

- very mild - G
- mild - PG
- moderate - M
- strong - MA 15+
- high - R 18+
- very high - RC

Assessing the impact of material requires considering not only the treatment of individual classifiable elements but also their cumulative effect. It also requires considering the purpose and tone of a sequence.

Impact may be higher where a scene:

- contains greater detail, including the use of close-ups and slow motion
- uses accentuation techniques, such as lighting, perspective and resolution
- uses special effects, such as lighting and sound, resolution, colour, size of image, characterisation and tone
- is prolonged
- is repeated frequently
- is realistic, rather than stylised
- encourages interactivity

Interactivity includes the use of incentives and rewards, technical features and competitive intensity. As a general rule:

- except in material restricted to adults, nudity and sexual activity must not be related to incentives or rewards
- material that contains drug use and sexual violence related to incentives or rewards is Refused Classification

Impact may be lessened where reference to a classifiable element is verbal rather than visual. For example, a verbal reference to sexual violence is generally of less impact than a visual depiction. Also, some visual impacts have less impact than others: for example, an incidental depiction may have less impact than a direct one.

The classifiable elements

The six classifiable elements in a film are:

- themes
- violence
- sex
- language
- drug use
- nudity

The classification takes account of the context and impact of each of these elements, including their frequency and intensity, and their cumulative effect. It also takes account of the purpose and tone of a sequence, and how material is treated.

The Categories

G – GENERAL

Impact test

The impact of the classifiable elements for material classified G should be very mild only.

Note: The G classification is for a general audience. However, it does not necessarily indicate that children will enjoy the film. Some G films contain themes or story-lines that do not interest children.

Classifiable elements

THEMES

The treatment of themes should have a very low sense of threat or menace, and be justified by context.

VIOLENCE

Violence should have only a low sense of threat or menace, and be justified by context.

Sexual violence is not permitted.

SEX

Sexual activity should be very mild and very discreetly implied, and be justified by context.

LANGUAGE

Coarse language should be very mild and infrequent, and be justified by context.

DRUG USE

Drug use should be implied only very discreetly, and be justified by context.

NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

PG – PARENTAL GUIDANCE

Impact test

The impact of the classifiable elements for material classified PG should be no higher than mild.

Note: Material classified PG may contain material which some children find confusing or upsetting, and may require the guidance of parents or guardians. It is not recommended for viewing by persons under 15 without guidance from parents or guardians.

Classifiable elements

THEMES

The treatment of themes should generally have a low sense of threat or menace and be justified by context.

VIOLENCE

Violence should be mild and infrequent, and be justified by context.

Sexual violence is not permitted.

SEX

Sexual activity should be mild and discreetly implied, and be justified by context.

LANGUAGE

Coarse language should be mild and infrequent, and be justified by context.

DRUG USE

Drug use should be justified by context.

NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

M – MATURE

Impact test

The impact of the classifiable elements for material classified M should be no higher than moderate.

Note: Material classified M is not recommended for persons under 15 years of age. There are no legal restrictions on access.

Classifiable elements

THEMES

The treatment of themes may have a moderate sense of threat or menace, if justified by context.

VIOLENCE

Moderate violence is permitted, if justified by context.

Sexual violence should be very limited and justified by context.

SEX

Sexual activity should be discreetly implied, if justified by context.

LANGUAGE

Coarse language may be used.

Aggressive or strong coarse language should be infrequent and justified by context.

DRUG USE

Drug use should be justified by context.

NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

MA 15+ – MATURE ACCOMPANIED

Impact test

The impact of material classified MA 15+ should be no higher than strong.

Note: Material classified MA 15+ is considered unsuitable for persons under 15 years of age. It is a legally restricted category.

Classifiable elements

THEMES

The treatment of strong themes should be justified by context.

VIOLENCE

Violence should be justified by context.

Sexual violence may be implied, if justified by context.

SEX

Sexual activity may be implied.

LANGUAGE

Strong coarse language may be used.

Aggressive or very strong coarse language should be infrequent.

DRUG USE

Drug use should be justified by context.

NUDITY

Nudity should be justified by context.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

R 18+ – RESTRICTED

Impact test

The impact of material classified R 18+ should not exceed high.

Note: Material classified R 18+ is legally restricted to adults. Some material classified R 18+ may be offensive to sections of the adult community.

Classifiable elements

THEMES

There are virtually no restrictions on the treatment of themes.

VIOLENCE

Violence is permitted.

Sexual violence may be implied, if justified by context.

SEX

Sexual activity may be realistically simulated. The general rule is “simulation, yes – the real thing, no”.

LANGUAGE

There are virtually no restrictions on language.

DRUG USE

Drug use is permitted.

NUDITY

Nudity is permitted.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

X 18+ – RESTRICTED**CONTAINS CONSENSUAL SEXUALLY EXPLICIT ACTIVITY
(Restricted to adults 18 years and over*)**

**Available only for sale or hire in the ACT and Northern Territory.*

Note: This classification is a special and legally restricted category which contains only sexually explicit material. That is material which contains real depictions of actual sexual intercourse and other sexual activity between consenting adults.

No depiction of violence, sexual violence, sexualised violence or coercion is allowed in the category. It does not allow sexually assaultive language. Nor does it allow consensual depictions which purposefully demean anyone involved in that activity for the enjoyment of viewers.

Fetishes such as body piercing, application of substances such as candle wax, 'golden showers', bondage, spanking or fisting are not permitted.

As the category is restricted to activity between consenting adults, it does not permit any depictions of non-adult persons, including those aged 16 or 17, nor of adult persons who look like they are under 18 years. Nor does it permit persons 18 years of age or over to be portrayed as minors.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

RC – REFUSED CLASSIFICATION

Note: Films that exceed the R 18+ and X 18+ classification categories will be Refused Classification.

Films will be refused classification if they include or contain any of the following:

CRIME OR VIOLENCE

Detailed instruction or promotion in matters of crime or violence.

The promotion or provision of instruction in paedophile activity.

Descriptions or depictions of child sexual abuse or any other exploitative or offensive descriptions or depictions involving a person who is, or appears to be, a child under 18 years.

Gratuitous, exploitative or offensive depictions of:

- (i) violence with a very high degree of impact or which are excessively frequent, prolonged or detailed;
- (ii) cruelty or real violence which are very detailed or which have a high impact;
- (iii) sexual violence.

SEX

Depictions of practices such as bestiality.

Gratuitous, exploitative or offensive depictions of:

- (i) activity accompanied by fetishes or practices which are offensive or abhorrent;
- (ii) incest fantasies or other fantasies which are offensive or abhorrent.

DRUG USE

Detailed instruction in the use of proscribed drugs.

Material promoting or encouraging proscribed drug use.

Note: Some of the terms used in this category are defined in the List of Terms at the end of these Guidelines.

LIST OF TERMS

Note: Words which are used in the Guidelines but which are not contained in this List of Terms take their usual dictionary meaning. Refer to the latest edition of The Macquarie Dictionary.

Coercion:	The use of threat or power to force agreement to sexual activity.
Demean:	A depiction or description, directly or indirectly sexual in nature, which debases or appears to debase the person or the character depicted.
Elements:	Themes, violence, sex, coarse language, drug use and nudity.
Exploitative:	Appearing to purposefully debase or abuse for the enjoyment of others, and lacking moral, artistic or other values.
Fetish:	An object, an action or a non-sexual part of the body which gives sexual gratification.
Intensity:	Strength of the treatment or subject matter; strength of engagement or involvement.
Offensive:	Material which causes outrage or extreme disgust.
Sexual Activity:	Matters pertaining to sexual acts, but not limited to sexual intercourse.
Sexual Violence:	Sexual assault or aggression, in which the victim does not consent.
Sexualised Violence:	Where sex and violence are connected in the story, although sexual violence may not necessarily occur.
Themes:	Social issues such as crime, suicide, drug and alcohol dependency, death, serious illness, family breakdown and racism.
Treatment:	The way in which material is handled or presented.
Violence:	Acts of violence; the threat or effects of violence.

Note

1. All legislative instruments and compilations are registered on the Federal Register of Legislative Instruments kept under the *Legislative Instruments Act 2003*. See www.comlaw.gov.au.

