



**Australian Government**  
**Attorney-General's Department**

16 November 2012

Ref C12#2737DOC

Mr Michael Hawkins  
Executive Director  
National Association of Cinema Operators (NACO)  
PO Box 667  
STONES CORNER QLD 4120

Dear Mr Hawkins

The Classification Liaison Scheme (CLS) is a joint State, Territory and Australian Government initiative aimed at improving compliance with classification laws. By educating industry about their obligations under the National Classification Scheme, the CLS works with business so that accurate and timely classification information is available to consumers.

In addition to checking for compliance, the CLS also deal with complaints (from the public and industry) in regard to compliance issues.

Where breaches of classification laws are detected, the retailer, exhibitor or distributor is provided with information on how to comply with legislative requirements or, if appropriate, the matter may be referred to law enforcement agencies. In addition, strategic projects are undertaken to educate a particular industry sector about classification requirements.

Recently CLS have received complaints about the screening of films granted exemption from classification under the film festival exemption scheme.

The purpose of this letter is to inform you of the common breaches that cinemas screening such films are making and provide advice for you to disseminate to your members to ensure that these breaches are avoided.

When an organisation or individual seeks classification exemption for a film intended to be screened as part of a film festival or community screening, they will make a formal application to the Director of the Classification Board and include information about where and when the film is to be screened.

Once an assessment of the application and film content is made, a successful applicant will be sent a Direction Notice signed by the Director which lists conditions to be met under the exemption.

Each Direction Notice is jurisdictionally specific, in other words, is issued for a particular State or Territory and includes conditions such as:

- the dates the film can be screened;
- the number of times between those dates the film can be screened; and
- any age restriction imposed.

Prior to screening such a film, it is important for your company to sight the Direction Notice to establish what conditions exist and ensure that:

- it has been issued to the specific individual or organisation coordinating the screening;
- it has been issued for the State or Territory in which the screening is being scheduled;
- screenings do not exceed the date period or number stipulated; and
- any age conditions are effectively imposed.

In addition, advertising for films granted an exemption from classification are not to display the 'Check The Classification' or 'CTC' message. This message is to be used for advertising films prior to their classification.

Advertisements for films granted an exemption from classification should reflect any age conditions as stipulated in the Direction Notice. Although some of these conditions may be similar to the actual classification categories, the use of classification markings for such films is in breach of legislation.

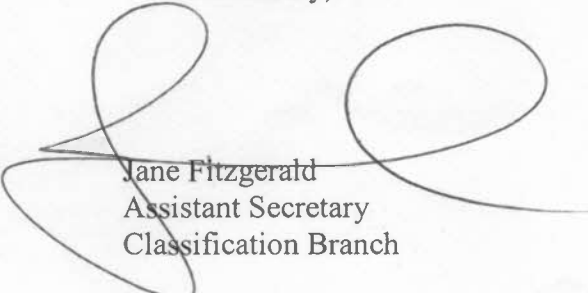
For example, an age condition for a Direction Notice may read: "No person under the age of 15 years shall be admitted to the screenings of the said film(s) unless in the company of a parent or adult guardian". While this may be similar to the restrictions of a film classified MA15+, the actual MA15+ marking cannot be used, however the age condition should be displayed on advertising for the film.

These matters have been drawn to your attention in hope that you will pass this onto your members for them to take the necessary steps to ensure that when screening such films in their cinemas, that they comply with the relevant legal requirements.

If you or your members require further information, please contact the Classification Liaison Scheme Officers in the first instance, on 02 9289 7100 or [cls@classification.gov.au](mailto:cls@classification.gov.au).

If you or your members have questions in regard to a specific Direction Notice, please contact our Exemptions Officer, Amy Wooding, on 02 9289 7147 or [amy.wooding@classification.gov.au](mailto:amy.wooding@classification.gov.au).

Yours sincerely,



Jane Fitzgerald  
Assistant Secretary  
Classification Branch