



**THE FILMS, VIDEOS, AND PUBLICATIONS CLASSIFICATION
(FEES) REGULATIONS 1994, AMENDMENT NO. 1**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 27th day of May 1996

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 149 of the Films, Videos, and Publications Classification Act 1993, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ol style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Fees 4. Urgent examination of publication or film 5. Reduced fees for charitable organisations, etc. | <ol style="list-style-type: none"> 6. Waiver of fees in special circumstances 7. Fee for publications submitted as a group 8. Temporary exemption for private owners of unclassified publications 9. Payment of fees 10. Schedule amended |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Films, Videos, and Publications Classification (Fees) Regulations 1994, Amendment No. 1, and shall be read together with and deemed part of the Films, Videos, and Publications Classification (Fees) Regulations 1994* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of July 1996.

2. Interpretation—Regulation 2 (1) of the principal regulations is hereby amended by revoking the definition of the term “running-time”, and substituting the following definition:

“Trailer” means a short film that is used primarily for advertising any film.”

3. Fees—The principal regulations are hereby amended by revoking regulation 3, and substituting the following regulation:

“3. (1) Subject to these regulations, in respect of the period beginning on the 1st day of July 1996 and ending with the close of the 30th day of June 1997, the fees specified in column A of Part I of the Schedule to these regulations, together with any additional fees provided for in that Part of that Schedule, shall be payable in respect of the matters specified in that Part of that Schedule.

“(2) Subject to these regulations, on and after the 1st day of July 1997, the fees specified in column B of Part I of the Schedule to these regulations, together with any additional fees provided for in that Part of that Schedule, shall be payable in respect of the matters specified in that Part of that Schedule.”

4. Urgent examination of publication or film—Regulation 4 (1) of the principal regulations is hereby amended by omitting, from paragraphs (a) (ii) and (b) (i), the words “regulation 27 (3) or regulation 27 (4)”, and substituting in each case the expression “regulation 27”.

5. Reduced fees for charitable organisations, etc.—Regulation 6 (1) of the principal regulations is hereby amended by omitting the words “regulation 27 (3) or regulation 27 (4)”, and substituting the expression “regulation 27”.

6. Waiver of fees in special circumstances—Regulation 7 of the principal regulations is hereby amended by omitting from subclauses (1) and (3) the words “regulation 27 (3) or regulation 27 (4)”, and substituting in each case the expression “regulation 27”.

7. Fee for publications submitted as a group—The principal regulations are hereby amended by revoking regulation 8, and substituting the following regulation:

“8. (1) Subclause (2) of this regulation applies where—

“(a) Any person submits 2 or more publications to the Classification Office under section 12 or section 15 or section 42 of the Act, those submissions being made at the same time (whether or not those publications are submitted under the same provision); or

“(b) Any person applies under section 47 of the Act for a review of 2 or more publications, those applications being made at the same time.

“(2) Where this subclause applies, the Chief Censor (in any case where paragraph (a) of subclause (1) of this regulation applies) or the Secretary (in

any case where paragraph (b) of that subclause applies) may treat as one publication any 2 or more of the publications submitted or, as the case requires, in respect of which the applications are made, and require the payment of only one fee under these regulations in respect of the publications so treated, in any case where,—

“(a) The publications so treated (not being films) are able to be examined or, as the case requires, reviewed together by reason that they relate to substantially the same subject-matter or are otherwise similar in character; and

“(b) Having regard to the nature of the publications concerned, it would be unreasonable or unfair or unduly burdensome to require the payment of a separate fee in respect of each of those publications.

“(3) Subclause (4) of this regulation applies where any person submits 2 or more film posters to the Classification Office under regulation 27 of the Films, Videos, and Publications Classification Regulations 1994, where—

“(a) Those submissions are made at the same time; and

“(b) Those film posters relate to the same film.

“(4) Where this subclause applies, the Chief Censor may treat as one film poster any 2 or more of the film posters submitted, and require the payment of only one fee under these regulations in respect of the film posters so treated, in any case where,—

“(a) The film posters so treated are able to be examined together by reason that they relate to substantially the same subject-matter or are otherwise similar in character; and

“(b) Having regard to the nature of the film posters concerned, it would be unreasonable or unfair or unduly burdensome to require payment of a separate fee in respect of each of those film posters.”

8. Temporary exemption for private owners of unclassified publications—Regulation 9 of the principal regulations is hereby revoked.

9. Payment of fees—(1) Regulation 12 of the principal regulations is hereby amended by inserting, after subclause (1), the following subclause:

“(1A) Notwithstanding subclause (1) of this regulation, but subject to subclause (6) of this regulation, where any fee payable under these regulations consists of an initial fee plus an additional fee calculated at a specified rate per hour, then the initial fee shall be paid in accordance with subclause (1) of this regulation, and the additional fee shall be paid, on demand, to the Chief Censor when the work to which the hourly fee relates has been completed.”

(2) Regulation 12 (2) of the principal regulations is hereby amended by omitting the words “regulation 27 (3) or regulation 27 (4)”, and substituting the expression “regulation 27”.

10. Schedule amended—The Schedule to the principal regulations is hereby amended by revoking Part 1, and substituting the Part 1 set out in the Schedule to these regulations.

Reg. 10

SCHEDULE

NEW PART I OF SCHEDULE TO PRINCIPAL REGULATIONS

Reg. 3

"PART I

Standard Fees

	Column A <i>Effective 1 July 1996</i>	Column B <i>Effective 1 July 1997</i>
1. Submission of film (other than a video recording, a trailer, or a CD-ROM) under section 12 or section 15 or section 42 of the Act	\$1,100	\$1,100
2. Submission of video recording (other than a trailer or a CD-ROM) under section 12 or section 15 or section 42 of the Act	\$1,000	\$1,000
3. Submission of trailer (other than a CD-ROM) under section 12 or section 15 or section 42 of the Act	\$500	\$500
4. Submission of CD-ROM under section 12 or section 15 or section 42 of the Act, an initial fee of Plus an additional fee calculated at the rate of \$100 for every hour or part of an hour for time in excess of 5 hours spent examining the CD-ROM	\$1,400	\$1,400
5. Submission of book under section 15 or section 42 of the Act	\$400	\$800
6. Submission of publication (other than a film, a CD-ROM, or a book) under section 15 or section 42 of the Act, an initial fee of Plus an additional fee calculated at the rate of \$100 for every hour or part of an hour for time in excess of 5 hours spent examining the publication	\$400	\$800
7. Application for an exemption under section 44 of the Act	\$100	\$100
8. Application under section 47 of the Act for a review of a film, a video recording, or a CD-ROM (other than a trailer)	\$1,500	\$1,500
9. Application under section 47 of the Act for a review of a trailer (other than a CD-ROM)	\$650	\$650
10. Application under section 47 of the Act for a review of a book	\$800	\$1,100
11. Application under section 47 of the Act for a review of a publication (other than a film, a CD-ROM, or a book)	\$800	\$1,100

SCHEDULE—*continued*

NEW PART I OF SCHEDULE TO PRINCIPAL REGULATIONS—*continued*

“PART I—*continued*

Standard Fees—continued

	Column A <i>Effective</i> 1 July 1996	Column B <i>Effective</i> 1 July 1997
12. Submission of a film poster under regulation 27 of the Films, Videos, and Publications Classification Regulations 1994,—		
(a) Where the poster is submitted under regulation 27 (1) or regulation 27 (2) of those regulations,—		
(i) For first or only poster	No charge	No charge
(ii) For each additional poster	\$250	\$250
(b) Where the poster is submitted under regulation 27 (3) or regulation 27 (4) of those regulations	\$250	\$250”

MARIE SHROFF,
 Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 1 July 1996, amend the Films, Videos, and Publications Classification (Fees) Regulations 1994.

The principal amendments are as follows:

- (a) Video recordings are separated from films, and different fees are prescribed for each:
- (b) A separate fee is prescribed for trailers:
- (c) The fee for film posters is extended to include film posters submitted under regulation 27 (1) or regulation 27 (2) of the Films, Videos, and Publications Classification Regulations 1994. No fee is payable in respect of the first poster. All additional posters are to be charged for separately:
- (d) Separate fees are prescribed for CD-ROMs:
- (e) In addition to the set fee for CD-ROMs and publications other than books and films, an hourly rate of \$100 is prescribed where the examination takes longer than five hours:
- (f) There is a general increase in the fees prescribed. Fees prescribed in respect of books, and publications other than films and CD-ROMs, are increased in 2 stages. The second increase takes effect on and from 1 July 1997.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 30 May 1996.

These regulations are administered in the Ministry of Justice.