



OFFICE OF FILM
& LITERATURE
CLASSIFICATION

Te Tari Whakarōpū Tukuata, Tūbitūbinga

CENSORSHIP - THE BASIC FACTS

The Office of Film and Literature Classification (the Classification Office) is a government body which classifies publications that may need to be restricted or banned.

What the Classification Office Classifies

The publications that the Classification Office examines and classifies contain text and/or images dealing with matters such as sex, horror, crime, cruelty or violence.

How the Classification Office decides on a classification

The Classification Office classifies publications submitted by distributors, enforcement agencies and members of the public. The Office examines each publication to see how it deals with matters of sex, horror, crime, cruelty or violence.

The Classification Office can classify publications as unrestricted, restricted or objectionable. The most common classifications made by the Office are R13, R16, R18 and objectionable.

Publications are classified as unrestricted when the Classification Office decides that making the publication available to everyone is not likely to injure the public good. The majority of unrestricted films are assigned ratings by an industry-based labelling body.

If a publication is classified as restricted only the people specified in the classification may see it. In this case, the Classification Office has decided the public good would likely be injured if the publication were to be made available to everyone.

When a publication is classified as objectionable, it means it is banned. It is illegal to own, sell, hire, give or buy an objectionable publication.

The public good

The public good is more than the public, and it is more than the viewers or readers of material. The public good is concerned with maintaining the well-being of society. It is about regulating images and text which are likely to maintain or instill attitudes that are harmful to society, or which may lead to harmful behaviours.

What the Classification Act covers

The Films, Videos, and Publications Classification Act 1993 (the Classification Act) sets out the framework for classifying publications.

To understand what the Classification Act covers, you need to be aware of three important distinctions. These distinctions determine whether or not a particular publication is covered by the Act.



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OFLC		BSA
Publications	Films	TV and Radio
Include films	Must be submitted for labelling	Covered by the Broadcasting Act 1989
Must comply with the Act	Unrestricted films are rated by the FVLB	Regulated by the BSA, not the OFLC
Non-film publications may be voluntarily submitted for classification	Restricted and objectionable films are classified by the OFLC	

1. What is a publication?

The Classification Act covers any item that fits the legal definition of a publication. The legal definition includes a wide range of mediums or ways of representing images and text. At its most fundamental a publication is a tangible thing or copy of a thing such as a video recording or a photo, or an electronic file of some sort, that has images or text recorded on it.

Publications include films, videos, DVDs, posters, sound recordings, books, magazines, art, T-shirts, and packs of playing cards. The Classification Act also covers digital publications such as computer games, pxt, txt and video files, and material from the Internet including email, image or text files.

2. What is a film?

Films are a subset of the wider category of publications. Films are publications with moving visual images. Aside from cinema films, this term also covers videos, DVDs and computer games. While all publications have to comply with the law, films in particular must be labeled before they are offered for sale or hire or for exhibition.

3. What about TV and radio broadcasting?

The Classification Act does not cover radio or television broadcasting. These mediums are covered by the Broadcasting Act 1993. If you have questions or concerns about TV or radio you should contact either the TV or radio station concerned or the Broadcasting Standards Authority. Contact details are provided on the contact page in this brochure.

How does the Classification Act affect books, magazines and sound recordings?

Books, magazines and sound recordings are covered by the Classification Act because they fit within the definition of a 'publication'.

While they do not normally need to be classified, the government expects anyone offering these to the public to make sure they are legal first. If a distributor is unsure then they can voluntarily submit their publication to the Classification Office.

Most books, magazines and sound recordings are classified because someone has complained about them. When the Classification Office does classify a book, magazine or sounds recording, it often requires the publication to carry a label advising consumers of its classification.

Consumer labels with advice such as “content may offend” or “parental advisory:explicit lyrics” are usually assigned by the distributor, retailer or publisher, not by the Classification Office. They fall outside the official labelling system and provide advice only. They carry no legal authority.

How does the Classification Act affect computer games?

Computer games also fit within the definition of ‘films’ under the Classification Act. However, unrestricted-level computer games are exempt from the requirement to carry a New Zealand label. This means only computer games that are likely to be restricted are required to be classified and labelled before they are made available to the public.

The Labelling System

The Classification Act requires films to carry official labels that state their official rating or classification. The labels are colour-coded so it is easy to tell if a film is unrestricted or restricted. Green and yellow labels are used for unrestricted ratings. Red labels are used for restricted classifications.

Unrestricted film labels

The Film and Video Labelling Body rates most unrestricted films. The Labelling Body assigns ratings of G, PG and M to any film that has received the equivalent rating from the British or Australian classification authorities. If a film has not been rated by either country, the Labelling Body will select an appropriate rating.

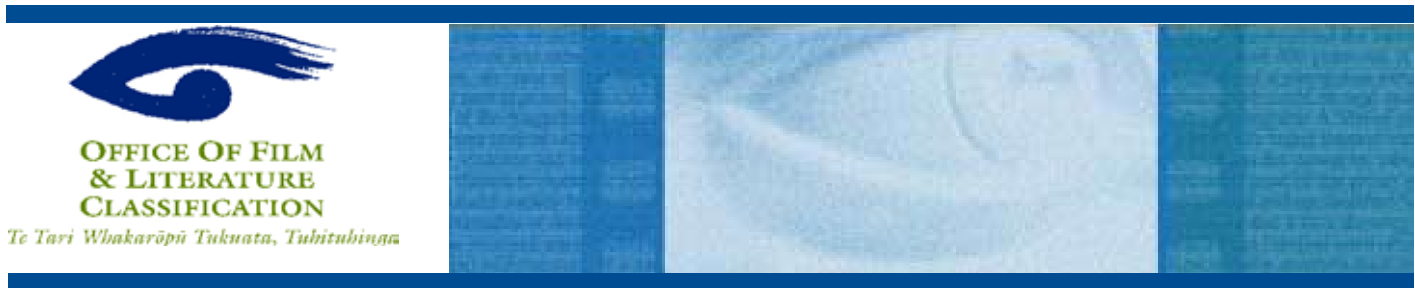
Anyone can watch a film which has an unrestricted rating. The colour-coded labels can help you decide which one you want to watch. There are lots of sites on the Internet where you can find out more about films you wish to see.

Restricted film labels

A red label on a film means it is restricted. The exact restriction will be stated beside the symbol on the label. A restriction like R16 or R18 means that it is illegal for anyone to show the publication to someone under the specified age.

If the red symbol just says ‘R’, it means there is a special restriction on that film or video. You will need to read the full classification on the right hand side of the label to find out exactly what the restriction is.

Restrictions apply everywhere; at work, at school, at the theatre, in video stores, in your own home or in someone



else's. Adults cannot give a child special permission to watch a restricted film, if the child is under the age specified in the classification. If they do so, they are breaking the law and can be fined.

Cinemas are also breaking the law if they let someone who is underage in to see a restricted film. Theatres can be fined for this.

Descriptive notes

Descriptive notes are sometimes included on labels. They enable the consumer to make an informed choice about whether or not they want to view a film. They do not list all of the content or issues in a film, nor are they intended to provide a synopsis of it. Descriptive notes say things like “contains violence” or “contains violence and offensive language”.

Display conditions

The Classification Office can place conditions on the display of restricted material, such as requiring a magazine to be displayed in a sealed wrapper.

Who enforces the classification system?

You Do. There are three organisations that enforce the Classification Act:

The Department of Internal Affairs: Inspectors in the Department enforce compliance with the Classification Act. They monitor video stores and other places where publications are available. The Inspectors can prosecute people who break the law.

The Department of Internal Affairs also monitors sites on the Internet for illegal material. You can contact the Department if you are concerned about information you have found on the Internet.

The Police: Police Officers can also act as Inspectors of Publications. However, the Inspectors from the Department of Internal Affairs are the main enforcement agents for the Classification Act.

New Zealand Customs Service: The Customs Service can seize material coming into New Zealand that they think is likely to be objectionable. Customs officers are based at major seaports and airports around the country. The Customs Service can prosecute people who try to bring illegal material into New Zealand.

The Classification Office: The Office is not directly involved in the enforcement of the classification system. It performs a statutory function as an impartial provider of classification services. It can, however, forward your complaint to the appropriate authority if it cannot deal with it directly.



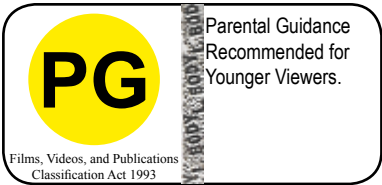


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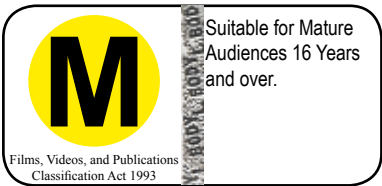
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Just like a traffic light, a green G label means “go”. Anyone can see a film with a G label.



Yellow means choose with “caution”. A yellow PG label means parental guidance may be needed for younger viewers. Younger viewers are considered to be anyone under the age of 16.



A yellow M label means that it's more suitable for mature viewers over the age of 16 and the content may be too strong for younger viewers.



A red label on a film means that it's restricted. The exact restriction will be stated beside the symbol on the label. A restriction like R16 or R18 means that it is illegal for anyone to show the publication to someone under the specified age.



If the red symbol just says 'R', it means there is a special restriction on that film or video. You will need to read the full classification on the right hand side of the label to find out exactly what the restriction is.



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Contact details

If you need more information about the labelling or classification systems, contact:

The Information Unit

Office of Film and Literature Classification

PO Box 1999

Wellington

Phone: +64 04 471 6770

Fax: +64 04 471 6781

E-mail: information@censorship.govt.nz

www.censorship.govt.nz

Censorship Compliance Unit

Department of Internal Affairs

E-mail: censorship@dia.govt.nz

www.censorship.dia.govt.nz

Auckland: PO Box 21105, Henderson, Auckland

Phone: +64 09 836 8604

Wellington: PO Box 805, Wellington

Phone: +64 04 495 9386 or +64 04 495 9371

Christchurch: PO Box 1308, Christchurch

Phone: +64 03 353 8310

For information about television and radio, contact:

The Broadcasting Standards Authority

PO Box 9213

Wellington

Phone: +64 04 382 9508

Infoline: 0800 366 996

Email: info@bsa.govt.nz

www.bsa.org.nz

If you would like information on advertising you can contact:

The Advertising Standards Authority

PO Box 10-675

Wellington

Phone: +64 04 472 7852

Email: asa@asa.co.nz

www.asa.co.nz