



OFFICE OF FILM  
& LITERATURE  
CLASSIFICATION

*Te Tari Whakarōpū Tukuata, Tubituhinga*

### Information Sheet 3

# Fees for Getting a Publication Classified

## Introduction

Films, videos, DVDs, games, and their supporting advertising material intended for public distribution, supply, or exhibition must be submitted to the Film and Video Labelling Body for labelling. The Film and Video Labelling Body decides what it can assign a rating to and what to send on to the Classification Office to classify. The Film and Video Labelling Body also acts as the agent of the Classification Office in respect of the collection of fees, and applications for urgency or reduced fees, for films, videos, DVDs and games.

**A note about games:** Unrestricted games are exempt from the legal requirement on all other types of film to carry a New Zealand classification label. Any person who supplies an electronic game to the public is responsible for ensuring that it does meet the exemption requirements. The Department of Internal Affairs is entitled to seize and submit to the Classification Office any electronic game not carrying a New Zealand label that it believes should be restricted or banned.

Any member of the public may ask the Chief Censor for leave to submit any publication to the Classification Office for classification. The Chief Censor decides whether or not to give leave for the publication to be submitted directly to the Classification Office. (See *Information Sheet 2*)

All applicants pay a fee with the exception of the Comptroller of Customs, the Secretary for Internal Affairs, the Police, and the Courts.

The fees have been determined by:

- The Films, Videos, and Publications Classification (Fees) Regulations 1994 and
- The Films, Videos, and Publications Classification (Fees) Regulations 1994, Amendment No. 1.

All fees are inclusive of GST.

The Fee Regulations set out:

- a schedule of standard fees
- an additional fee for getting a decision urgently.

Options are provided for reduced fees in the following circumstances. Fees may be reduced:

- for members of the public and organisations with special interests in a publication
- for charitable organisations or individuals
- where the Chief Censor considers it would be unreasonable or unduly burdensome or unfair to pay the whole fee
- when two or more publications are submitted as a group.

## Standard fees

These fees apply when submitting a publication under sections 12 or 13(1)(c) of the Films, Videos, and Publications Classifications Act 1993, or for reconsideration under section 42.

Films	\$1,100
Trailer advertising a film	\$500
Video recording	\$1,000
DVD	\$1,100
CD-ROM with moving images	\$1,400 for the first 5 hours plus \$100 per extra hour or part thereof
Game (any platform)	\$1,400 for the first 5 hours plus \$100 per extra hour or part thereof
Film posters	No fee for the first poster accompanying a film submitted to the FVLB, otherwise \$250 per poster
Books (including magazines and periodicals)	\$800
Submission of publications other than a film, CD-ROM or book	\$800 plus \$100 per hour or part thereof

## Fees for urgency

It is possible to apply in writing to the Chief Censor to grant leave for urgent examination of a publication. The urgency fee is an additional 50% of the fee that otherwise applies. If the Chief Censor agrees to the request for urgency, then the classification of the publication must be completed within three working days of the classification process commencing.

If the Classification Office fails to meet this deadline, it will refund the additional fee.

The Chief Censor may waive all or part of the urgency fee if he is satisfied that the additional fee would be unreasonable, unfair or unduly burdensome for the applicant. Reasons for seeking a waiver of part of the urgency fee must be explained in writing on application.

If the Chief Censor decides to call for submissions from interested parties, the Classification Office will be unable to meet the required three-day turnaround for urgency.

## Reduced fees

*Special fees payable by members of the public and organisations with a special interest (regulation 5)*

A reduced fee of \$25 is payable by an applicant who has no commercial, occupational, professional or other interest in a publication, other than:

- an interest no greater than the public generally; or
- an interest as the owner of the publication; or
- an interest as an organisation or member of an organisation that has a special concern in the censorship of publications.

Applicants who consider that they are eligible for a reduced fee must explain why at the time of application.

Applicants requesting the special fee can also request grouping of publications for the purposes of fees (see: *Submitting a group of publications for only one fee*).

*Reduced fees for charitable organisations, etc (regulation 6)*

This Regulation specifies reduced fees for societies, organisations or individuals that conduct activities of a charitable, philanthropic, religious, educational, recreational, cultural or social nature. The regulation applies only where the Chief Censor is satisfied that the primary object of the society, organisation or individual is not private gain and that no individual profits from the publication's availability. An example of such an organisation is a film society. The regulations state that this reduction in fees can apply to organisations which



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satisfy these criteria, even if an admission fee is being charged. The reduced fee is 25% of the standard fee that would be charged for the classification of the publication.

It is possible for applicants who fit these criteria to also apply for urgency or 'grouping' of publications (see: *Submitting a group of publications for only one fee*). Applicants may also apply for a waiver of part of the reduced fee. The Chief Censor may waive up to 75% of the reduced fee.

*Waiver of fees in special circumstances (regulation 7)*  
In a situation where the charging of the whole of the fee for classification would be unreasonable, unfair or unduly burdensome, the Chief Censor may waive a portion of that fee. The waiver of the fee can be up to 75%.

When deciding whether or not to grant a fee waiver, the Chief Censor must consider:

- the age of the publication (whether the copy submitted is an original or subsequent edition)
- the value or importance that the publication has in relation to literary, artistic, social, cultural, educational, scientific, historic, or other matters
- the extent to which the publication is available in New Zealand
- the purpose for which the publication is intended to be used
- the commercial gains (if any) likely to be derived from the use of the publication
- any other special circumstance relating to the publication, its intended use or the reason it was submitted to the Classification Office.

It is important that applicants state the reasons for seeking a waiver of fees.

*Fee for publications submitted as a group (regulation 8)*  
When two or more publications are submitted at the same time, the Chief Censor may treat the publications as a group. Where the Chief Censor agrees to group publications, the applicant will be required to pay one fee only. If publications are grouped for the purposes of fees, they are still examined and classified individually. Applicants should clearly state their reasons in writing for wanting publications to be treated as a group. Grouping may be considered when the nature of the publications means that it would be

unreasonable or unfair or unduly burdensome to require the payment of separate fees in respect of each publication, for example, a box set of DVDs, or books from the same series which are to be marketed as a unit, or a group of short films to be shown together at a film festival. Grouping may also be granted for the examination of film posters where they are submitted at the same time, relate to the same film, are able to be examined together, and, where it would be unreasonable or unfair or unduly burdensome to require payment of separate fees.

An application for the grouping of films, videos, DVDs, or games should accompany the submission to the Film and Video Labelling Body.

### Fees for applications for an exemption from a classification

Where a publication has been classified as restricted or objectionable, it is possible to apply for an exemption from the classification under section 44 of the Act. An example of this is when a school applies for an exemption in order to allow 15 year olds to watch an R16 film as part of a unit of study. The decision whether to grant an exemption is made by the Chief Censor.

An application for an exemption under this section must be accompanied by a \$100 fee. This will be refunded if the application is refused.

### Refunds

The Classification Office refunds fees in part or in full where:

- the applicant withdraws the application before examination of the publication has begun
- the Chief Censor refuses to grant leave for the publication to be submitted to the Office
- a fee waiver has been granted, and the applicant has paid the standard fee on application
- an urgency fee has been paid and the Chief Censor does not give leave for the publication to be treated with urgency
- an urgency fee has been paid but the Office has failed to meet the 3 working day deadline
- the Classification Office has been unable to obtain a copy of a publication submitted to it for classification and the application lapses under section 17
- an application for exemption was not granted.

### Fees for applications to the Film and Literature Board of Review

It is possible to seek a review of a classification decision by applying to have the publication reviewed by the Film and Literature Board of Review. Applications must be made within 20 working days of publication of the Classification Office decision. Information on the review process can be obtained from the Secretary of the Board of Review at the Department of Internal Affairs, PO Box 805, Wellington 6140, (04) 495 7200 or freephone 0800 257 887.

#### *Standard fees for Film and Literature Board of Review applications*

The standard fees for making an application to the Board of Review under section 47 of the Act are:

Film, video or CD-ROM	\$1,500
Trailer	\$650
Publication (other than a film, CD-ROM or book)	\$500
Book	\$1,100

#### *Reduced fees for Film and Literature Board of Review applications*

The fee for members of the public and organisations with a special interest is \$200.

It is possible to apply for other reduced fees under the Fees Regulations. Contact the Secretary of the Board of Review for further information, PO Box 805, Wellington 6140, (04) 495 9379 or freephone 0800 257 887.

### Contact information

For more information about the fees for classifying publications or how to make an application, contact the Information Unit at:

Office of Film and Literature Classification  
PO Box 1999  
WELLINGTON 6140  
Freephone: 0508 CENSOR (236 767)  
Phone: +64 4 471 6770  
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Email: [information@copyright.govt.nz](mailto:information@copyright.govt.nz)  
Website: [www.copyright.govt.nz](http://www.copyright.govt.nz)