

Reprint
as at 1 August 2021



Films, Videos, and Publications Classification Regulations 1994 (SR 1994/189)

Catherine A Tizard, Governor-General

Order in Council

At Wellington this 29th day of August 1994

Present:

The Hon Doug Kidd presiding in Council

Pursuant to sections 149 and 176 of the Films, Videos, and Publications Classification Act 1993, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Department of Internal Affairs.

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Regulations

1 Title and commencement

- (1) These regulations may be cited as the Films, Videos, and Publications Classification Regulations 1994.
- (2) These regulations shall come into force on 1 October 1994.

Part 1

Preliminary provisions

2 Interpretation

- (1) In these regulations, unless the context otherwise requires,—
the Act means the Films, Videos, and Publications Classification Act 1993
ancillary content means video on-demand content that—
 - (a) provides information about or supports a main feature that is commercial video on-demand content (for example, content previews, cast interviews, and deleted scenes); and
 - (b) is accessed from the title page for that main feature**cassette**, in relation to a video recording, means any case in which the video recording is kept and from which the video recording need not be removed in order for the video recording to be viewed
classification symbol,—
 - (a) in relation to commercial video on-demand content, means a symbol specified in regulation 18AAE; and
 - (b) in all other cases, means a symbol appearing on a label to indicate the classification of a film that is a restricted publication**display case**, in relation to a film, means any case or other container (other than a case or container that is not intended to be displayed to the public)—
 - (a) in which the film is kept, or that is displayed, in any premises in which films are supplied or offered for supply, to indicate that the film is available for supply; and
 - (b) that shows the title of that film; and
 - (c) that must be removed before the film can be viewed**film slick**, in relation to a film, means any leaflet or notice (whether with or without illustrations or photographs) that contains information about the film

and is intended to be affixed to, or inserted inside any sleeve of, any display case

issue a label,—

- (a) in the case of a label issued by the labelling body,—
 - (i) if the label is for a film that is not commercial video on-demand content, means to issue a physical label for display on the film; or
 - (ii) if the label is for commercial video on-demand content, means to notify the provider of the commercial video on-demand content of the rating or classification, and the description (if any), that is assigned to that content; and
- (b) in the case of a label issued by a specified CVoD provider, means to apply to commercial video on-demand content the rating or classification, and the description (if any), that is assigned to it

main feature,—

- (a) in the case of commercial video on-demand content, means the substantive commercial video on-demand content that is made available for a fee or other consideration; and
- (b) in relation to any other film,—
 - (i) means the item on that film whose title is the title under which the film is solely or mainly marketed; but
 - (ii) if there is a series of items on that film with the same running time (or very similar running times) and the same general title, and that title is the title under which the film is solely or mainly marketed, means the first of those items

occupier in relation to any premises,—

- (a) means the person occupying those premises; and
- (b) includes—
 - (i) any agent, manager, or other person, acting in the general management or control of those premises; and
 - (ii) where the premises are occupied by a body of persons, whether corporate or unincorporate, the working manager

overseas classification authority means an authority declared by regulation 4 to be an overseas classification authority

public display, in relation to a film poster, means the display of the poster in a public place in circumstances that may reasonably be taken to indicate that the film to which the poster relates is available for public supply or public exhibition

rating symbol means a symbol that indicates the rating of a film (*see* regulation 11D)

running time,—

- (a) in relation to commercial video on-demand content and any film intended to be made available for public supply, means the time required for the viewing of that commercial video on-demand content or that film:
- (b) in relation to a film intended to be made available for public exhibition, means the time required for the exhibition of the film

title page, in relation to particular commercial video on-demand content, means a screen page on a specified CVoD provider's platform on which a person chooses to view, purchase, or hire that content

trailer means any material that is—

- (a) included on a film; but
 - (b) not part of the main feature on that film.
- (2) In these regulations, unless the context otherwise requires, a reference to a numbered form is a reference to the form so numbered in Schedule 2.
- (3) Where any expression used in these regulations is not defined in these regulations but is defined in the Act, that expression shall, unless the context otherwise requires, have, in these regulations, the meaning given to it in the Act.

Regulation 2(1) **ancillary content**: inserted, on 1 August 2021, by regulation 4(5) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 2(1) **classification symbol**: replaced, on 1 August 2021, by regulation 4(1) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 2(1) **issue a label**: inserted, on 1 August 2021, by regulation 4(5) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 2(1) **main feature**: replaced, on 1 August 2021, by regulation 4(2) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 2(1) **rating symbol**: replaced, on 1 August 2021, by regulation 4(3) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 2(1) **running time** paragraph (a): replaced, on 1 August 2021, by regulation 4(4) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 2(1) **title page**: inserted, on 1 August 2021, by regulation 4(5) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 2(1) **trailer**: substituted, on 7 April 2005, by regulation 3 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

3 Meaning of consistent in character with main feature

[Revoked]

Regulation 3: revoked, on 7 April 2005, by regulation 5(2) of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

4 Overseas classification authorities

- (1) For the purposes of these regulations, the following authorities are hereby declared to be overseas classification authorities:
 - (a) the Australian Classification Board;
 - (b) the British Board of Film Classification.
- (2) Where, pursuant to regulation 9 or regulation 12, the labelling body is required to refer to classifications issued by overseas classification authorities, the labelling body—
 - (a) shall refer first to classifications issued by the overseas classification authority specified in paragraph (a) of subclause (1); and
 - (b) shall not refer to classifications issued by the overseas classification authority specified in paragraph (b) of subclause (1) unless no relevant classification has been issued by the overseas classification authority specified in paragraph (a) of that subclause.

Regulation 4(1)(a): replaced, on 1 August 2021, by regulation 5 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Part 2 Labelling

Part 2 heading: substituted, on 22 May 2005, by regulation 4 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

Labelling of films

5 Application of this Part

Nothing in this Part (other than regulations 17 to 20) applies to any film—

- (a) to which section 161 or section 168 of the Act applies; or
- (b) in respect of which a label has been issued under the Video Recordings Act 1987.

6 Application for issue of label

Every application under section 9(1) of the Act shall be accompanied by a statement specifying the running time of—

- (a) the main feature on the film to which the application relates; and
- (b) every trailer included on that film.

7 Examination of film by labelling body

- (1) On receiving an application under section 9(1) of the Act, the labelling body shall assess whether the main feature on the film in respect of which the application is made is identical in content with the main feature on—

- (a) any film that has been classified under the Act as a restricted publication; or
 - (b) any film to which a rating has been assigned under the Act.
- (2) In making an assessment under subclause (1), the labelling body shall take into account the following matters:
- (a) the titles of the films:
 - (b) the names of the makers of the films:
 - (c) the countries of origin of the films:
 - (d) the running times of the films:
 - (e) the nature and extent of any excisions made to the other film:
 - (f) such other matters as the labelling body, in consultation with the Chief Censor, considers necessary to consider in order to make the assessment required.

8 Films with main feature identical in content with main feature on film with rating or classification

- (1) If, after making an assessment under regulation 7, the labelling body is satisfied that the main feature on the film is identical in content with the main feature on a film that has been classified under the Act as a restricted publication, the labelling body shall not assign a rating to that film, but shall submit it to the Classification Office in accordance with section 12(1) of the Act.
- (2) If, after making an assessment under regulation 7, the labelling body is satisfied that the main feature on the film is identical in content with the main feature on a film to which a rating has been assigned under the Act, the labelling body shall, subject to regulation 11, assign a rating to the film in accordance with regulation 12.
- (3) Notwithstanding anything in subclause (1) or subclause (2), where, after making an assessment under regulation 7, the labelling body is satisfied that the film in respect of which the application under section 9(1) of the Act is made is identical in content with a film in respect of which a label has already been issued under the Act, the labelling body shall either—
- (a) treat the application as an application under regulation 18 for the issue of a copy of that label, and deal with the application accordingly; or
 - (b) reject the application on the grounds that section 9(2)(a) of the Act does not permit the making of the application.
- (4) Subclause (3) does not apply if—
- (a) the film in respect of which the application under section 9(1) of the Act is made is commercial video on-demand content; or
 - (b) the label that has already been issued was issued in respect of commercial video on-demand content.

Regulation 8(4): inserted, on 1 August 2021, by regulation 6 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

9 Films with main feature not identical in content with main feature on film with rating or classification

- (1) If, after making an assessment under regulation 7, the labelling body is satisfied that the main feature on the film is not identical in content with the main feature on a film to which paragraph (a) or paragraph (b) of subclause (1) of that regulation applies, the labelling body shall assess whether the main feature on the film is identical in content with any film that has been considered by an overseas classification authority for the purpose of determining whether the film should be approved for supply or exhibition.
- (2) In making an assessment under subclause (1), the labelling body shall take into account the matters specified in regulation 7(2).
- (3) If, after making an assessment under subclause (1), the labelling body is satisfied that the main feature on the film is identical in content with—
 - (a) a film that has been classified by an overseas classification authority as approved for supply or exhibition only to persons of or over a specified age (the specified age being an age that is 15 years or more); or
 - (b) a film that an overseas classification authority has refused to approve for supply or exhibition,—the labelling body shall not assign a rating to that film, but shall submit it to the Classification Office in accordance with section 12(1) of the Act.
- (4) If, after making an assessment under subclause (1), the labelling body is satisfied that the main feature on the film is identical in content with a film that has been classified by an overseas classification authority as approved for supply or exhibition (other than a film to which paragraph (a) of subclause (3) applies), the labelling body shall, subject to regulation 11, assign a rating to the film in accordance with regulation 12.

10 Films not identical in content with films classified by overseas classification authority

- (1) If, after making assessments under regulations 7 and 9, the labelling body is satisfied—
 - (a) that the main feature on the film is not identical in content with the main feature on a film to which paragraph (a) or paragraph (b) of regulation 7(1) applies; and
 - (b) that the main feature on the film is not identical in content with any film considered by an overseas classification authority for the purpose of determining whether the film should be approved for supply or exhibition,—

- the labelling body shall view that film to determine the rating to be assigned to it.
- (2) In determining the rating to be assigned to any film viewed under subclause (1), the labelling body shall consider the following matters:
- (a) the dominant effect of the film as a whole:
 - (b) the persons, classes of persons, or age groups of the persons, to whom the film is intended or is likely to be made available:
 - (c) the extent and degree to which, and the manner in which, the film describes, depicts, expresses, or otherwise deals with matters such as anti-social behaviour, cruelty, violence, crime, horror, sex, or offensive language or behaviour:
 - (d) the extent and degree to which, and the manner in which, the film—
 - (i) degrades or dehumanises or demeans any person:
 - (ii) represents (whether directly or by implication) that members of any particular class of the public are inherently inferior to other members of the public by reason of any characteristic of members of that class, being a characteristic that is a prohibited ground of discrimination specified in section 21(1) of the Human Rights Act 1993.
- (3) For the purpose of determining the rating to be assigned to a film viewed under subclause (1), the labelling body may seek the advice of the Classification Office in relation to any of the matters specified in subclause (2).
- (4) After viewing a film in accordance with subclause (1), and having taken into account the matters referred to in subclause (2), the labelling body shall, subject to section 12(2) of the Act, to subclause (5) of this regulation, and to regulation 11, assign a rating to that film in accordance with regulation 12.
- (5) Notwithstanding anything in subclause (4), where,—
- (a) after viewing a film in accordance with subclause (1); and
 - (b) having taken into account the matters referred to in subclause (2),—
- the labelling body is satisfied that if that film were submitted to the Classification Office, it would be likely to be classified by the Classification Office as an objectionable publication or as a restricted publication, the labelling body shall not assign a rating to that film, but shall submit it to the Classification Office in accordance with section 12(1) of the Act.

11 Labelling body must submit film to Classification Office if film's trailer is inconsistent with its main feature

- (1) The labelling body must not assign a rating to a film, but must submit the film to the Classification Office in accordance with section 12(1) of the Act, if, after assessing under subclause (2) the 1 or more trailers (if any) included on the

film, the labelling body is satisfied any of them is inconsistent with the main feature on that film.

- (2) On receiving an application under section 9(1) of the Act, the labelling body, as well as assessing, in accordance with these regulations, the main feature on the film in respect of which the application is made, must assess the 1 or more trailers (if any) included on that film to determine whether any of those trailers is inconsistent with that main feature.
- (3) A trailer included on a film is inconsistent with the main feature on that film for the purposes of this regulation if taking the steps in regulation 11A would result in the main feature and trailer having the ratings or classifications in one of the rows of the table set out in regulation 11B.
- (4) This regulation overrides regulations 8 to 10.
- (5) This regulation does not apply to a film that is commercial video on-demand content.

Regulation 11: substituted, on 7 April 2005, by regulation 5(1) of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

Regulation 11(5): inserted, on 1 August 2021, by regulation 7 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

11A Steps referred to in regulation 11(3)

- (1) One step referred to in regulation 11(3) is for the labelling body to identify the rating it proposes to assign to the main feature or, if the film is one to which regulation 15(2)(b) applies, the classification given by the Classification Office or the Board of Review to the main feature on the film.
- (2) The other step referred to in regulation 11(3) is for the labelling body—
 - (a) to assess the trailer—
 - (i) under regulation 10 as a film in its own right; and
 - (ii) having regard to the matters specified in regulation 10(2)); and
 - (b) as a result of that assessment, to either—
 - (i) assign the trailer a rating; or
 - (ii) be satisfied, in accordance with regulation 10(5), of the classification the trailer would be likely to have if it were classified by the Classification Office.

Regulation 11A: inserted, on 7 April 2005, by regulation 5(1) of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

11B When film's trailer is inconsistent with its main feature

The table referred to in regulation 11(3) is as follows:

row	main feature	trailer
1	G	PG or M or R
2	PG	M or R

row	main feature	trailer
3	M	R
4	R	R

Regulation 11B: inserted, on 7 April 2005, by regulation 5(1) of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

11C Symbols used in table in regulation 11B

- (1) The rating symbols in regulation 11B represent (as provided by regulation 11D) the ratings specified in regulation 12(1) or 15A(2), and those symbols apply regardless of the description (if any) that has been, or would be, assigned under regulation 14 or under section 36(3)(b) or 46F(3) of the Act.
- (2) The symbol “R” in regulation 11B represents—
 - (a) every kind of classification as a restricted publication (regardless of the restriction that has been or would be imposed by the Classification Office or the Board of Review); and
 - (b) any rating under regulation 15A(2)(d) to (f) (which are ratings that indicate that commercial video on-demand content is unsuitable for audiences under a specified age).
- (2A) The symbol “R” in regulation 11B applies regardless of—
 - (a) the description (if any) that has been or would be assigned under regulation 15(2)(b)(i) and (4) or under section 36(3)(b) or 46F(3) of the Act; and
 - (b) the conditions (if any) that have been or would be imposed under section 27 of the Act.

Regulation 11C: inserted, on 7 April 2005, by regulation 5(1) of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

Regulation 11C(1): amended, on 1 August 2021, by regulation 8(1) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 11C(1): amended, on 1 August 2021, by regulation 8(2) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 11C(1): amended, on 1 August 2021, by regulation 8(3) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 11C(2): replaced, on 1 August 2021, by regulation 8(4) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 11C(2A): inserted, on 1 August 2021, by regulation 8(4) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Rating symbols

Heading: inserted, on 1 August 2021, by regulation 9 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

11D Rating symbols

The following symbols must be used on labels issued in respect of films that are assigned the ratings specified in regulations 12(1) and 15A(2):

- (a) in the case of the rating “suitable for general audiences”, the symbol “G” in black inside a green circle:
- (b) in the case of the rating “parental guidance recommended for younger viewers”, the symbol “PG” in black inside a yellow circle:
- (c) in the case of the rating “suitable for mature audiences”, or the rating “suitable for mature audiences 16 years of age and over”, the symbol “M” in black inside a yellow circle:
- (d) in the case of the rating “unsuitable for audiences under 13 years of age”, the symbol “13” in black inside a red square:
- (e) in the case of the rating “unsuitable for audiences under 16 years of age”, the symbol “16” in black inside a red square:
- (f) in the case of the rating “unsuitable for audiences under 18 years of age”, the symbol “18” in black inside a red square.

Regulation 11D: inserted, on 1 August 2021, by regulation 9 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Assigning of ratings and descriptions by labelling body

Heading: amended, on 1 August 2021, by regulation 10 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

12 Assigning of ratings

- (1) Where, pursuant to regulation 8(2) or regulation 9(4) or regulation 10(4), the labelling body is required to assign a rating to a film, the labelling body shall, subject to subclauses (2) to (5), assign to that film one of the following ratings:
 - (a) suitable for general audiences:
 - (b) parental guidance recommended for younger viewers:
 - (c) either:
 - (i) suitable for mature audiences (in the case of commercial video on-demand content); or
 - (ii) suitable for mature audiences 16 years of age and over (in all other cases).
- (2) If the labelling body is required by these regulations to assign a rating to a film, and the labelling body is satisfied that the main feature on that film is identical in content to the main feature on a film to which a rating set out in subclause

- (1)(a) or (b) or regulation 15A(2)(a) or (b) has been assigned, the labelling body must assign to that film that same rating.
- (2A) If the labelling body is required by these regulations to assign a rating to a film, and the labelling body is satisfied that the main feature on that film is identical in content to the main feature on a film to which a rating set out in subclause (1)(c) or regulation 15A(2)(c) has been assigned, the labelling body must assign to that film—
- (a) the rating in subclause (1)(c)(i) (in the case of commercial video on-demand content); or
 - (b) the rating in subclause (1)(c)(ii) (in any other case).
- (2B) If the labelling body is required by these regulations to assign a rating to a film, and the labelling body is satisfied that the main feature on that film is identical in content to the main feature on a film to which a rating set out in regulation 15A(2)(d), (e), or (f) has been assigned, the labelling body must treat the film as if no rating has previously been assigned and subclauses (1) and (3) to (5), and regulations 9 to 11, apply accordingly.
- (2C) If the labelling body issues a label in respect of a film to which subclause (2B) applies, any label previously issued in respect of that film by the labelling body or a specified CVoD provider, and any previous direction by the Classification Office to the labelling body or a specified CVoD provider to issue a label in respect of that film, is deemed to be cancelled.
- (3) Subject to section 12 of the Act, where the labelling body is required by these regulations to assign a rating to a film, and the labelling body is satisfied that the main feature on that film is identical in content with any film that has been classified by an overseas classification authority as approved for supply or exhibition to persons of all ages, the labelling body shall assign to that film the rating specified in subclause (1)(a).
- (4) Subject to section 12 of the Act, where the labelling body is required by these regulations to assign a rating to a film, and the labelling body is satisfied that the main feature on that film is identical in content with any film that has been classified by an overseas classification authority as suitable for supply or exhibition only to persons of or over a specified age (the specified age being an age that is not more than 13 years), the labelling body shall assign to that film the rating specified in subclause (1)(b).
- (5) Subject to section 12 of the Act, where the labelling body is required by these regulations to assign a rating to a film, and the labelling body is satisfied that the main feature on that film is identical in content with any film that has been classified by an overseas classification authority as suitable for supply or exhibition to persons of or over a specified age (the specified age being 14 years of age or 15 years of age), the labelling body shall assign to that film the rating specified in subclause (1)(c).

Regulation 12(1)(c): replaced, on 1 August 2021, by regulation 11(1) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 12(2): replaced, on 1 August 2021, by regulation 11(2) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 12(2A): inserted, on 1 August 2021, by regulation 11(2) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 12(2B): inserted, on 1 August 2021, by regulation 11(2) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 12(2C): inserted, on 1 August 2021, by regulation 11(2) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

13 Rating symbols

[Revoked]

Regulation 13: revoked, on 1 August 2021, by regulation 12 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

14 Assigning of descriptions

- (1) Where, in accordance with regulation 12, the labelling body has assigned a rating to a film, the labelling body shall determine whether to assign a description to that film to indicate whether it contains anti-social behaviour, cruelty, violence, crime, horror, sex, or offensive language or behaviour.
- (2) Where, in the case of a film to which regulation 8(2) applies, a description has been assigned to the film whose rating is required by regulation 12(2) to be assigned to the first-mentioned film, the labelling body shall assign to the first-mentioned film that description.
- (3) In determining whether to assign a description to any film to which regulation 9(4) applies, the labelling body shall take into account any information made available by the overseas classification authority in relation to the film with which the labelling body is satisfied the main feature on the film is identical in content.

15 Films already classified by Classification Office

- (1) This regulation applies to any film the main feature on which has been classified under the Act as unrestricted or as a restricted publication, but in respect of which no direction has been made under section 36 of the Act requiring the labelling body to issue a label.
- (2) Where an application is made under section 9(1) of the Act in respect of a film to which this regulation applies,—
 - (a) where the main feature on the film is classified under the Act as unrestricted, this Part (other than regulation 10(5)) shall apply as if the main feature had not been so classified, and, subject to subclause (3), the labelling body shall examine and assess the film, and any trailer included on the film, accordingly:

- (b) where the main feature on the film is classified under the Act as a restricted publication, the labelling body shall, subject to subclause (5),—
 - (i) in accordance with regulation 14, determine whether to assign a description to that film; and
 - (ii) in accordance with regulation 17(1)(b)(i), issue in respect of that film a label containing the classification of the film and any description assigned to the film.
- (3) Where, in the case of a film to which subclause (2)(a) applies, regulation 9(3) would not, apart from this subclause, permit the labelling body to assign a rating to that film, the labelling body shall, subject to regulation 11, instead assign to that film the rating specified in regulation 12(1)(c).
- (4) For the purpose of determining—
 - (a) whether or not to assign a description to a film to which subclause (2)(b) applies; and
 - (b) the particular description to assign to such a film,—

the labelling body shall seek the advice of the Classification Office, and shall take any such advice into account in making that determination.
- (5) Notwithstanding that the main feature on a film to which subclause (2)(b) applies has already been classified under the Act, the labelling body shall also assess, in accordance with regulation 11, every trailer included on that film, and that regulation shall apply in relation to that film accordingly.

Assigning of ratings and descriptions by specified CVoD provider using approved self-rating system

Heading: inserted, on 1 August 2021, by regulation 13 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

15A Assigning of ratings

- (1) This regulation sets out the ratings that must be assigned by a specified CVoD provider using an approved self-rating system to indicate the suitability of commercial video on-demand content for particular audiences in accordance with section 46F(2) of the Act.
- (2) The ratings are as follows:
 - (a) if the content is suitable for all audiences, “suitable for general audiences”; and
 - (b) if the content is suitable for all audiences with parental guidance for children, “parental guidance recommended for younger viewers”; and
 - (c) if the content is suitable for mature audiences, “suitable for mature audiences”; and

- (d) if the content is unsuitable for audiences under the age of 13, “unsuitable for audiences under 13 years of age”; and
- (e) if the content is unsuitable for audiences under the age of 16, “unsuitable for audiences under 16 years of age”; and
- (f) if the content is unsuitable for audiences under the age of 18, “unsuitable for audiences under 18 years of age”.

Regulation 15A: inserted, on 1 August 2021, by regulation 13 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

15B Descriptions assigned using approved self-rating systems

- (1) A specified CVoD provider must assign a description to commercial video on-demand content if the approved self-rating system identifies any aspects of the content as likely to be of concern to parents and young people or to cause harm to persons who view it.
- (2) The description must consist of the content warnings that are specified in Schedule 1B that refer to the aspects of the content that the approved self-rating system indicates are most likely to be of concern or to cause harm.
- (3) The number of content warnings included in a description under subclause (2) must be determined by consideration of—
 - (a) the likelihood that any aspect of the content will be of concern or cause harm, and the potential degree of concern or harm; and
 - (b) the number of content warnings that can be reasonably expected to convey an effective communication to parents and potential audiences; and
 - (c) any guidance issued by the Chief Censor about the number of warnings that it is appropriate to include in a description.
- (4) Despite subclause (2), a specified CVoD provider may, with the agreement of the Chief Censor, include in a description a content warning that is not listed in Schedule 1B.
- (5) Nothing in this regulation prevents a specified CVoD provider alerting consumers to any other feature of the content of commercial video on-demand outside of the prescribed description.

Regulation 15B: inserted, on 1 August 2021, by regulation 13 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

15C Audio content to be considered

The rating and description assigned to commercial video on-demand content by a specified CVoD provider using an approved self-rating system must, in addition to the factors listed in section 46F(1) of the Act, take into account the audio content associated with the commercial video on-demand content and its relationship to that content.

Regulation 15C: inserted, on 1 August 2021, by regulation 13 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Issue of labels by labelling body in respect of films other than commercial video on-demand content

Heading: replaced, on 1 August 2021, by regulation 14 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

16 Issue of labels by labelling body

- (1) Where, in accordance with regulation 12, the labelling body assigns a rating to a film (other than commercial video on-demand content), the labelling body shall issue in respect of that film a label containing—
 - (a) the rating assigned to that film by the labelling body; and
 - (b) the rating symbol for that rating; and
 - (c) the description (if any) assigned to that film by the labelling body.
- (2) Every label issued under subclause (1) shall be in the following form:
 - (a) a label issued in respect of a film to which the rating specified in regulation 12(1)(a) has been assigned shall be in the form of, and coloured the same as, diagram A in Schedule 1:
 - (b) a label issued in respect of a film to which the rating specified in regulation 12(1)(b) has been assigned shall be in the form of, and coloured the same as, diagram B in Schedule 1:
 - (c) a label issued in respect of a film to which the rating specified in regulation 12(1)(c) has been assigned shall be in the form of, and coloured the same as, diagram C in Schedule 1.
- (3) As soon as is reasonably practicable after issuing a label in accordance with subclause (1), the labelling body must notify the Classification Office of the issue of the label and provide the relevant information that the Classification Office is required to include in the database of films under regulation 35A(1).

Regulation 16(1): amended, on 1 August 2021, by regulation 15(1) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 16(3): inserted, on 1 August 2021, by regulation 15(2) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

17 Labels issued at direction of Classification Office or Board of Review

- (1) Where, under section 36 of the Act, the Classification Office directs the labelling body to issue a label in respect of a film (other than commercial video on-demand content), the labelling body shall issue in respect of that film a label containing,—
 - (a) where the Classification Office or the Board of Review has classified the film as unrestricted,—
 - (i) the rating that the Classification Office has directed the labelling body to assign to that film; and
 - (ii) the rating symbol for that rating; and

- (iii) the description (if any) that the Classification Office has directed the labelling body to assign to that film:
 - (b) where the Classification Office or the Board of Review has classified the film as a restricted publication,—
 - (i) the classification given by the Classification Office or the Board of Review to that film; and
 - (ii) the description (if any) that the Classification Office has directed the labelling body to assign to that film.
- (2) Every label issued under subclause (1)(a) shall be in the form of, and coloured the same as, whichever of diagrams A to C in Schedule 1 fits the case, which shall be determined by the rating assigned to the film in respect of which the label is issued.
- (3) Every label issued under subclause (1)(b) shall,—
 - (a) in the case of a label issued in respect of a film that the Classification Office or the Board of Review has classified as objectionable except if the availability of the film is restricted to persons who have attained a specified age, be in the form of, and coloured the same as, diagram D in Schedule 1:
 - (b) in the case of a film that the Classification Office or the Board of Review has classified as—
 - (i) objectionable except if the availability of the film is restricted to specified persons or classes of persons; or
 - (ii) objectionable except if the film is used for 1 or more specified purposes; or
 - (iii) objectionable except in 2 or more of the circumstances specified in section 23(2)(c) of the Act,—be in the form of, and coloured the same as, diagram E in Schedule 1.

Regulation 17(1): amended, on 1 August 2021, by regulation 16 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

18 Issue of additional labels

- (1) Where, in accordance with these regulations, the labelling body has issued a label in respect of a film (other than commercial video on-demand content), any person who distributes films or supplies or exhibits films to the public may apply to the labelling body for the issue of copies of that label for the purpose of labelling any copy of the film in respect of which the original label was issued.
- (2) The labelling body must issue the appropriate number (as defined in subclause (3)) of copies of a label if it—
 - (a) receives an application under subclause (1) in respect of a film; and

- (b) is satisfied that the film is identical in content with the film in respect of which the label was originally issued; and
 - (c) has been paid the fee it has set for the application.
- (3) The appropriate number is the number that the labelling body is satisfied is necessary for the copies of the film in respect of which the application is made.

Regulation 18(1): amended, on 1 August 2021, by regulation 17 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 18(2): substituted, on 11 March 2005, by regulation 7 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

Regulation 18(3): added, on 11 March 2005, by regulation 7 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

Issue of labels by labelling body in respect of commercial video on-demand content

Heading: inserted, on 1 August 2021, by regulation 18 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

18AA Issue of label by labelling body by notification to specified CVoD provider

- (1) If, in accordance with regulation 12, the labelling body assigns a rating to commercial video on-demand content, the labelling body must notify the specified CVoD provider of—
- (a) the rating assigned to the commercial video on-demand content by the labelling body; and
 - (b) the description (if any) assigned to the commercial video on-demand content by the labelling body.
- (2) A specified CVoD provider who receives a notification under subclause (1) must issue a label for that content by applying to the content—
- (a) the rating assigned to the content by the labelling body; and
 - (b) the rating symbol for that rating; and
 - (c) the description (if any) assigned to the content by the labelling body.
- (3) As soon as is reasonably practicable after issuing a label in accordance with subclause (2), the specified CVoD provider must notify the Classification Office of the issue of the label and provide the relevant information that the Classification Office is required to include in the database of films under regulation 35A(1).

Regulation 18AA: inserted, on 1 August 2021, by regulation 18 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Issue of labels by specified CVoD provider

Heading: inserted, on 1 August 2021, by regulation 18 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

18AAB Assessment of whether commercial video on-demand content previously labelled

- (1) In determining, under section 46D(1) of the Act, whether a label has previously been issued for commercial video on-demand content, a specified CVoD provider must assess whether the commercial video on-demand content is identical to the main feature on any film that has been classified under the Act as a restricted publication or to which a rating has been assigned (an **other film**).
- (2) In making an assessment under subclause (1), the specified CVoD provider must take into account the following matters:
 - (a) the titles of the commercial video on-demand content and the other film:
 - (b) the names of the makers of the commercial video on-demand content and the other film:
 - (c) the countries of origin of the commercial video on-demand content and the other film:
 - (d) the year of release of the commercial video on-demand content and the other film:
 - (e) the running times of the main features of the commercial video on-demand content and the other film:
 - (f) the nature and extent of any excisions made to the other film.

Regulation 18AAB: inserted, on 1 August 2021, by regulation 18 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

18AAC Labelling of commercial video on-demand content previously labelled

- (1) A specified CVoD provider who determines, under regulation 18AAB, that commercial video on-demand content is identical to the main feature on any film that has been classified under the Act as a restricted publication, or to which the labelling body has assigned a rating set out in regulation 12(1)(a) or (b), or to which a specified CVoD provider has assigned a rating set out in regulation 15A(2)(a), (b), or (d) to (f), must assign to the commercial video on-demand content—
 - (a) the same rating or classification that was previously assigned; and
 - (b) the same description (if any) that was previously assigned.
- (2) A specified CVoD provider who determines, under regulation 18AAB, that commercial video on-demand content is identical to the main feature on any film to which the labelling body has assigned a rating set out in regulation 12(1)(c)(i) or (ii), or to which a specified CVoD provider has assigned the rating set out in regulation 15A(2)(c), must assign to the commercial video on-demand content—

- (a) the rating set out in regulation 15A(2)(c); and
- (b) the same description (if any) that was previously assigned.

Regulation 18AAC: inserted, on 1 August 2021, by regulation 18 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

18AAD Issue of labels by specified CVoD provider using approved self-rating system

- (1) If a specified CVoD provider uses an approved self-rating system to assign a rating to any commercial video on-demand content, the specified CVoD provider must issue a label for the content by applying to the content—
 - (a) the rating assigned to the content, as generated by the approved self-rating system; and
 - (b) the rating symbol for that rating; and
 - (c) the description (if any) assigned to the content, as generated by the approved self-rating system.
- (2) As soon as is reasonably practicable after issuing a label in accordance with subclause (1), the specified CVoD provider must notify the Classification Office of the issue of the label and provide the relevant information that the Classification Office is required to include in the database of films under regulation 35A(1).

Regulation 18AAD: inserted, on 1 August 2021, by regulation 18 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

18AAE Classification symbols for commercial video on-demand content

- (1) The following symbols must be used for labels issued in respect of commercial video on-demand content that is classified as a restricted publication:
 - (a) in the case of content that the Classification Office or the Board of Review has classified as objectionable except if the availability of the content is restricted to persons who have attained a specified age,—
 - (i) the numeral representing that age preceded by the symbol “R” in black inside a red square; or
 - (ii) the numeral representing that age in black inside a red square, preceded by the symbol “R” in clearly legible text; or
 - (iii) the numeral representing that age in black inside a red square, accompanied by the word “RESTRICTED” in prominent and clearly legible text:
 - (b) in all other cases,—
 - (i) the symbol “R” in black inside a red square; or
 - (ii) the word “RESTRICTED” in prominent and clearly legible text.
- (2) Despite subclause (1), if commercial video on-demand content is identical to the main feature on a film that was classified under the Act as a restricted pub-

lication before 1 August 2021, a classification symbol included on the label issued in respect of that film may be used on the label issued for identical commercial video on-demand content, instead of a symbol specified in subclause (1), but only if the symbol is visibly distinct from any rating symbol prescribed in regulation 11D.

Regulation 18AAE: inserted, on 1 August 2021, by regulation 18 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

18AAF Commercial video on-demand labels issued at direction of Classification Office

Where, under section 36 of the Act, the Classification Office directs a specified CVoD provider to issue a label in respect of commercial video on-demand content, the provider must apply to the commercial video on-demand content the rating or classification and the description (if any) that the Classification Office directs.

Regulation 18AAF: inserted, on 1 August 2021, by regulation 18 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Issue of labels in respect of other publications that are classified as restricted publications

Heading: inserted, on 22 May 2005, by regulation 8 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

18A Labels issued at direction of Classification Office or Board of Review under section 36A(2) of Act

- (1) Where, under section 36A(2) of the Act, the Classification Office directs the labelling body to issue a label in respect of a publication (other than a film), the labelling body must issue in respect of the publication a label that specifies the classification given by the Classification Office or the Board of Review to the publication.
- (2) A label issued under subclause (1) must be in the form of, and coloured the same as, diagram A in Schedule 1A if it is issued in respect of a publication that the Classification Office or the Board of Review has classified as objectionable except if the availability of the publication is restricted to persons who have attained a specified age.
- (3) A label issued under subclause (1) must be in the form of, and coloured the same as, diagram B in Schedule 1A if it is issued in respect of a publication that the Classification Office or the Board of Review has classified as one of the following:
 - (a) objectionable except if the availability of the film is restricted to specified persons or classes of persons; or
 - (b) objectionable except if the film is used for 1 or more specified purposes; or

- (c) objectionable except in 2 or more of the circumstances stated in section 23(2)(c) of the Act.

Regulation 18A: inserted, on 22 May 2005, by regulation 8 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

18B Additional copies of label issued under regulation 18A

- (1) Where, in accordance with regulation 18A, the labelling body has issued a label in respect of a publication, a person who distributes publications or supplies or exhibits publications to the public may apply to the labelling body for the issue of copies of that label for the purpose of labelling any copy of the publication in respect of which the original label was issued.
- (2) The labelling body must issue the appropriate number (as defined in subclause (3)) of copies of a label if it—
- (a) receives an application under subclause (1) in respect of a publication; and
 - (b) is satisfied that the publication is identical in content with the publication in respect of which the label was originally issued; and
 - (c) has been paid the fee it has set for the application.
- (3) The appropriate number is the number that the labelling body is satisfied is necessary for the copies of the publication in respect of which the application is made.

Regulation 18B: inserted, on 22 May 2005, by regulation 8 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

Display of labels on films other than commercial video on-demand content

Heading: replaced, on 1 August 2021, by regulation 19 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

19 Displaying labels

- (1) Except as provided in sections 7 and 8 of the Act, every film that is supplied to the public or offered for supply to the public must have displayed on it, in the following manner, the label issued in respect of that film:
- (a) 1 copy of the label must be displayed,—
 - (i) if there is a film slick inserted inside the sleeve of the display case relating to the film, on that film slick so as to be visible through the front face of the display case; or
 - (ii) if there is no film slick inserted inside the sleeve of the display case relating to the film, on the front face of the display case; and
 - (b) 1 copy of the label must also be displayed,—
 - (i) if the film is in a cassette, on the front face of the cassette or on the spine of the cassette; or

- (ii) if the film is on a spool or other similar device, on the front face of the spool or device.
- (2) Every label required to be displayed, pursuant to this regulation, on any film must be of the following size:
 - (a) in the case of a label required to be displayed pursuant to subclause (1)(a), not less than 2.5 cm in height and not less than 5.5 cm in width;
 - (b) in the case of a label required to be displayed pursuant to subclause (1)(b), not less than 1.75 cm in height and not less than 4.5 cm in width.

Regulation 19: replaced, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

20 Further requirements relating to display of labels

- (1) Subject to subclauses (3) and (4), every label required to be displayed, pursuant to regulation 19, on any film must be displayed in such a manner that it is fully visible at all times, and shall not be obscured by any other matter, or be altered or defaced in any way.
- (2) Where the face or spine of any display case, cassette, spool, device, or film, or any film slick, already has displayed on it any classification issued by an overseas classification authority, the label required to be displayed, pursuant to regulation 19, on any such face, spine, or film, or any film slick, shall, where practicable, be displayed so that the other classification is so far as possible no longer visible.
- (3) Where—
 - (a) any label is displayed, pursuant to regulation 19, on any display case, cassette, spool, device, or film; and
 - (b) that label is deemed, under section 36(5) of the Act, to be cancelled,—any new label displayed, pursuant to regulation 19, on that display case, cassette, spool, device, or film must be displayed so that the cancelled label is no longer visible.
- (4) Where it is not possible to comply with subclause (3), the cancelled label shall be permanently obscured by some other means, or shall be removed.
- (5) Where—
 - (a) any film is offered for supply to the public by way of sale only; and
 - (b) that film has been imported into New Zealand already repacked for sale; and
 - (c) that film has had assigned to it any rating specified in regulation 12(1); and
 - (d) the Chief Censor considers that compliance with all or any of the requirements of subclauses (1) and (2) of regulation 19 would be impractical or unduly burdensome in respect of that film,—

the label issued under the Act in respect of that film must be displayed on that film by such alternative method approved by the Chief Censor as will ensure that the rating assigned to that film is brought to the attention of purchasers of that film.

Regulation 20 heading: amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Regulation 20(1): amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Regulation 20(2): amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Regulation 20(3): amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Regulation 20(3)(a): amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Regulation 20(5): amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Display of information on commercial video on-demand content

Heading: inserted, on 1 August 2021, by regulation 20 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

20AA Information to be displayed on commercial video on-demand content

- (1) The rating symbol or classification symbol, or the full text of the rating or classification, and the description (if any) that have been assigned to commercial video on-demand content must be—
 - (a) displayed at the beginning of the content when the content is accessed by a viewer; and
 - (b) displayed in a manner that ensures that it is clearly legible to the viewer; and
 - (c) displayed for a period of at least 5 seconds, unless the viewer takes an action that stops the display.
- (2) If commercial video on-demand content is made available in separate episodes, chapters, or other parts, subclause (1) applies to each episode, chapter, or part.
- (3) However, a specified CVoD provider is not required to comply with subclauses (1) and (2) if—
 - (a) a viewer can only access the commercial video on-demand content from the title page; and
 - (b) the requirements in regulation 20AAB(1)(a) and (b)(i) are complied with; and
 - (c) the cost or effort involved in complying with subclauses (1) and (2) would be, in the view of the provider, substantial and unreasonable.

Regulation 20AA: inserted, on 1 August 2021, by regulation 20 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

20AAB Label must be displayed on title page

- (1) A specified CVoD provider must apply a label to commercial video on-demand content by—
 - (a) clearly displaying the rating symbol or classification symbol, or the full text of the rating or classification, that is assigned to the content on the title page of the content in close proximity to—
 - (i) the title; or
 - (ii) the place on the title page where a person chooses to view the content; and
 - (b) clearly displaying the description that is assigned to the content (if any)—
 - (i) on the title page of the content in close proximity to the rating symbol or classification symbol, or the full text of the rating or classification; or
 - (ii) elsewhere on the title page, together with other detailed information about the content.
- (2) However, a specified CVoD provider is not required to comply with subclause (1) if—
 - (a) a viewer is not required to purchase or hire the content before accessing it; and
 - (b) the requirements in regulation 20AA(1) and (2) are complied with; and
 - (c) the cost or effort involved in complying with subclause (1) would be, in the view of the provider, substantial and unreasonable.

Regulation 20AAB: inserted, on 1 August 2021, by regulation 20 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

20AAC Information about ancillary content

- (1) Subclause (2) applies if a specified CVoD provider makes ancillary content available from the title page of the main feature to which it relates and—
 - (a) the ancillary content is suitable for a narrower audience than that indicated by the classification or rating that applies to the main feature; or
 - (b) the content warnings that apply to the ancillary content are different to those included in the description that applies to the main feature.
- (2) If this subclause applies,—
 - (a) a rating symbol appropriate to the ancillary content, or the full text of the rating, must be clearly displayed—
 - (i) on the title page, in close proximity to the position on the title page at which a person chooses to view the ancillary content; or

- (ii) at the beginning of the ancillary content for a period of at least 5 seconds, unless the viewer takes an action that stops the display; and
- (b) a description appropriate to the ancillary content must be clearly displayed in close proximity to the rating symbol or text referred to in paragraph (a).

Regulation 20AAC: inserted, on 1 August 2021, by regulation 20 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Labels for other publications that are classified as restricted publications

Heading: inserted, on 22 May 2005, by regulation 10 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

Heading: amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

20A Labels must be displayed, etc, in manner specified in relevant condition under section 27(4)(a) of Act

- (1) A label issued in respect of a publication under regulation 18A or regulation 18B must, when the publication is on public display, be—
 - (a) displayed on the publication in the manner specified in the relevant condition imposed by the Classification Office or the Board of Review pursuant to section 27(4)(a) of the Act; or
 - (b) brought in some other, more practical or convenient way to the attention of persons to whom the publication is displayed in the manner specified by the Classification Office or the Board of Review in the relevant condition imposed pursuant to section 27(4)(a) of the Act.
- (2) Every label required to be displayed on a publication, or brought to the attention of persons to whom the publication is displayed, as provided in subclause (1), must be of the following size:
 - (a) not less than 2.5 cm in height; and
 - (b) not less than 5.5 cm in width.

Regulation 20A: inserted, on 22 May 2005, by regulation 10 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

Regulation 20A heading: amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Regulation 20A(1)(a): replaced, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Regulation 20A(2): amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

20B Cancelled labels

- (1) This regulation applies when a label issued in respect of a publication under regulation 18A or 18B is deemed, under section 36A(3) of the Act, to be cancelled.

- (2) The label must be—
- (a) removed; or
 - (b) covered by the new label so as to no longer be visible; or
 - (c) permanently obscured by some other means.

Regulation 20B: replaced, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Part 3

Film posters

Approval of film posters by labelling body

21 Submission of film posters to labelling body

- (1) Where, pursuant to section 9(1) of the Act, any person applies to the labelling body for the issue of a label in respect of a film, that person shall also submit to the labelling body, for approval, a copy of every film poster relating to the film and intended by that person for use in relation to the public supply or public exhibition of the film.
- (2) Any person who—
- (a) is engaged in the production, distribution, public supply, or public exhibition of films; or
 - (b) proposes to supply to the public, or exhibit to the public, any film—
- may at any time submit to the labelling body, for approval, any film poster intended by that person for use in relation to the public supply or public exhibition of any film.
- (3) Nothing in subclause (2) applies in respect of a film poster that relates to a film that is classified as objectionable.
- (4) Nothing in this regulation applies to a film poster that is classified under the Act as objectionable or as a restricted publication.

22 Examination and approval of film posters submitted with film

- (1) This regulation applies where, in accordance with regulation 21(1), a film poster is submitted to the labelling body in conjunction with an application made under section 9(1) of the Act in respect of a film.
- (2) Where this regulation applies, and the labelling body assigns a rating to the film to which the film poster relates, the labelling body shall examine the film poster in order to determine whether or not to approve the poster.
- (3) After examining a film poster in accordance with subclause (2), the labelling body shall approve the film poster unless the labelling body considers that, if the film poster were submitted under section 13(1) of the Act to the Classification Office for a decision on its classification, the film poster would be likely to

be classified under section 23 of the Act as objectionable or as a restricted publication.

- (4) Where this regulation applies, and—
- (a) the labelling body is required, by section 12(1) of the Act or regulation 61, to submit the film to which the film poster relates to the Classification Office for examination and classification pursuant to section 23 of the Act; or
 - (b) pursuant to section 12(3) of the Act, the labelling body obtains the leave of the Chief Censor to submit the film to which the film poster relates to the Classification Office for examination and classification pursuant to section 23 of the Act,—

the labelling body shall decline to approve that film poster.

23 Examination and approval of film posters submitted separately

- (1) This regulation applies where, in accordance with regulation 21(2), a film poster is submitted to the labelling body for approval.
- (2) Where this regulation applies, the labelling body shall approve the film poster unless the labelling body considers that, if the film poster were submitted under section 13(1) of the Act to the Classification Office for a decision on its classification, the film poster would be likely to be classified under section 23 of the Act as objectionable or as a restricted publication.

24 Labelling body to give notice of decision

- (1) Where the labelling body approves or declines to approve a film poster submitted to the labelling body under regulation 21, the labelling body shall give written notice of its decision to the person who submitted the film poster.
- (2) Every notice under subclause (1) shall, where the labelling body declines to approve a film poster, specify the reasons for the decision.

25 Labelling body to maintain record of decisions on film posters

- (1) The labelling body shall keep and maintain a copy of every notice given by the labelling body pursuant to regulation 24, and those copies shall be open to inspection by the public during ordinary office hours at the offices of the labelling body.
- (2) Every person shall, on request, and on payment of such fee (if any) as the labelling body may determine, be entitled to a copy of any notice given by the labelling body pursuant to regulation 24.
- (3) Any fee charged pursuant to subclause (2) for a copy of any such notice shall be no more than is reasonably required to recover the cost to the labelling body of making and supplying that copy.

26 Subsequent decisions of Classification Office relating to film posters

Where, in accordance with this Part, the Classification Office approves or refuses to approve a film poster submitted to it under regulation 27, any previous decision of the labelling body pursuant to this Part with respect to that film poster shall, for the purposes of these regulations, be deemed to be cancelled.

Approval of film posters by Classification Office

27 Submission of film posters to Classification Office

- (1) Where, pursuant to section 12 of the Act, the labelling body submits to the Classification Office for examination and classification a film in respect of which an application has been made to the labelling body under section 9(1) of the Act, the labelling body shall also submit to the Classification Office, for approval, a copy of every film poster submitted to the labelling body in conjunction with that application.
- (2) Where, pursuant to section 13(1) of the Act, any person who—
 - (a) is engaged in the production, distribution, public supply, or public exhibition of films submits a film to the Classification Office for examination and classification; or
 - (b) proposes to supply to the public, or exhibit to the public, any film submits that film to the Classification Office for examination and classification,—that person shall also submit to the Classification Office, for approval, a copy of every film poster relating to that film and intended by that person for use in relation to the public supply or public exhibition of that film.
- (3) Any person who—
 - (a) is engaged in the production, distribution, public supply, or public exhibition of films; or
 - (b) proposes to supply to the public, or exhibit to the public, any film—may at any time submit to the Classification Office, for approval, any film poster (being a film poster classified under the Act as a restricted publication) intended by that person for use in relation to the public supply or public exhibition of any film.
- (4) Where, pursuant to regulation 22(3) or regulation 23(2), the labelling body has declined to approve a film poster submitted to it for approval, the person who submitted that film poster may at any time submit that film poster to the Classification Office for approval.
- (5) Nothing in subclause (3) or subclause (4) applies in respect of a film poster that relates to a film that is classified as objectionable.
- (6) Nothing in this regulation applies to a film poster that is classified under the Act as objectionable.

28 Examination of film posters by Classification Office

- (1) This regulation applies where, in accordance with regulation 27, a film poster is submitted to the Classification Office for approval.
- (2) Where this regulation applies,—
 - (a) in the case of a film poster submitted to the Classification Office pursuant to subclause (1) or subclause (2) of regulation 27, the Classification Office shall refuse to approve that film poster if the Classification Office classifies the film to which the film poster relates as objectionable:
 - (b) in any other case, the Classification Office shall examine the film poster in order to determine whether or not to approve the poster.
- (3) After examining a film poster in accordance with subclause (2)(b),—
 - (a) if the Classification Office considers that, if the film poster were submitted under section 13(1) of the Act to the Classification Office for a decision on its classification, the film poster would be likely to be classified under section 23 of the Act as objectionable, the Classification Office shall refuse to approve the film poster:
 - (b) if the Classification Office considers that, if the film poster were so submitted, the film poster would be likely to be classified under section 23 of the Act as a restricted publication, the Classification Office shall deal with the film poster in accordance with regulation 29:
 - (c) if the Classification Office considers that, if the film poster were so submitted, the film poster would be likely to be classified under section 23 of the Act as unrestricted, the Classification Office shall approve the film poster:
 - (d) if the Classification Office is satisfied that the film poster is classified under the Act as a restricted publication, the Classification Office shall deal with the film poster in accordance with regulation 29.

29 Where film poster likely to be classified as restricted publication

- (1) This regulation applies where,—
 - (a) pursuant to paragraph (b) of subclause (3) of regulation 28, the Classification Office considers that a film poster would be likely to be classified under section 23 of the Act as a restricted publication; or
 - (b) pursuant to paragraph (d) of that subclause, the Classification Office is satisfied that a film poster is classified under the Act as a restricted publication.
- (2) Where this regulation applies, the Classification Office shall consider whether or not the public display of the film poster, if not subject to conditions under regulation 30, would be likely to cause offence to reasonable members of the public.

- (3) If the Classification Office considers that the public display of the film poster, if not subject to such conditions, would not be likely to cause such offence, the Classification Office shall approve the film poster.
- (4) If the Classification Office considers that the public display of the film poster, if not subject to such conditions, would be likely to cause such offence, the Classification Office shall, subject to subclause (5), approve the film poster subject to such conditions under regulation 30 as it considers necessary to avoid the causing of such offence.
- (5) Where, pursuant to section 27 of the Act, the Classification Office has imposed any condition on the public display of the film poster or on the public display of film posters relating to the film to which the film poster relates, the Classification Office may approve the film poster without imposing conditions under regulation 30 if the Classification Office is satisfied that compliance with the condition imposed pursuant to that section will be sufficient to avoid the causing of such offence.

30 Conditions relating to film posters

- (1) The conditions that may be imposed pursuant to regulation 29 in respect of a film poster are as follows:
 - (a) that the film poster must be displayed only in premises, or a part of premises, set aside for the public display of restricted publications (whether or not articles other than restricted publications are also displayed in those premises or that part of those premises):
 - (b) that the film poster must not be publicly displayed in any place in which the film to which the film poster relates is available for public supply or is exhibited to the public, and must be shown in that place only to persons who make a direct request for the film poster:
 - (c) subject to regulation 31, that the film poster must not be publicly displayed unless certain excisions or alterations are made to the film poster.
- (2) Any 1 or more of the conditions specified in subclause (1) may be imposed in respect of a film poster.
- (3) For the purposes of these regulations, a condition imposed pursuant to subclause (1)(b) prohibiting the public display of a film poster in any place shall, in so far as the condition relates to the public display of the film poster in any premises, prohibit the public display of that film poster not only in those premises but also—
 - (a) on the exterior of those premises:
 - (b) in the immediate vicinity of those premises.
- (4) Where the Classification Office considers, in relation to a film poster to which regulation 29(4) applies, that the causing of offence to reasonable members of the public would be avoided by either—

- (a) the imposition of the condition specified in paragraph (c) of subclause (1); or
- (b) the imposition of either of the other conditions specified in that subclause,—

the Classification Office shall give the person who submitted the film poster to the Classification Office for approval the option of selecting which of those 2 conditions the Classification Office should impose in respect of the public display of the film poster.

31 Excisions from or alterations to posters

- (1) Where the Classification Office considers, in relation to a film poster to which regulation 29(4) applies, that the causing of offence to reasonable members of the public would be avoided if any specified part or parts of the film poster were excised or altered to the satisfaction of the Classification Office, the Classification Office shall notify the person who submitted the film poster to the Classification Office for approval (or, in the case of a film poster submitted to the Classification Office pursuant to regulation 27(1), the person who submitted the film poster to the labelling body for approval) that the Classification Office will approve the film poster if the specified part or parts are so excised or altered, and may also specify the method by which the alteration or excision is to be made.
- (2) If the person notified under subclause (1) agrees to each such excision or alteration to the satisfaction of the Classification Office, the Classification Office shall, subject to subclause (3), when the Classification Office is satisfied that every alteration or excision required by it has been or will be made in accordance with its requirements, approve the film poster in accordance with regulation 29(4) as if each of the required excisions or alterations were made.
- (3) In any case to which subclause (2) applies, the Classification Office may withhold its approval of the film poster until a copy of it in its altered form has been submitted to the Classification Office.
- (4) If the person notified under subclause (1) refuses or fails, within 20 working days after the date of the Classification Office's notice, or within such further period as the Classification Office may allow, to agree to any such alteration or excision to the satisfaction of the Classification Office, the Classification Office shall, subject to subclause (5), refuse to approve the film poster.
- (5) Where subclause (4) applies, the Classification Office shall not refuse to approve the film poster if it considers that the causing of offence to reasonable members of the public would be avoided if either of the other conditions specified in regulation 30(1) were imposed in respect of the film poster, and in any such case the Classification Office shall approve the film poster subject to such a condition.

32 Classification Office to give notice of decision

- (1) Where the Classification Office approves or refuses to approve a film poster submitted to it under regulation 27, the Classification Office shall give written notice of its decision to the person who submitted the film poster (or, in the case of a film poster submitted to the Classification Office pursuant to regulation 27(1), the person who submitted the film poster to the labelling body for approval).
- (2) Every notice under subclause (1) shall specify,—
 - (a) if the Classification Office has approved the film poster subject to conditions under regulation 30, those conditions:
 - (b) if the Classification Office has refused to approve the film poster, the reasons for the decision.

33 Classification Office to maintain record of decisions on film posters

- (1) The Classification Office shall keep and maintain a copy of every notice given by the Classification Office pursuant to regulation 32, and those copies shall be open to inspection by the public during ordinary office hours.
- (2) Every person shall, on request, and on payment of such fee (if any) as the Classification Office may determine, be entitled to a copy of any notice given by the Classification Office pursuant to regulation 32.
- (3) Any fee charged pursuant to subclause (2) for a copy of any such notice shall be no more than is reasonably required to recover the cost to the Classification Office of making that copy.

Miscellaneous provision

34 Approval of poster subject to other restrictions

- (1) The approval of a film poster under these regulations is subject to any conditions imposed pursuant to section 27 of the Act on the public display of that film poster.
- (2) Where a film poster is classified under the Act as a restricted publication, the approval of that film poster under these regulations is subject to the terms of that classification.

Part 4
Classification decisions

35 Register of Classification Decisions

- (1) The Register of Classification Decisions established and maintained under section 39 of the Act shall contain the following information with respect to each publication examined by the Classification Office or the Board of Review:

- (a) the name of the person or court submitting or referring the publication to the Classification Office for examination or, as the case may be, to the Board of Review for review:
 - (b) where the publication is a film submitted to the Classification Office pursuant to section 12 of the Act, the name of the person who applied to the labelling body for the issue of a label in respect of the film:
 - (ba) where the publication is commercial video on-demand content referred to the Classification Office under section 46E(3) of the Act, the name of the person who referred that content to the Classification Office for classification:
 - (c) the number of the submission:
 - (d) the title of the publication and, in the case of a film, every trailer included on the film:
 - (e) the name of the maker of the publication and its country of origin:
 - (f) in the case of a film, the running time of—
 - (i) the main feature on the film; and
 - (ii) every trailer included on the film:
 - (g) in the case of a film, the film's format:
 - (h) *[Revoked]*
 - (i) where the Act requires that the Classification Office or the Board of Review give its reasons for the decision, a summary of the reasons for the decision:
 - (j) where, pursuant to section 27 of the Act, the Classification Office or the Board of Review has imposed conditions on the public display of the publication, or any advertising poster or film poster relating to the publication, or both, those conditions:
 - (k) such other information as the Classification Office considers necessary or desirable.
- (2) The information required by subclause (1) to be entered in the register in respect of a publication are in addition to the matters required by section 39(3)(a) to (c) of the Act to be entered in respect of that publication.

Regulation 35(1): amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Regulation 35(1)(ba): inserted, on 1 August 2021, by regulation 21 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 35(1)(h): revoked, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Regulation 35(1)(k): amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Regulation 35(2): amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

35A Film database

- (1) The Classification Office must include, in the database of films required by section 11A of the Act, the following details in respect of each film in relation to which a label is issued:
 - (a) the title under which the film has been exhibited, offered for supply, or made available in New Zealand;
 - (b) the year in which the film was first released;
 - (c) the name of the makers of the film;
 - (d) the country or countries of origin of the film;
 - (e) the running times of the main feature of the film;
 - (f) the running times of any trailers included on the film;
 - (g) the content of the label that is currently in force and that was issued by the labelling body or a specified CVoD provider;
 - (h) the date on which the label was first issued;
 - (i) the name of the person or agency that first issued the label;
 - (j) the content of any previous label issued in respect of the film that is deemed to have been cancelled under regulation 12(2C) or section 36(5) of the Act, and the person or agency that issued the label and the date on which it was issued.
- (2) The Classification Office must add or update the details in the database of films as soon as is reasonably practicable after receiving a notice under regulation 16(3), 18AA(3), or 18AAD(2) or issuing a direction under section 36 of the Act.
- (3) The Chief Censor may, in terms and conditions set under section 46G(4) of the Act, specify how a specified CVoD provider who uses an approved self-rating system must comply with the requirements to provide information for inclusion in the film database set out in regulations 18AA(3) and 18AAD(2).

Regulation 35A: inserted, on 1 August 2021, by regulation 22 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

35B Search criteria

- (1) The film database must be established and maintained so that it may be searched by reference to all or any 1 or more of the following criteria:
 - (a) the title under which the film has been exhibited, offered for supply, or made available in New Zealand;
 - (b) the date on which the current label was issued;
 - (c) the person or agency that issued the label;
 - (d) the rating or classification symbol included in the label.

- (2) The database may be established and maintained so that it may be searched by reference to any criteria additional to the criteria in subclause (1).

Regulation 35B: inserted, on 1 August 2021, by regulation 22 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

35C Cancellation and replacement of label

- (1) This regulation applies if a label is deemed to be cancelled—
- (a) by regulation 12(2C), after the issue of a new label by the labelling body; or
 - (b) by section 36(5) of the Act, after the issue of a direction by the Classification Office to issue a new label.
- (2) The Classification Office must ensure that each specified CVoD provider is notified of the cancellation and of the content of the new label.
- (3) The notice under subclause (2) must be given as soon as is reasonably practicable after the Classification Office receives the information from the labelling body under regulation 16(3) that relates to the deemed cancellation, or issues the direction under section 36 of the Act.
- (4) A specified CVoD provider who is notified under subclause (2) that a label assigned to commercial video on-demand content is deemed to be cancelled must, within 20 working days of receipt of the notice, apply the rating or classification and the description (if any) contained in the new label to any identical commercial video on-demand content that the specified CVoD provider makes available.

Regulation 35C: inserted, on 1 August 2021, by regulation 22 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

36 List of decisions

[Revoked]

Regulation 36: revoked, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Part 5

Public notification of ratings and classifications

37 Display or advertising of content of labels for films intended for public exhibition

- (1) Subject to sections 7 and 8 of the Act, where any film is exhibited to the public, there shall be displayed in accordance with the requirements of subclauses (2) and (3), at the premises where the film is exhibited, and also at any other premises at which the exhibitor, or any other person acting as agent for the exhibitor, offers for sale to the public any tickets to any exhibition of the film,—
- (a) in the case of a film to which a rating has been assigned under the Act,—

- (i) that rating; and
 - (ii) the rating symbol applicable to that rating; and
 - (iii) any description assigned to the film:
 - (b) in the case of a film that has been classified as a restricted publication,—
 - (i) the classification of that film, as appearing on the label issued in respect of that film; and
 - (ii) the classification symbol applicable to the film; and
 - (iii) any description assigned to the film.
- (2) The information required by subclause (1) to be displayed in respect of a film shall be so displayed by means of—
- (a) a lobby board; or
 - (b) a copy of the label issued in respect of the film,—
- which shall be displayed in a conspicuous position in the lobby of the premises or (where applicable) outside the entrance to the room in which the film is to be exhibited, at all times while the premises are open to the public.
- (3) The lobby board required to be displayed by subclause (2) shall be not less than 28 cm by 36 cm, and the content of the lobby board shall be easily readable by persons at a reasonable distance from the lobby board.

38 On posters and other advertising material

- (1) Subject to subclause (4), this regulation applies to any poster or other advertising material that is used or intended for use in relation to the advertising to the public of any film in respect of which a label has been issued.
- (2) Every poster or other advertising material to which this regulation applies shall show the content of the label issued in respect of the film advertised in the poster or material, which content shall be shown in accordance with the following requirements:
- (a) in the case of a film to which a rating has been assigned, the poster or material shall show—
 - (i) the rating symbol applicable to the film; and
 - (ii) any description assigned to the film:
 - (b) in the case of a film that has been classified as a restricted publication, the poster or material shall show—
 - (i) the classification symbol applicable to the film; and
 - (ii) any description assigned to the film:
 - (c) the content of the label shall be easily readable by persons at a reasonable distance from the poster or material, having regard to the size and nature of the poster or material:

- (d) unless the Classification Office otherwise directs, the content of the label shall appear adjacent to the title of the film:
 - (e) in the case of a poster, the content of the label shall be imposed on the poster by means of printing, photographic reproduction, or stamp impression, or shall be printed on a slip of paper securely attached to the poster, and in every such case every constituent letter and figure shall be at least 2 cm in height:
 - (f) in the case of any advertising material published in any newspaper, the smallest letter or figure used as part of the symbol indicating the rating or classification of the film to which the material relates shall be of type no less than 6 points.
- (3) Notwithstanding anything in paragraph (a) or paragraph (b) of subclause (2), in the case of any advertising material—
- (a) published in any newspaper; or
 - (b) in the form of a programme or brochure; or
 - (c) in any other printed document advertising 2 or more films,—
the provisions of those paragraphs shall, in addition to requiring the rating symbol or, as the case requires, the classification symbol, be deemed to require an explanation of the symbol, in the terms of the relevant paragraph of regulation 12(1) (in the case of a rating symbol) or the actual classification of the film (in the case of a film classified as a restricted publication), to appear,—
 - (d) in the case of advertising material published in a newspaper, on the same page as the material; or
 - (e) in every other case, in the programme, brochure, or other printed document in such a manner as to clearly relate to the material.
- (4) Nothing in this regulation applies to—
- (a) any film slick that is affixed to, or inserted inside any sleeve of, any display case:
 - (b) any trailer:
 - (c) any radio or television advertising:
 - (d) any poster or other advertising material that advertises commercial video on-demand content.

Regulation 38(4)(d): inserted, on 1 August 2021, by regulation 23 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

39 On trailers

- (1) Where any trailer is exhibited to the public, and that trailer advertises a film in respect of which a label has been issued, the content of the label issued in respect of that film shall be shown on the trailer in accordance with the following requirements:

- (a) in the case of a film to which a rating has been assigned, there shall be shown—
 - (i) the rating symbol applicable to the film; and
 - (ii) an explanation of that symbol, in the terms of the relevant paragraph of regulation 12(1); and
 - (iii) any description assigned to the film:
 - (b) in the case of a film that has been classified as a restricted publication, there shall be shown—
 - (i) the classification symbol applicable to the film; and
 - (ii) an explanation of that symbol, in the terms of the actual classification of the film; and
 - (iii) any description assigned to the film:
 - (c) the content of the label shall appear immediately after the end of the trailer, in such a manner as to be clearly legible for not less than 5 seconds.
- (2) Notwithstanding anything in subclause (1), on any specified occasion or occasions when for technical or other reasons it is not possible to comply with the requirements of that subclause, the information specified in that subclause may be shown by means of a lantern slide or such other method or methods as the Chief Censor may from time to time approve, either generally or in a particular case.
- (3) Nothing in this regulation applies to trailers that advertise commercial video on-demand content.

Regulation 39(3): inserted, on 1 August 2021, by regulation 24 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

40 On radio advertisements

- (1) Every radio advertisement that advertises to the public any film in respect of which a label has been issued shall include a statement of the content of the label issued in respect of that film, which statement shall comply with the following requirements:
- (a) in the case of a film to which a rating has been assigned, the statement shall specify—
 - (i) that rating, in the terms of the relevant paragraph of regulation 12(1); and
 - (ii) any description assigned to the film:
 - (b) in the case of a film that has been classified as a restricted publication, the statement shall specify—
 - (i) the classification of the film, as appearing on the label issued in respect of the film; and

- (ii) any description assigned to the film.
- (2) In every case the statement required by subclause (1) shall come at the end of the advertisement.
- (3) Nothing in this regulation applies to radio advertisements that advertise commercial video on-demand content.

Regulation 40(3): inserted, on 1 August 2021, by regulation 25 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

41 On television advertisements

- (1) Every television advertisement that advertises to the public any film in respect of which a label has been issued shall include the following:
 - (a) in the case of a film to which a rating has been assigned, there shall be included—
 - (i) the rating symbol applicable to the film; and
 - (ii) an explanation of that symbol, in the terms of the relevant paragraph of regulation 12(1); and
 - (iii) any description assigned to the film:
 - (b) in the case of a film that has been classified as a restricted publication, there shall be included—
 - (i) the classification symbol applicable to the film; and
 - (ii) an explanation of that symbol, in the terms of the actual classification of the film; and
 - (iii) any description assigned to the film.
- (2) In every case the information required by subclause (1) shall be displayed legibly on the screen for at least 5 seconds.
- (3) Nothing in this regulation applies to television advertisements that advertise commercial video on-demand content.

Regulation 41(3): inserted, on 1 August 2021, by regulation 26 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

42 Display of explanatory material in premises where films supplied, etc

- (1) Every occupier of premises (not being a private residence) where films are supplied to the public, offered for supply to the public, or exhibited to the public shall, in accordance with subclause (2), publicly display on those premises a notice showing—
 - (a) the ratings specified in regulation 12(1); and
 - (b) the rating symbols specified in regulation 11D; and
 - (c) the symbols that may appear on labels issued under regulation 17(1)(b), and an explanation of their meaning.

- (1A) Every occupier of premises (not being a private residence) where films to which regulation 65 applies are supplied to the public or offered for supply to the public must, in accordance with subclause (2), publicly display on those premises a notice showing—
- (a) the ratings and classifications set out in the third column of Schedule 4 (which are the ratings and classifications under the Video Recordings Act 1987); and
 - (b) their equivalent ratings and classifications under the Act, as set out in the second column of that schedule.
- (2) Every such notice shall—
- (a) be not less than 40 cm by 28 cm; and
 - (b) be printed in letters and figures that are easily readable by persons at a reasonable distance from the notice; and
 - (c) be displayed in a conspicuous position,—
 - (i) in the case of premises where films are supplied to the public or offered for supply to the public, as near as practicable to the counter where transactions are made:
 - (ii) in the case of premises where films are exhibited to the public, in the lobby of the premises or outside the entrance to those rooms in which films are exhibited; and
 - (d) be displayed at all times while the premises are open to the public.

Regulation 42(1)(b): amended, on 1 August 2021, by regulation 27 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 42(1A): inserted, on 1 May 1999, by section 5(1) of the Films, Videos, and Publications Classification Amendment Act 1999 (1999 No 13).

Part 6

Applications for review

43 Application for leave of Secretary to apply for review

- (1) Every application for the leave of the Secretary under section 47(2)(e) of the Act—
- (a) shall be in the form provided for that purpose by the Secretary; and
 - (b) shall include the following matters:
 - (i) particulars sufficient to identify the publication in respect of which a review by the Board of Review is sought; and
 - (ii) the date on which the Classification Office gave notice of its decision under section 38(1) of the Act; and
 - (iii) the date of entry of the decision in the register; and
 - (c) the applicant's interest in the publication; and

- (d) the reasons why the applicant considers that the publication to which the application relates should be reviewed by the Board of Review.
- (2) As soon as practicable after receiving an application for leave under section 47(2)(e) of the Act, the Secretary shall decide whether or not to grant leave to the applicant, and shall notify the applicant in writing of his or her decision and, where leave is refused, of the reasons for that refusal.

Regulation 43(1)(b)(ii): replaced, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Regulation 43(1)(b)(iii): inserted, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

44 Applications for review

Every application for a review under section 47 of the Act shall be in form 1.

Part 7 Miscellaneous provisions

General

45 Refusal to examine publication not in good condition

The Classification Office may refuse to examine any publication whose condition when submitted to the Classification Office is such that the Classification Office is unable to properly assess the publication.

46 Offences

- (1) Every person commits an offence against these regulations who, being the occupier of premises (other than a private residence) where films are supplied to the public or offered for supply to the public or exhibited to the public,—
- (a) publicly displays any film poster that has not been approved under these regulations; or
 - (b) publicly displays any film poster otherwise than in accordance with any condition or conditions imposed pursuant to regulation 30 in respect of the approval of that film poster under these regulations; or
 - (c) publicly displays any film poster in contravention of any such condition.
- (2) Every person commits an offence against these regulations who, being the occupier of premises (other than a private residence) where films are supplied to the public or offered for supply to the public or exhibited to the public,—
- (a) fails without reasonable excuse to display the notice required by subclause (1) of regulation 42; or
 - (b) without reasonable excuse displays any such notice otherwise than in accordance with the requirements of subclause (2) of that regulation.

- (2A) Every person commits an offence against these regulations who, being the occupier of premises (other than a private residence) where films to which regulation 65 applies are supplied to the public or offered for supply to the public,—
- (a) fails without reasonable excuse to display the notice required by subclause (1A) of regulation 42; or
 - (b) without reasonable excuse displays any such notice otherwise than in accordance with the requirements of subclause (2) of that regulation.
- (3) Every person who commits an offence against these regulations is liable on conviction to a fine not exceeding \$2,000.

Regulation 46(2A): inserted, on 1 May 1999, by section 5(1) of the Films, Videos, and Publications Classification Amendment Act 1999 (1999 No 13).

Regulation 46(3): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

47 Search warrants

[Revoked]

Regulation 47: revoked, on 1 October 2012, by regulation 4 of the Films, Videos, and Publications Classification Amendment Regulations 2012 (SR 2012/236).

48 Labelling body to disseminate information

- (1) The labelling body shall take such steps as the Chief Censor may require to ensure that notice of the rating and description (if any) assigned by the labelling body to any film is disseminated to persons engaged in the production, distribution, public supply, or public exhibition of films.
- (2) Every notice required by subclause (1) shall be disseminated not later than 1 month after the rating is assigned to the film, and shall include the following details:
 - (a) the title of the film:
 - (b) the running time of the film:
 - (c) the rating and description (if any) assigned to the film:
 - (d) the date on which the labelling body issued the label in respect of the film.
- (3) Where, pursuant to this regulation, the labelling body is required to supply to any person a copy of any notice required by subclause (1), the labelling body may charge that person a fee for supplying that copy.
- (4) Any fee charged pursuant to subclause (3) for the supply to any person of a copy of a notice shall be no more than is reasonably required to recover the cost to the labelling body of making and supplying that copy.

49 Service of notices and other documents

- (1) Any notice or other document required to be given or served by, or to or on, any person for the purposes of the Act may be so given or served by delivering it to that person.
- (2) Any such notice or document may be delivered to the person—
 - (a) personally; or
 - (b) by leaving it at that person's usual or last known place of residence or business or at the address specified by that person in any application or other document received from that person; or
 - (c) by posting it in a letter addressed to that person at that place of residence or business or at that address; or
 - (d) where the person has a document exchange box number, by leaving the notice or document at a document exchange for direction to that document exchange box number; or
 - (e) where that person has a facsimile number, by transmitting the notice or document to that facsimile number.

50 Service by post

- (1) If, in accordance with regulation 49(2)(c), any notice or document is sent to any person by post, it shall be deemed to have been delivered to that person on the earlier of—
 - (a) the fifth working day after the day on which it was posted; or
 - (b) the day on which it was received.
- (2) In proving the delivery it shall be sufficient to prove that the letter was properly addressed and posted.

51 Service by means of document exchange or facsimile

- (1) Where a notice or document is served on, or given to, any person in accordance with paragraph (d) or paragraph (e) of regulation 49(2), that notice or document shall,—
 - (a) if left at a document exchange, be deemed to have been duly served or given on the earlier of—
 - (i) the second working day after the day on which it was so left; or
 - (ii) the day on which it was received; and
 - (b) if transmitted to a facsimile number, be deemed, subject to subclauses (2) and (3), to have been duly served or given on the day on which it was transmitted.
- (2) Where a notice or document is transmitted to a facsimile number after 5 pm on any day, that notice or document shall, subject to subclause (3), be deemed to

have been duly served or given on the first working day after the day on which the notice or document was received in a complete and legible condition.

- (3) A notice or document transmitted to a facsimile number shall be deemed to have been received in a complete and legible condition unless—
- (a) the contrary is shown; or
 - (b) as soon as practicable after the transmission is concluded, the person to whom the notice or document was transmitted notifies the person who transmitted the notice or document that the notice or document was incomplete or illegible or both when it was received.

52 Service on absentee

For the purposes of regulation 49, where the person on or to whom a notice or document is required to be served or given is absent from New Zealand, the notice or document may be delivered, as specified in that regulation, to that person's agent in New Zealand.

53 Chief Censor or President of Board may direct manner of service

- (1) Subject to regulation 54, if any person on or to whom a notice or document is required to be served or given for the purposes of the Act is not known, or is absent from New Zealand and has no known agent in New Zealand, or is deceased, or if for any other reason it is not practicable to deliver the notice or document personally, the notice or document shall be delivered in such manner as may be directed by the Chief Censor or the President of the Board.
- (2) Notwithstanding anything in regulations 49 to 52, but subject to regulation 54, the Chief Censor or the President of the Board may in any case direct the manner in which any such notice or document is to be given or served, or dispense with the service or giving of any such notice or document.

54 Regulations as to service, etc, to be read subject to express provision

Regulations 49 to 53 shall be read subject to any provision of the Act that prescribes a particular and exclusive mode of serving or giving any notice or document.

Revocations

55 Revocations

The regulations specified in Schedule 3 are hereby revoked.

Part 8

Transitional provisions

Application

56 Application of this Part

This Part applies to any film—

- (a) in respect of which a decision relating to the rating to be assigned to the film or relating to the classification of the film has been made under the Films Act 1983 or the Video Recordings Act 1987, or both; and
- (b) in respect of which no label has been issued under the Act; and
- (c) that has not been classified under the Act.

Equivalent ratings and classifications

57 Equivalent ratings and classifications

- (1) Each of the classifications under the Films Act 1983 specified in the first column of Schedule 4 is equivalent to the rating or classification under this Act specified in relation to each such classification in the second column of that schedule.
- (2) Each of the ratings and classifications under the Video Recordings Act 1987 specified in the third column of Schedule 4 is equivalent to the rating or classification under this Act specified in relation to each such rating or classification in the second column of that schedule.

58 Issue of label in respect of film to which this Part applies

- (1) Any person who—
 - (a) is engaged in the production, distribution, public supply, or public exhibition of films; or
 - (b) proposes to supply to the public or exhibit to the public any film—
may apply under section 9(1) of the Act to the labelling body for the issue of a label in respect of any film to which this Part applies.
- (2) On receiving an application under section 9(1) of the Act in relation to a film to which this Part applies, the labelling body shall, subject to regulation 61, issue a label in respect of that film.
- (3) Subject to regulation 59, every such label shall contain—
 - (a) the rating or classification under this Act that is equivalent to the rating or classification of the film under the Films Act 1983 or, as the case requires, the Video Recordings Act 1987, as determined in accordance with regulation 57; and

- (b) the description (if any) assigned to the film in accordance with regulation 60.
- (4) Every label issued under subclause (3) shall be in the form of, and coloured the same as, whichever of diagrams A to E in Schedule 1 fits the case, which shall be determined by the film's equivalent rating or classification under the Act.
- (5) Nothing in this regulation authorises the labelling body to issue a label in respect of a film that, under section 161(3)(c) or section 168(3)(b) or section 171(3)(a) of the Act, is deemed to have been classified as objectionable.

59 Assignment of rating or classification where conflicting decisions

- (1) This regulation applies in respect of any film (being a film to which this Part applies) in any case where, because decisions have been made in respect of that film under both the Films Act 1983 and the Video Recordings Act 1987, it is not possible to assign one equivalent rating or classification to that film in accordance with regulation 57.
- (2) Where, pursuant to regulation 58 of these regulations, the labelling body is required to issue a label in respect of a film to which this regulation applies, the labelling body shall,—
 - (a) where the application of regulation 57 would otherwise result in the film having 2 different ratings under the Act, assign to the film the more restrictive of those ratings:
 - (b) where the application of regulation 57 would otherwise result in the film having both a rating and a classification under the Act, assign to the film that classification:
 - (c) where the application of regulation 57 would otherwise result in the film having 2 different classifications under the Act, assign to the film the more restrictive of those classifications.
- (3) The rating or classification assigned to a film pursuant to this regulation shall be included on the label issued in respect of that film pursuant to regulation 58.

60 Assignment of description

- (1) Subject to subclauses (2) to (4), where, in accordance with regulation 58 or, as the case requires, regulation 59, the labelling body has assigned a rating or a classification to a film, the labelling body shall determine whether to assign a description to that film to indicate whether it contains anti-social behaviour, cruelty, violence, crime, horror, sex, or offensive language or behaviour.
- (2) Where, in the case of a film that has been classified under the Films Act 1983, a description has been given to the film under section 15(4) of that Act, the labelling body shall assign to the film that description.
- (3) Where a description has been assigned to the film under the Video Recordings Act 1987, the labelling body shall assign to the film that description.

- (4) Notwithstanding anything in subclauses (2) and (3), where the application of those subclauses would otherwise result in the film being assigned 2 different descriptions, the labelling body may—
- (a) assign to the film whichever of those 2 descriptions the labelling body considers is the more appropriate; or
 - (b) assign to the film any other description that the labelling body considers appropriate.

61 Labelling body must submit film to Classification Office if film includes inconsistent new material

- (1) This regulation applies to a film (the **film**) to which this Part applies if,—
- (a) in accordance with regulation 58, an application is made under section 9(1) of the Act for the issue of a label in respect of the film; and
 - (b) there is included on the film material (the **new material**) that was not included on the film when a rating or classification was given to the film under—
 - (i) the Films Act 1983; or (as the case requires)
 - (ii) the Video Recordings Act 1987.
- (2) The labelling body must not issue a label in respect of the film (including the new material), but must submit the film (including the new material) to the Classification Office in accordance with section 12(1) of the Act if, after assessing under subclause (3) the new material, the labelling body is satisfied it is inconsistent with the film (excluding the new material).
- (3) The labelling body must, as well as determining the equivalent rating or classification of the film (excluding the new material) under the Act, assess the new material to determine whether it is inconsistent with the film (excluding the new material).
- (4) The new material is inconsistent with the film (excluding the new material) for the purposes of this regulation if taking the steps in regulation 61A would result in the film (excluding the new material) and new material having the ratings or classifications in one of the rows of the table set out in regulation 61B.
- (5) This regulation overrides regulations 58 and 59.

Regulation 61: substituted, on 7 April 2005, by regulation 12 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

61A Steps referred to in regulation 61(4)

- (1) One step referred to in regulation 61(4) is for the labelling body to determine the equivalent rating or classification of the film (excluding the new material) under the Act.
- (2) The other step referred to in regulation 61(4) is for the labelling body—
- (a) to assess the new material—

- (i) under regulation 10 as a film in its own right; and
- (ii) having regard to the matters specified in regulation 10(2); and
- (b) as a result of that assessment, to either—
 - (i) assign the new material a rating; or
 - (ii) be satisfied, in accordance with regulation 10(5), of the classification the new material would be likely to have if it were classified by the Classification Office.

Regulation 61A: inserted, on 7 April 2005, by regulation 12 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

61B When new material is inconsistent with film

The table referred to in regulation 61(4) is as follows:

row	film	new material
1	G	PG <i>or</i> M <i>or</i> R
2	PG	M <i>or</i> R
3	M	R
4	R	R

Regulation 61B: inserted, on 7 April 2005, by regulation 12 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

61C Symbols used in table in regulation 61B

- (1) The rating symbols in regulation 61B represent (as provided by regulation 11D) the ratings specified in regulation 12(1) or 15A(2), and those symbols apply regardless of the description (if any) that would be assigned under regulation 14 or under section 36(3)(b) or 46F(3) of the Act.
- (2) The symbol “R” in regulation 61B represents—
 - (a) every kind of classification as a restricted publication (regardless of the restriction that has been or would be imposed by the Classification Office or the Board of Review); and
 - (b) any rating under regulation 15A(2)(d), (e), or (f) (which is a rating that indicates that commercial video on-demand content is unsuitable for audiences under a specified age).
- (2A) The symbol “R” in regulation 61B applies regardless of—
 - (a) the description (if any) that has been or would be assigned under regulation 15(2)(b)(i) and (4) or under section 36(3)(b) or 46F(3) of the Act; and
 - (b) the conditions (if any) that have been or would be imposed under section 27 of the Act.

Regulation 61C: inserted, on 7 April 2005, by regulation 12 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

Regulation 61C(1): amended, on 1 August 2021, by regulation 28(1) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 61C(1): amended, on 1 August 2021, by regulation 28(2) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 61C(1): amended, on 1 August 2021, by regulation 28(3) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 61C(2): replaced, on 1 August 2021, by regulation 28(4) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Regulation 61C(2A): inserted, on 1 August 2021, by regulation 28(4) of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

62 Old labels to be obscured

Where the labelling body issues a label in respect of a film to which this Part applies, and that film already has displayed on it a label issued under the Video Recordings Act 1987, regulation 20 shall be deemed—

- (a) to require the new label to be displayed on the film in such a way that the old label is so far as possible no longer visible; or
- (b) where it is not possible to comply with the requirement specified in paragraph (a), to require the old label to be permanently obscured by some other means, or to be removed.

Regulation 62(a): amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Film posters approved under Films Act 1983

63 Film posters approved under Films Act 1983

- (1) Subject to subclause (3), every film poster in respect of which an approval given under the Films Regulations 1984 is subsisting immediately before 1 October 1994 shall be deemed, for the purposes of these regulations, to be approved under these regulations.
- (2) Where any application is made under section 9(1) of the Act to the labelling body for the issue of a label in respect of any film to which this Part applies, nothing in Part 3 requires the submission to the labelling body of any film poster relating to that film in any case where that film poster is deemed by subclause (1) to be approved under these regulations.
- (3) Where, in accordance with regulation 58, the labelling body issues a label in respect of a film to which this Part applies, any film poster to which subclause (1) applies and that is used or intended to be used in relation to the advertising of that film to the public shall show, in accordance with regulation 38, the content of that label.

*Compliance with requirements of Films Act 1983 or Video Recordings Act
1987*

64 Compliance with requirements of Films Act 1983

[Expired]

Regulation 64: expired, on 1 April 1999, by regulation 66.

65 Compliance with requirements of Video Recordings Act 1987

- (1) This regulation applies to any film in respect of which a label has been issued under the Video Recordings Act 1987, where the decision authorising the issue of the label is subsisting immediately before 1 October 1994.
- (2) Unless a label has been issued under the Act in respect of the film, if any film to which this regulation applies is supplied to the public or offered for supply to the public, and that film is so supplied or offered for supply in compliance with all of the requirements of the Video Recordings Act 1987 that, immediately before 1 October 1994, applied in respect of the public supply of that film or, as the case requires, the offering of the film for supply to the public, that film shall be deemed to be supplied to the public or, as the case requires, offered for supply to the public in compliance with those requirements of the Act and these regulations that would otherwise apply with respect to the public supply of that film or, as the case requires, the offering of the film for supply to the public.
- (3) *[Revoked]*
- (4) *[Revoked]*

Regulation 65(2): amended, on 24 March 1999, by section 5(1) of the Films, Videos, and Publications Classification Amendment Act 1999 (1999 No 13).

Regulation 65(3): revoked, on 1 May 1999, by section 5(1) of the Films, Videos, and Publications Classification Amendment Act 1999 (1999 No 13).

Regulation 65(4): revoked, on 1 May 1999, by section 5(1) of the Films, Videos, and Publications Classification Amendment Act 1999 (1999 No 13).

66 Expiry of regulation 64

Regulation 64 expires with the close of 31 March 1999.

Regulation 66: substituted, on 24 March 1999, by section 5(1) of the Films, Videos, and Publications Classification Amendment Act 1999 (1999 No 13).

Schedule 1

Labels for films

rr 16, 17

Schedule 1: substituted, on 12 December 1997, by regulation 2 of the Films, Videos, and Publications Classification Amendment Regulations 1997 (SR 1997/349).

Schedule 1 heading: substituted, on 22 May 2005, by regulation 13 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

Diagram A

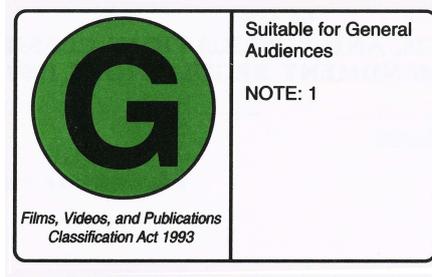


Diagram B

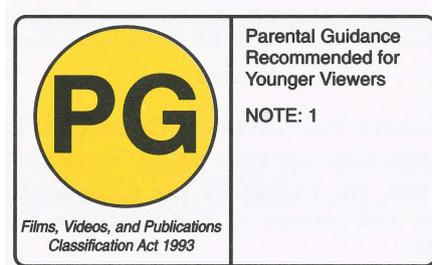


Diagram C

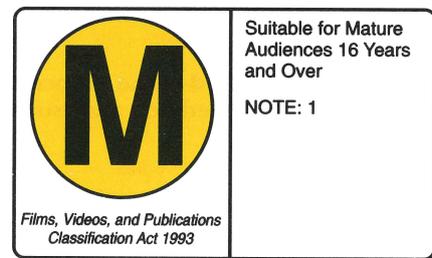


Diagram D

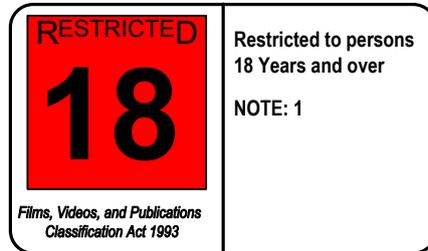
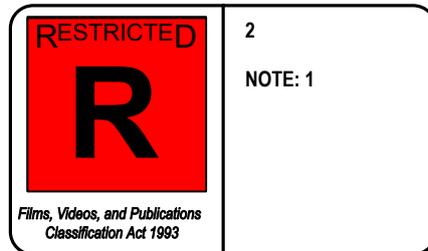


Diagram E



Notes to Schedule 1

1. Insert any description assigned to the film by the labelling body or the Office of Film and Literature Classification.
2. Insert the restriction imposed by the Office of Film and Literature Classification or the Film and Literature Board of Review.

Schedule 1A
Labels for other publications that are classified as restricted
publications

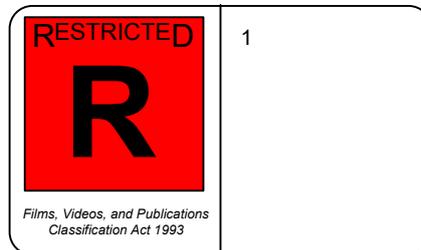
r 18A(2), (3)

Schedule 1A: inserted, on 22 May 2005, by regulation 14 of the Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46).

Diagram A



Diagram B

**Note**

- 1 Insert the restriction imposed by the Office of Film and Literature Classification or the Film and Literature Board of Review

Schedule 1B
Content warnings for commercial video on-demand

r 15B

Schedule 1B: inserted, on 1 August 2021, by regulation 29 of the Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127).

Adult themes

Animal cruelty

Bullying

Coarse language

Content that may disturb

Cruelty

Dangerous behaviour

Domestic violence

Drug references

Drug use

Explicit sex scenes

Graphic violence

Horror

Nudity

Offensive language

Rape

Scary scenes

Self-harm

Sex scenes

Sexual themes

Sexual violence

Sexual violence themes

Suicide

Suicide themes

Supernatural themes

Violence

Schedule 2**Forms**

Form 1

Application for review by Film and Literature Board of Review

r 44

Section 47, Films, Videos, and Publications Classification Act 1993

To the Secretary for Internal Affairs

Department of Internal Affairs

Private Bag

Wellington

1 Pursuant to section 47 of the Films, Videos, and Publications Classification Act 1993, I hereby apply for a review, by the Film and Literature Board of Review, of the publication specified in paragraph 2 of this application.

I am making this application pursuant to paragraph (a) *or* (b) *or* (c) *or* (d) *or* (e) of section 47(2) of the Films, Videos, and Publications Classification Act 1993.

The decision of the Classification Office in respect of the publication was entered in the register of classification decisions on *[date]*.

2 The particulars of the publication are: *[insert particulars sufficient to identify the publication]*.

3 My name and address are as follows:

Name: *[full name]*

Address: *[address]*.

4 The application fee of \$*[amount]* is enclosed.

Signature of applicant:

Date:

Schedule 2 form 1: amended, on 1 October 2012, by section 27 of the Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62).

Form 2
Search warrant

[Revoked]

r 47

Schedule 2 form 2: revoked, on 1 October 2012, by regulation 5 of the Films, Videos, and Publications Classification Amendment Regulations 2012 (SR 2012/236).

Schedule 3
Regulations revoked

r 55

Films Regulations 1984 (SR 1984/77)

Films Regulations 1984, Amendment No 2 (SR 1988/184)

Films Regulations 1984, Amendment No 4 (SR 1990/213)

Films Regulations 1984, Amendment No 5 (SR 1991/138)

Indecent Publications Regulations 1964 (SR 1964/28)

Video Recordings Regulations 1987 (SR 1987/251)

Video Recordings Regulations 1987, Amendment No 1 (SR 1989/152)

Video Recordings Regulations 1987, Amendment No 2 (SR 1990/212)

Video Recordings Regulations 1987, Amendment No 3 (SR 1991/139)

Schedule 4

Equivalent ratings and classifications

r 57

Classification under Films Act 1983

Approved for general exhibition (G).

Approved for general exhibition: recommended as more suitable for persons 13 years of age and over (GY).

Approved for general exhibition: recommended as more suitable for adults (GA).

Approved for general exhibition followed by a recommendation that is introduced by an asterisk (G*).

Approved for exhibition only to persons years of age and over and to any person under that age when accompanied by that person's parent or guardian (RP (followed by a specified age)).

Approved for exhibition only to persons 16 years of age and over (R16).

Approved for exhibition only to persons 18 years of age and over (R18).

Approved for exhibition only to persons 20 years of age and over (R20).

Approved for exhibition only at 1 or more specified film festivals (whether or not the classification also restricts the exhibition of the film to persons of or over a specified age) (RFF).

Approved for exhibition only to members of approved film societies (whether or not the classification also restricts the exhibition of the film to persons of or over a specified age) (RFS).

Equivalent rating or classification under Films, Videos, and Publications Classification Act 1993

Suitable for general audiences.

Parental guidance recommended for younger viewers.

Suitable for mature audiences 16 years of age and over.

Objectionable except if the availability of the film is restricted to persons who have attained the age of 16 years.

Objectionable except if the availability of the film is restricted to persons who have attained the age of 18 years.

Rating or classification under Video Recordings Act 1987

Suitable for general audiences.

Parental guidance recommended for persons under 13 years of age.

Suitable for persons 13 years of age and over.
Suitable for persons 16 years of age and over.

Indecent in the hands of persons under 16 years of age.

Indecent in the hands of persons under 18 years of age.

**Classification under Films Act
1983**

Approved for exhibition, with a statement (the statement being introduced by an asterisk) of the class or description of persons to whom the film may be exhibited and the places, dates, and times (or any of them) where or when the film may be exhibited (R*).

**Equivalent rating or
classification under Films,
Videos, and Publications
Classification Act 1993**

Objectionable except if—

- (a) the availability of the film is restricted to specified persons or classes of persons; or
- (b) the film is used for 1 or more specified purposes.

Note: The terms of the classification shall correspond as near as may be to the terms of the classification under the Films Act 1983 or, as the case may be, the Video Recordings Act 1987.

**Rating or classification
under Video
Recordings Act 1987**

Indecent unless its circulation is restricted to specified persons or classes of persons.

Indecent unless viewed or used for a particular purpose.

Marie Shroff,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 1 September 1994.

Reprints notes

1 *General*

This is a reprint of the Films, Videos, and Publications Classification Regulations 1994 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Films, Videos, and Publications Classification (Commercial Video on-Demand) Amendment Regulations 2021 (LI 2021/127)

Films, Videos, and Publications Classification Amendment Act 2012 (2012 No 62): section 27

Films, Videos, and Publications Classification Amendment Regulations 2012 (SR 2012/236)

Criminal Procedure Act 2011 (2011 No 81): section 413

Films, Videos, and Publications Classification Amendment Regulations 2005 (SR 2005/46)

Films, Videos, and Publications Classification Amendment Act 1999 (1999 No 13): section 5(1)

Films, Videos, and Publications Classification Amendment Regulations 1997 (SR 1997/349)

Films, Videos, and Publications Classification Regulations 1994 (SR 1994/189): regulation 66