

**AUSTRALIAN CAPITAL TERRITORY**

**CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES)  
(ENFORCEMENT) ACT 1995**

**DETERMINATION OF FEES**

**Determination NO. 294 OF 1996**

**Explanatory Statement**

The *Classification (Publications, Films and Computer Games) (Enforcement) Act 1996* ("the Act") is part of a national classification scheme for publications, films and computer games.

Amendments to the Act, effected by the *Classification (Publication, Films and Computer Games) (Enforcement) (Amendment) Act (No.2) 1996*, insert provisions requiring that a person be licensed to sell or copy or to sell and copy X films.

Section 67 of the Act provides that the Minister may, by notice in writing published in the *Gazette*, determine fees for the purposes of the Act.

This determination is made pursuant to section 67 of the Act and determines the fees to accompany an application for the grant or renewal of three categories of licence:

- a licence to sell X films;
- a licence to copy X films; and
- a licence to sell and copy X films.

The determination sets out the fee for each of these types of licence, whether granted for a period of 12 months or less. While licences will be renewed pursuant to section 54H of the Act for a period of 12 months, new licences may, in some circumstances be granted, pursuant to section 54C, for less than 12 months. It is intended that this will be done to enable the new licences to be brought into line with the due dates for quarterly instalments set out in the Act. In order to bring all licences issued into line with the quarterly due dates for instalments, it is intended that new licences will be granted for the maximum number of months possible, but not exceeding 12 months. This may involve issuing a licence for 9, 10 or 11 months.

There is no prior determination made pursuant to section 67, determining fees for such licences.

Previously licences to sell X films were granted pursuant to the *Business Franchise (X Videos) Act 1990*, which has been repealed with effect from, and on, 1 January 1997, by the *Classification (Publication, Films and Computer Games) (Enforcement) (Amendment) Act (No.2) 1996*.

The determination is to come into effect from, and including the date upon which section 54C of the Act commences.

## DETAILS OF FEES

### Fees determined for the purposes of 54C

#### **Fee for licence to sell X films**

In the case of a licence for a period of 12 months the fee is \$10,000 for each premises where X films are sold.

In the case of a licence for a period of less than 12 months the fee is, for each premises where X films are sold, \$833 for each month or part thereof for which the licence is issued.

#### **Fee for a licence to copy X films**

In the case of a licence for a period of 12 months the fee is \$10,000 for each premises where X films are copied.

In the case of a licence for a period of less than 12 months the fee is, for each premises where X films are copied, \$833 for each month or part thereof for which the licence is issued.

#### **Fee for a licence to sell and copy X films**

In the case of a licence for a period of 12 months the fee is \$20,000 for each premises where X films are sold and copied and \$10,000 for each of any other premises where X films are sold or copied.

In the case of a licence for a period of less than 12 months the fee is, for each premises where X films are sold and copied, \$1666 for each month or part thereof for which the licence is issued plus, for each of any other premises where X films are sold or copied, \$833 for each month or part thereof for which the licence is issued.

### Fees determined for the purposes of 54H

#### **Fee for licence to sell X films**

In the case of a licence for a period of 12 months the fee is \$10,000 for each premises where X films are sold.

#### **Fee for a licence to copy X films**

In the case of a licence for a period of 12 months the fee is \$10,000 for each premises where X films are copied.

**Fee for a licence to sell and copy X films**

In the case of a licence for a period of 12 months the fee is \$20,000 for each premises where X films are sold and copied and \$10,000 for each of any other premises where X films are sold or copied.