

LEGISLATIVE ASSEMBLY

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES)
(ENFORCEMENT) (AMENDMENT) BILL

(Amendments and New Clause to be moved by Mr Hulls)

1. Clause 1, page 2, line 13, after "publications" insert "and provide further for those matters".
2. Clause 1, page 2, line 14, after "consequential" insert "and other".
3. Clause 2, line 18, omit "12" and insert "13".
4. Clause 2, line 21, omit "12" and insert "13".
5. Clause 8, line 15, after "RC" insert "or X".
6. Clause 10, lines 3 to 10, omit all words and expressions on these lines and insert—
'(a) in the definition of "objectionable film", paragraph (b) is **repealed**;
(b) in the definition of "objectionable publication", paragraph (c) is **repealed**.
(2) In section 56 of the Principal Act, in the definition of "objectionable material", paragraph (c)(ii) is **repealed**.'
7. Clause 11, page 11, line 4, omit "12" and insert "13".
8. Clause 11, page 11, line 15, omit "12" and insert "13".
9. Clause 11, page 12, line 24, omit "12" and insert "13".
10. Clause 11, page 12, line 29, omit "12" and insert "13".
11. Clause 12, after line 7 insert—
'(1) In section 68(1A) of the **Crimes Act 1958**, after "X" (where twice occurring) **insert** "or X 18+".
(2) In section 69(2) of the **Crimes Act 1958**, after "X" **insert** "or X 18+".'
12. Clause 12, line 9, after ' "X" ' insert "(where twice occurring)".

NEW CLAUSE

13. Insert the following Clause to follow Clause 11:
'AA. Amendment of the Crimes Act 1958

- (1) In section 67A of the **Crimes Act 1958**, in the definition of "child pornography", for "looks like" **substitute** "appears to be".
- (2) After section 68(1) of the **Crimes Act 1958 insert**—
 - "(1A) It is a defence to a prosecution for an offence against sub-section (1) to prove, in the case of—
 - (a) a film; or
 - (b) a photograph contained in a publication; or
 - (c) a computer game—that at the time of the alleged offence the film, publication or computer game was classified other than RC or X or would, if classified, be classified other than RC or X."
- (3) At the end of section 69 of the **Crimes Act 1958 insert**—
 - "(2) It is a defence to a prosecution for an offence against sub-section (1) to prove, in the case of—
 - (a) a film; or
 - (b) a photograph contained in a publication; or
 - (c) a computer game—that at the time of the alleged offence the film, publication or computer game would, if classified, be classified other than RC or X."
- (4) In section 70(2)(a) of the **Crimes Act 1958**, after "X" **insert** "or would, if classified, be classified other than RC or X".'.