



Western Australia

Classification (Publications, Films and Computer Games) Enforcement
Act 1996

**Classification (Publications, Films
and Computer Games)
Enforcement Regulations 1996**

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Western Australia

Classification (Publications, Films and Computer Games) Enforcement Regulations 1996

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Classification (Publications, Films and Computer Games) Enforcement Regulations 1996

1. Citation

These regulations may be cited as the *Classification (Publications, Films and Computer Games) Enforcement Regulations 1996*¹.

[Regulation 1 amended in Gazette 14 Dec 2012 p. 6202.]

2. Commencement

These regulations come into operation on the day on which the *Censorship Act 1996* comes into operation¹.

3. Prescribed offences and modified penalties

- (1) The offences set out in Schedule 1 column 1 are prescribed for the purposes of section 117D of the Act.
- (2) For the purposes of section 117E(2) of the Act, the modified penalty set out in Schedule 1 column 2 opposite an offence referred to in Schedule 1 column 1 is the prescribed modified penalty for an individual for that offence.
- (3) For the purposes of section 117E(2) of the Act, the modified penalty set out in Schedule 1 column 3 opposite an offence

r. 4

referred to in Schedule 1 column 1 is the prescribed modified penalty for a body corporate for that offence.

[Regulation 3 inserted in Gazette 4 Jun 2004 p. 1929-30.]

4. Form of an infringement notice

Schedule 2 Form 1 is prescribed for the purposes of section 117E(1) of the Act.

[Regulation 4 inserted in Gazette 4 Jun 2004 p. 1930.]

5. Form of notice of withdrawal of an infringement notice

Schedule 2 Form 2 is prescribed for the purposes of section 117G(1) of the Act.

[Regulation 5 inserted in Gazette 4 Jun 2004 p. 1930.]

[6-8. Deleted in Gazette 27 Jun 2003 p. 2384-5.]

9. Fee for registration, or renewal of registration, of premises

For the purposes of section 131(1)(d) of the Act a fee of \$75 in respect of each premises proposed to be registered, or registered, in the name of the applicant is prescribed.

10. Fee for inspecting or copying register

For the purposes of section 135(5) of the Act —

- (a) a fee of \$5 is prescribed for inspecting the register; and
- (b) a fee of \$1 per page is prescribed for copies of the register.

[11, 12. Deleted in Gazette 27 Jun 2003 p. 2385.]

Schedule 1 — Prescribed offences and modified penalties

[r. 3]

Offence	Modified penalty (individual)	Modified penalty (body corporate)
s. 64(1)	\$200	\$1 000
s. 64(4)	\$200	\$1 000
s. 65(1)	\$500	\$2 500
s. 65(5)	\$500	\$2 500
s. 65(6)	\$500	\$2 500
s. 65A	\$500	\$2 500
s. 65B	\$200	\$1 000
s. 65C(1)	\$500	\$2 500
s. 65C(2)	\$500	\$2 500
s. 65D(5)	\$20	N/A
s. 67(1)	\$100	\$500
s. 70(1)(b)	\$200	\$1 000
s. 71(2)	\$20	N/A
s. 72(1)	\$200	\$1 000
s. 75(1)	\$100	\$500
s. 76(1)	\$500	\$2 500
s. 76(2)	\$500	\$2 500
s. 76(3)	\$500	\$2 500
s. 77(1)	\$500	\$2 500
s. 79(1)	\$500	\$2 500
s. 79(3)	\$20	N/A
s. 79(4)	\$200	\$1 000
s. 83(1)	\$100	\$500
s. 84(2)	\$20	N/A
s. 85(1)	\$500	\$2 500
s. 85(2)(b)	\$200	\$1 000
s. 85(3)(b)	\$200	\$1 000
s. 86(1)	\$500	\$2 500
s. 86(2)	\$500	\$2 500

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Schedule 1 Prescribed offences and modified penalties

Offence	Modified penalty (individual)	Modified penalty (body corporate)
s. 86(3)	\$500	\$2 500
s. 86(4)	\$500	\$2 500
s. 87(1)	\$500	\$2 500
s. 88(1A)	\$500	\$2 500
s. 88(1)	\$500	\$2 500
s. 90(1)	\$500	\$2 500
s. 91(1)	\$500	\$2 500
s. 92	\$200	\$1 000
s. 93(1)	\$200	\$1 000
s. 94	\$200	\$1 000
s. 95	\$200	\$1 000
s. 96(1)	\$200	\$1 000
s. 97(1)	\$200	\$1 000
s. 97(2)	\$200	\$1 000
s. 97A(2)	\$500	\$2 500
s. 98	\$200	\$1 000
s. 113	\$100	N/A

[Schedule 1 inserted in Gazette 4 Jun 2004 p. 1930-1; amended in Gazette 14 Dec 2012 p. 6202.]

Schedule 2 — Forms

[r. 4 and 5]

Form 1

<i>Classification (Publications, Films and Computer Games) Enforcement Act 1996 s. 117E(1)</i>		Notice No:	
Infringement Notice			
Alleged offender	Family name:		
	Other names:		
	Address:	No.:	Street name:
		Suburb:	Postcode:
Alleged offence	Details of alleged offence:		
	Description of alleged offence:		
	Where and when:		
Amount of modified penalty	\$		
Police officer who issued this notice	Name:		
	Signature:		
	Date:		

What you must do	<p>1. You may elect to have this matter heard and determined by a court. To do this, complete the details in “Electing action by a court” on the reverse of this notice and return this notice to [details to be inserted here] within 28 days after the service of this notice.</p> <p>2. If you do not wish to have this matter heard and determined by a court you may dispose of this matter within 28 days after the service of this notice by paying the modified penalty (see “Paying the modified penalty” on the reverse of this notice).</p> <p>Should you not pursue either of the above options within 28 days, additional administrative charges may be incurred and action may be taken to suspend your Motor Driver’s Licence until you have paid in full the modified penalty and any additional charges OR you have elected to have this matter dealt with before a Court.</p>
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Schedule 2 Forms

Reverse of Form 1

Electing action by a court	I elect to have the offence alleged in this notice dealt with by a court. I understand that I may receive a summons for the alleged offence.
	Signature:
	Date:
	Address for service:

Paying the modified penalty	You may pay the modified penalty —
	<ol style="list-style-type: none"> 1. BY POSTING a cheque or money order made payable to [details to be inserted here]; OR 2. IN PERSON to [details to be inserted here].

[Form 1 amended in Gazette 14 Dec 2012 p. 6203.]

Form 2

<i>Classification (Publications, Films and Computer Games) Enforcement Act 1996 s. 117G(1)</i>		Notice No:	
Withdrawal of Infringement Notice			
To [Details of alleged offender]	Family name:		
	Other names:		
	Address:	No.:	Street name:
	Suburb:		Postcode:
<p>AN INFRINGEMENT NOTICE SERVED ON YOU HAS BEEN WITHDRAWN. ANY PAYMENT THAT HAS BEEN MADE WILL BE REFUNDED AND —</p> <ul style="list-style-type: none"> • NO FURTHER ACTION WILL BE TAKEN* • A SUMMONS WILL BE ISSUED* <p><i>[* delete whichever is not applicable]</i></p>			
Details of withdrawn notice	Date notice given:		
	Notice number:		
	Alleged offence:		
Authorised person who issued this notice	Name:		
	Signature:		
	Date:		

[Form 2 amended in Gazette 14 Dec 2012 p. 6203.]

Notes

- ¹ This is a compilation of the *Classification (Publications, Films and Computer Games) Enforcement Act 1996* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	Commencement
<i>Censorship Regulations 1996</i> ²	1 Nov 1996 p. 5755-62	5 Nov 1996 (see r. 2 and <i>Gazette</i> 5 Nov 1996 p. 5845)
<i>Censorship Amendment Regulations 2003</i>	27 Jun 2003 p. 2384-5	1 Jul 2003 (see r. 2 and <i>Gazette</i> 27 Jun 2003 p. 2383)
Reprint 1: The <i>Censorship Regulations 1996</i> as at 5 Dec 2003 (includes amendment listed above)		
<i>Censorship Amendment Regulations 2004</i>	4 Jun 2004 p. 1929-32	4 Jun 2004 (see r. 2 and <i>Gazette</i> 4 Jun 2004 p. 1933)
<i>Censorship Amendment Regulations 2012</i>	14 Dec 2012 p. 6202-3	r. 1 and 2: 14 Dec 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jan 2013 (see r. 2(b) and Act No. 53 of 2012 s. 2(b)(i))

- ² Now known as the *Classification (Publications, Films and Computer Games) Enforcement Regulations 1996*; citation changed (see note under r. 1).