



OFFICE OF FILM
& LITERATURE
CLASSIFICATION

Te Tari Whakarōpū Tukuata, Tubitubinga

Information Sheet 4

Guidelines for Written Submissions

Introduction

The Classification Office will often consider written submissions from interested parties when it classifies a publication that has been submitted to it by the Secretary for Internal Affairs, the Commissioner of Police, the Comptroller of Customs, the Chief Censor, the Courts, or a member of the public. Written submissions give the Classification Office an opportunity to hear an interested party's opinion about how a particular publication should be classified. The Classification Office will consider all submissions, but must classify every publication in accordance with the law.

Who can make a written submission

There are three groups of people who may make written submissions to the Classification Office about a publication's classification.

- Any person who submits a publication to the Classification Office for classification, any party to a proceeding in respect of which a Court has referred a publication to the Classification Office, and the Secretary for Internal Affairs, has the right to make a written submission to the Classification Office about the publication's classification.
- The Chief Censor may determine that particular persons should be given notice that a publication has been submitted for classification and invite them to make a submission on its classification. Such persons include the owner, maker, distributor, and publisher of the submitted publication.
- Other persons may ask the Chief Censor for permission to make a written submission about the classification of a publication. Such persons must satisfy the Chief Censor that they are likely to be affected by the publication's classification.

Regardless of which group you belong to, the Classification Office will notify you in writing of your right to make a written submission on the classification of a publication that has been submitted to the Classification Office.

What to include in a written submission

A written submission is an opportunity to tell the Office why you think a particular publication should be classified as unrestricted, restricted, or objectionable (banned). Written submissions are considered by the Classification Office as part of the classification decision-making process. The Classification Office must also consider the Films, Videos, and Publications Classification Act 1993, including the definitions of various types of publication in section 2, the classification criteria in sections 3, 3A, 3B, 3C and 3D, and with respect to publications considered under section 3(3)(e), section 21 of the Human Rights Act 1993, when reaching a classification decision. Provisions of the New Zealand Bill of Rights Act 1990, particularly sections 4, 5, 6, and 14, are considered as well.

Many of these provisions are reproduced in *Information Sheet 5*:

Classification Legislation which accompanies this sheet. The legislation may be helpful in preparing a submission.

Viewing a copy of the publication

A copy of the publication you have been invited to make a submission on will be held at the Classification Office. You can arrange to view it there. In some cases, the publication may be readily available at retail outlets, and it may be easier or preferable to source it through them.

Time in which to prepare a submission

The Classification Office will tell you the date a written submission is due. This will usually be 14 working days from the date on the letter notifying you of your right to make a submission. If you decide not to make a submission, we would like to know. The Classification Office will begin classification of the publication as soon as all submissions have been received, or immediately after the due date has expired, whichever date comes first.

Submissions and a covering letter including the submitter's name and the publication title should be sent to:

Office of Film and Literature Classification
PO Box 1999
WELLINGTON, NEW ZEALAND
Facsimile: +64 4 471 6781

Submissions can be delivered in person or emailed to:

Office of Film and Literature Classification
4th Floor, BP House
20 Customhouse Quay
Wellington
Email: [information@censorship.govt.nz](mailto:information@ censorship.govt.nz)

Contact information

The Classification Office has an Information Unit which can provide information on the classification process and the process for making a submission. The Unit has produced other information sheets about the Classification Office and its functions. These information sheets may be of assistance in preparing a written submission and can be obtained from the Information Unit or the Classification Office's website.

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