



Information for suppliers and distributors of electronic games

This information sheet is for people interested in supplying games within New Zealand. If you require additional information, please contact the [Information Unit](#).

Under the Films, Videos, and Publications Classification Act 1993, (the Classification Act) electronic games fall under the definition of films and must be labelled before supply to the public. However, the labelling requirement only applies to restricted level games as section 8(1)(q) of the Act exempts unrestricted level games (G, PG and M) from labelling.

IS YOUR GAME AT AN UNRESTRICTED LEVEL (G, PG, M)?

Distributors of unrestricted level games have two options:

1. A distributor can supply unrestricted level games in New Zealand without a New Zealand label. The game can carry one or more overseas labels or no suitability advice at all. However, having more than one label on a game can be confusing for consumers. For this reason, many distributors choose option 2 below.
2. A distributor can submit the unrestricted level game to the Film and Video Labelling Body (FVLB) to get a label. In this case two possible labelling scenarios exist:
 - if the game has been classified in Australia as G, PG or M, or in the UK as U, PG or 12, the FVLB will issue the equivalent New Zealand label for supply in this country – this is known as the cross-rating system.
 - if the game has not been classified in Australia or the UK, and if the FVLB considers the game is likely to be restricted in New Zealand, they will submit the game to the Office of Film and Literature Classification (OFLC) for classification. The OFLC will determine a classification and advise the FVLB which label to supply for the game.

Note: On occasion, games without a New Zealand classification have been submitted to the OFLC by the gaming industry, members of the public or the Inspectors of Publications (from the Department of Internal Affairs or Police) because of a concern that the game might be restricted in New Zealand. In some cases, this has resulted in a restriction being applied to the game.

HAS YOUR GAME BEEN CLASSIFIED MA15+ IN AUSTRALIA OR 15 OR 18 IN THE UK?

It is an offence to supply a restricted game without a New Zealand label.

If your game has been classified MA15+ in Australia, classified 15 or 18 by the BBFC in the UK, or could in any case be restricted under New Zealand's classification law – see [What the Act Restricts](#) on our website – you will need to have your game classified and labelled before it is supplied to the New Zealand public.

DOWNLOADABLE GAMES

Games supplied to the New Zealand public via download must comply with New Zealand law.

BANNED GAMES

If a game is classified as objectionable (banned) by the OFLC, this means that it is illegal to import, distribute or possess this game in New Zealand. The penalty for this offence is a fine of up to \$10,000 in the case of an individual and \$30,000 in the case of a body corporate.

Games banned in New Zealand include:

- *Reservoir Dogs*
- *Manhunt* and *Manhunt 2*
- *Postal 2*

There is a spreadsheet of all games that have been classified by the OFLC on our website at: [games classification update](#)

WHAT HAPPENS WHEN A GAME IS SUBMITTED FOR CLASSIFICATION?

1. Games are classified on the basis that the OFLC needs to view enough of the game to be satisfied that the publication warrants a particular classification. This means a substantial portion of the game will be examined.
2. The applicant is required to take all reasonable steps to submit material with the game that will enable the OFLC to examine it efficiently. Such material could include footage of the parts of the game most likely to attract attention under the Act, and cheat sheets.
3. Once examination is complete, a classification decision is issued and the Labelling Body is directed to issue a label for the game.

Forms for submitting publications under section 12 of the Classification Act are available from the [FVLB](#) or from the [OFLC](#). A separate application form should be completed for each game. **Note: only page one of the form needs to be completed for a game submission.**

CAN A CLASSIFICATION DECISION BE APPEALED?

Reviews of classification decisions are undertaken by a separate body: the Film and Literature Board of Review. Any application to the Board for a review of a decision must be made within 30 working days of the decision of the OFLC being published in the List of Decisions. The Board can be contacted at: boardofreview@dia.govt.nz.

INFORMATION YOU MUST PROVIDE WHEN SUBMITTING A GAME FOR CLASSIFICATION

- **Completed [section 12 form](#)** (page 1 only) **and the appropriate fee.**
- **Any additional information that will assist the OFLC to examine the electronic game:** this may include cheat sheets, walkthroughs or any other information which may help to accurately and efficiently examine the game.

Submissions should be made to the FVLB. The FVLB acts as an agent for suppliers who wish to submit material to the OFLC for classification.

WHAT WILL IT COST?

The fees for classifying publications are set in the Films, Videos, and Publications Classification (Fees) Regulations 1994. Electronic games have a classification fee of \$1,431.10 per game. Fees are GST inclusive.

FILM AND VIDEO LABELLING BODY CONTACT DETAILS

Film and Video Labelling Body
Level 3, 16 College Hill, Ponsonby
PO Box 2627
AUCKLAND 1140

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FOR MORE INFORMATION CONTACT THE [INFORMATION UNIT](#)

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