

New SA censorship laws to start January 10: Government forcing consumers to view R18+ film content online

06 January, 2009: In late December the South Australian parliament passed new censorship legislation to take effect on January 10 which will drive consumers to illegal internet sites while at the same time hurting local businesses, the Australian Visual Software Distributors Association (AVSDA) said.

The *Classification (Publications, Films and Computer Games) (R 18+ Films) Amendment Act 2009* - which restricts the availability, marketing and accessibility of R rated DVD films in South Australia - was passed just before Christmas giving retailers only 10 January to comply with the new regulations which for many will be impossible given the short notice.

A sad irony is that the successful R18+ rated **South Australian Government funded film Wolf Creek** can no longer be marketed in that State thereby making a return on film investment almost impossible for such Australian films moving forward and will cost jobs in that State.

The Bill, sponsored by Family First MLC Dennis Hood, was supported by the Labor Government and its Attorney-General Hon Michael Atkinson.

The legislation and the approach of South Australia places it at odds with every other State and Territory and goes against the goal of achieving a truly homogenous National Classification Scheme as it restricts the availability of legal content to South Australians whilst also ignoring the trend towards legal digital downloads which this legislation ignores.

The new restrictions mean that retailers must now place R rated films and TV shows in a separate retail space in a shop as well as have clear signage for that space. In addition, no R rated films or TV shows on DVD may be advertised or marketed in South Australia placing it at odds with the rest of the country. Many retailers in South Australia may stop selling R18+ films as a consequence.

"AVSDA fully supports the National Classifications Scheme in providing information and choice for parents and families on which content is suitable to watch. However, this legislation fails to achieve the aims it sets out and will only force people who want access to R rated films to the internet and sadly most likely illegal copies at the same time of course they will also be exposed to other more extreme content," AVSDA CEO Simon Bush said.

"South Australia was one of the most liberal and socially democratically advanced jurisdictions in the world 100 years ago being the first to grant universal suffrage, now it continues to regress with these new restrictions on filmed content that the rest of the country and the world can enjoy while at the same time ignoring new online business models.

"The legislation does not apply to R rated films accessible via cinemas, nor TV nor the internet and solely targets South Australian retail businesses and consumers noting that two of the biggest movies and DVDs of 2009 were Bruno and the Hangover, both rated R18+," Mr Bush said.

AVSDA is the industry association representing the \$1.4 billion Australian home entertainment film and TV distribution sector. More information at www.avsda.com.au

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