



**Australian Government**  
**Classification Board**

**Statement of Intent**  
**June 2023**

The Australian Government recognises that the classification system and the Classification Board (the Board) perform an important role in informing the media consumption choices of Australians, including protecting children and the broader community from content that might harm or disturb them.

In this context, the Government has issued a Statement of Expectations to the Classification Board that outlines the Government's expectations relating to the role and performance of the Board.

This Statement of Intent responds to the Government's Statement of Expectations for the Board.

**Roles and responsibilities**

The Board is an independent statutory body established to apply relevant legislation to determine classifications for films, computer games and publications that reflect Australian community standards. Its governance and functions are prescribed by the *Classification (Publications, Films and Computer Games) Act 1995* (the Act).

The Board's primary role is to classify films, computer games and publications in accordance with the Act. Some of these decisions are made through delegations to Classification Branch staff who have completed approved training or through approved Classification Tools.

Section 52 of the Act defines the responsibilities and powers of the Director as being to ensure that the business of the Board is conducted in an orderly and efficient way. For that purpose, the Director may give directions as to the arrangement of the business of the Board.

Board members are appointed by the Minister responsible for classification, and Board members commit to the *Classification Board – Code of Conduct* which is reviewed annually by the Board. The Board also considers the *APSC Code of Conduct* and *A Guide to Standards of Conduct for Tribunal Members* produced by the Administrative Review Council in its work. These documents include the commitment to carry out responsibilities with honesty, integrity, care, diligence and efficiency in the course of their employment with the Board.

The Board also notes that its members are, for the purposes of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act), officials of the department, and

therefore subject to Accountable Authority Instructions (AAIs) issued by the department's Secretary (Accountable Authority) under section 20A of the PGPA Act.

### Decision-making approach

The Board is guided in its classification decisions by the *Classification (Publications, Films, and Computer Games) Act 1995*.

Noting the statutory deadlines imposed on the Board by the Act, and the inability to predict the volume of classification applications, the Board will work to ensure:

- its decision making is underpinned by processes focused on continuous improvement
- its decisions and reasoning are transparent
- it takes a risk-based approach to resource allocation, without compromising the quality of decision-making or compromising information available to consumers
- it takes into account research undertaken by the Department or other agencies and third parties which provide information about consumer concerns and attitudes towards classification and media content
- it meets statutory deadlines.

The Director and Deputy Director of the Board also take particular care in monitoring the wellbeing of Board members given their exposure to a wide range of content, some of which may be of a very confronting or graphic nature. Board programmes are developed to ensure Board members are appropriately supported by their peers and all members have access to regular counselling and support through the Department's Employee Assistance Programme.

Where resources permit, the Board will engage directly with industry stakeholders to:

- build the accuracy and effectiveness of classification tools
- build understanding of industry trends and concerns, and raise awareness and understanding of classification decisions.

### Government policies and priorities

The Board notes that the Government is committed to implementing measures to modernise the National Classification Scheme (the Scheme). The Board will:

- play a constructive role and actively engage in discussions about proposed reforms and changes and in particular will provide advice on the practical effect of proposed changes on classification decision-making in terms of both outcomes of classification and operations of the Board
- provide data, information and advice to the Government on recent classification decisions, and application of the legislative instruments including the Act, the Classification Code and the Guidelines for Films, Computer Games and Publications.

The Board has identified the importance of raising awareness in the community of the classification scheme and notes that the Department will provide resources to raise awareness of the classification scheme and the Board, and its important role as a trusted and reliable source of information for the Australian community and industry. The Board will work closely with the Department on the planning and delivery of such information campaigns, providing content and support.

Subsection 59(2) of the Act provides that staff of the Branch will assist the Board to enable it to work effectively and efficiently. The Board will work with the Branch to plan workload and activities in order to ensure resources required from the Branch are identified as early as possible.

#### Relationship with the responsible Minister

The Board commits to providing timely and accurate information and briefing to the Minister for Communications on significant issues. The Board will keep the Minister informed in relation to media releases, public submissions and major speeches and matters for which the Government is accountable to the Parliament.

The Director will meet regularly with the responsible Minister and/or their office to provide updates on Board activities and significant classification related matters.

#### Relationship with the Department of Infrastructure, Transport, Regional Development, Communications and the Arts

The Board recognises the importance of its relationship with its Portfolio Department in its role as principal adviser to the Minister on a range of matters.

The Board will maintain a close relationship with the Department through regular meetings, updates and briefings between officers and appropriate Board members.

The Director will meet regularly with the Assistant Secretary of the Classification Branch on strategic and operational matters and both the Director, Deputy Director and Classification Board members will work closely with Classification Branch staff to ensure the Board is able to meet its statutory deadlines and effectively deliver the other decisions and operations of the Board.

The Board will work collaboratively with the Department to ensure the Board's significant classification expertise can inform advice to Government, including on possible amendments to the regulatory or legislative framework.

#### Regulatory cooperation

The Board will work cooperatively with other relevant government agencies to support related regulatory and policy functions of the Government such as online safety, border protection, broader media regulation and State and Territory enforcement agencies.

Under section 52 of the Act the Board can exercise certain powers under provisions of various State/Territory laws. The Board will work efficiently to exercise those powers at the request of State and Territory officials.

The Board will maintain close ties with its overseas counterparts to the extent that resources permit.

#### Governance, Transparency and accountability

While acknowledging the independence of its decision-making, the Government expects that as a Commonwealth statutory board, the Board should operate in a manner that effectively and efficiently serves the Australian public and industry.

The Board performs its statutory functions as part of the Commonwealth Government and is accountable to the Parliament and ultimately the Australian public. The Board will report to the Parliament through its Corporate Plan, Portfolio Budget Statement, Annual Report and Annual Performance Statement and contribute to the work of parliamentary committees. The Board is also held to account for its administrative and regulatory actions by the Auditor-General, the Commonwealth Ombudsman, the Administrative Appeals Tribunal and the courts.

The Board commits to exercising due care and diligence, being transparent, and remaining accountable in its decision-making, priority setting and for the outcomes it achieves. It will engage with its stakeholders in a fair and ethical manner and seek wherever possible to work to achieve common objectives.

The Board does not have financial delegations and its remuneration and terms and conditions are set by the Remuneration Tribunal under the *Remuneration Tribunal (Remuneration and Allowances for Holders of Full-time Public Office) Determination 2022*, *Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination 2022* and the *Remuneration Tribunal (Official Travel) Determination 2022*. The Board notes the various determinations of the Department including the Department's Enterprise Agreement, and their application to Board members.

Consistent with s.64 of the Act, any Board members with a conflict of interest in relation to a matter being considered or about to be considered by the Board will disclose the matters giving rise to that conflict to the Director as soon as possible after becoming aware of the conflict, and will not take part in the making of a decision by the Board in relation to the matter unless the Director has agreed. If the conflict is one which involves the Director, the Director will seek the Minister's approval to participate in the decision.

All members (including temporary members) will also submit to the department in July each year, or where personal circumstances change, a written declaration of their personal interests and those of their immediate family that could involve a conflict of interest.

In line with section 62 of the Act, all full-time members will seek the Minister's approval to engage in paid employment outside of their Board role, including the anticipated time commitment, potential conflicts of interest (real or apparent) and mitigation strategies to address them, including in instances where this has changed from what has previously been approved. Should any approved outside employment present a conflict of interest, or hinder the

ability of the member to perform in their role, the affected member will write to the Minister immediately.

### Conclusion

The Board's role is to classify publications, films and computer games for the Australian community as part of the Commonwealth/State/Territory scheme for the classification of publications, films and computer games and for the enforcement of those classifications.

The Board commits to undertaking its roles and meeting its objectives as prescribed by the Act, and to the extent possible while meeting its statutory deadlines, to assist in the overall effectiveness of the Australian classification system.