

s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Thursday, 9 March 2023 5:38 PM
To: s22(1)(a)(ii) - irrelevant material
Subject: Police officer - Logan Police [SEC=UNOFFICIAL]

UNOFFICIAL

Hi s22(1)(a)(ii) - ir

Just letting you know I have spoken with a Sgt from Logan police in QLD, he has had a complaint by [redacted] re multiple "pornographic" titles available in the Logan Library. I referred [redacted] to the NCD to do a data check on the titles and also made [redacted] aware of the Office of Fair Trading (QLD Classification enforcement contact). I also informed [redacted] that anyone can apply to have a classification decision made. [redacted] was going to do some checks and liaise with the complainant.

Regards

s22(1)(a)(ii) - irre

s22(1)(a)(ii) - irrelevant material

Department of Infrastructure, Transport, Regional Development and Communications

s22(1)(a)(ii) - irrelevant material

Level 6, 23-33 Mary Street, Surry Hills NSW 2010 / Locked Bag 3, Haymarket NSW 1240
www.classification.gov.au



UNOFFICIAL

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TIMELINE – GENDER QUEER: A MEMOIR ISSUE

DATE	MATTER
s22(1)(a)(ii) - irrelevant material	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]
[Redacted]	[Redacted]
9/3/23	Department were contacted by Queensland Police regarding the book Gender Queer: A Memoir. The Department advised Queensland Police that the book had not been classified, nor had an application for classification been received at that time.
s22(1)(a)(ii) - irrelevant material	[Redacted]
s22(1)(a)(ii) - irrelevant material	[Redacted]
s22(1)(a)(ii) - irrelevant material	[Redacted]
s22(1)(a)(ii) - irrelevant material	<p>s47F - personal privacy</p> <p>[Redacted] Logan Police) rang, they spoke to [Redacted] while [Redacted] was staging a protest chambers on 15/3/23 and [Redacted] had asked them to classify the book using their free enforcement quota. They were reluctant to get involved s22(1)(a)(ii) advised them to tell [Redacted] had been emailed this morning advising [Redacted] of the call-in, and that all classification enforcement powers in QLD were vested in Office of Fair Trading, not the Police.</p> <p>s22(1)(a)(ii) - irrelevant material</p> <p>[Redacted]</p>
[Redacted]	s22(1)(a)(ii) - irrelevant material

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FOI 23-248

**Australian Government****Department of Infrastructure,
Transport, Regional Development,
Communications and the Arts**

Ref: EC23-002889

s47F - personal privacy

Dear [REDACTED]

I am writing to you in relation to the correspondence you received from the department on 13 March 2023, regarding the publication *Gender Queer: A Memoir*.

Further to the information provided, I wish to inform you that under *the Classification (Publications, Films, and Computer Games) Act 1995* the Director may call in, (issue a notice to the publisher, to submit a publication for classification) where there are reasonable grounds to believe that a publication is a submittable publication. The Director has determined to call-in the publication *Gender Queer: A Memoir*.

Classification of a publication can take up to 25 working days. The Classification decision will be published on the National Classification Database (NCD) at www.classification.gov.au.

Thank you for bringing your concerns to our attention, I hope the information in this letter is of assistance.

Yours sincerely

Enquiries Officer
Classification Branch
15 March 2022

s22(1)(a)(ii) - irrelevant material

From: Classification Branch Applications <applications@classification.gov.au>
Sent: Friday, 17 March 2023 2:53 PM
To: s47F - personal privacy
Subject: Call-in notice for Gender Queer: A Memoir [SEC=OFFICIAL]
Attachments: Gender Queer A Memoir - Director letter.pdf

OFFICIAL

Dear s47F - personal privacy,

Please find a call-in notice for the book *Gender Queer: A Memoir* attached to this email. This call-in notice has also been sent by registered post.

Best regards,

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

// Operations Section / Classification Branch

Department of Infrastructure, Transport, Regional Development and Communications

OFFICIAL

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Australian Government
Classification Board

s47F - personal privacy

SYDNEY NSW 2000

By email: s47F - personal privacy

Dear s47F - personal privacy,

Gender Queer: A Memoir, unclassified book

I am the Director of the Classification Board of Australia (the **Board**) and am responsible for the classification of films, computer games and certain publications which may include books. I am writing to you regarding the unclassified book, ***Gender Queer: A Memoir***, by Maia Kobabe, which was viewed at [redacted] Sydney store on 14 March 2023, and for sale online at [redacted] on 17 March 2023.

I am writing to advise you that ***Gender Queer: A Memoir*** has come to my attention and that I have reasonable grounds to believe that this book is a 'submittable publication' under the *Classification (Publications, Films and Computer Games) Act 1995 (Cth)*.

Under the Act a '**submittable publication**' means an unclassified publication that, having regard to section 9A or to the Code and the classification guidelines to the extent that they relate to publications, contains depictions or descriptions that:

- (a) are likely to cause the publication to be classified RC; or
- (b) are likely to cause offence to a reasonable adult to the extent that the publication should not be sold or displayed as an unrestricted publication; or
- (c) are unsuitable for a minor to see or read.

Section 46 of the *Classification (Publications, Films and Computer Games) Enforcement Act 1995 No 63 (NSW)* (the State Act) states:

- (1) If:
- (a) the Director has reasonable grounds to believe that a publication is a submittable publication, and
 - (b) the publication is being published in New South Wales, or the Director has reasonable grounds to believe that it will be published in New South Wales, and
 - (c) the publication is not subject to a conditional cultural exemption,

the Director may, by notice in writing given to the publisher of the publication, require the publisher to submit an application under the Commonwealth Act for classification of the publication (or of subsequent issues of the publication).

(2) A person to whom such a notice is given must comply with the notice within 3 business days after it is given.

Maximum penalty: 100 penalty units for an individual, 200 penalty units for a corporation.

Therefore, as Books [REDACTED] is making this book available for purchase in NSW, I am exercising the authority vested in me by the State Act to require you to submit an application for classification of ***Gender Queer: A Memoir*** within three business days.

This letter is a notice in writing for the purposes of subsection 46(1) of the State Act, and has been sent to you by both email and registered post.

It is an offence not to comply within three business days after receiving this notice. If you are not able to comply with this requirement you must contact this office to discuss an alternative timeframe.

A notice of my decision will be published in the Commonwealth Gazette.

Information about how to apply, including the application form and fees, is available [here](#).

The contact person for this matter is s22(1)(a)(ii) - irrelevant material Classification Services, Classification Branch, who can be contacted on s22(1)(a)(ii) - irrelevant material or enquiries@classification.gov.au .

Yours sincerely

s22(1)(a)(ii) - irrelevant material

Fiona Jolly
Director
17 March 2023

s22(1)(a)(ii) - irrelevant material

From: Classification Branch Applications
Sent: Wednesday, 22 March 2023 10:41 AM
To: Classification Branch Applications; enquiries
Cc: s22(1)(a)(ii) - irrelevant material
Subject: RE: Gender Queer classification [SEC=OFFICIAL]

OFFICIAL

Hi s47F - personal privacy

All good.

We have located the Book and It is with us now..
It was left with Reception on the Ground Level of the Teachers Federation Building.

Kind Regards

s22(1)(a)(ii) - irrelevant material

Classification Services • Online Safety, Media and Platforms Division

applications@classification.gov.au

s22(1)(a)(ii) - irrelevant material

Level 6, 23-33 Mary Street, Surry Hills

Department of Infrastructure, Transport, Regional Development, Communications and the Arts
CONNECTING AUSTRALIANS • ENRICHING COMMUNITIES • EMPOWERING REGIONS

infrastructure.gov.au



*I would like to acknowledge the traditional custodians of this land on which we meet, work and live.
I recognise and respect their continuing connection to the land, waters and communities.
I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.*

OFFICIAL

From: Classification Branch Applications
Sent: Wednesday, 22 March 2023 8:47 AM
To: enquiries ; Classification Branch Applications
Cc: s22(1)(a)(ii) - irrelevant material
Subject: RE: Gender Queer classification [SEC=OFFICIAL]

OFFICIAL

Hi s47F - personal privacy

Good Morning.

Just wanted to let you know we are yet to receive the paperback copy of the book - **Gender Queer: A Memoir**.

Can you please confirm which address it was sent to? Was it the Mary Street, Surry Hills address or the Locked Bag address as we no longer use the Locked Bag address.

Kind Regards

s22(1)(a)(ii) - irrelevant material

Leader • Classification Services • Online Safety, Media and Platforms Division
applications@classification.gov.au

s22(1)(a)(ii) - irrelevant material

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I recognise and respect their continuing connection to the land, waters and communities.
I pay my respects to Elders past and present and to all Aboriginal and Torres Strait Islanders.*

OFFICIAL

From: enquiries <enquiries@classification.gov.au>
Sent: Monday, 20 March 2023 8:20 AM
To: Classification Branch Applications <applications@classification.gov.au>
Cc: s22(1)(a)(ii) - irrelevant material
Subject: FW: Gender Queer classification [SEC=OFFICIAL]

OFFICIAL

From: s47F - personal privacy
Sent: Friday, 17 March 2023 4:20 PM
To: enquiries <enquiries@classification.gov.au>
Subject: Gender Queer classification

Dear s22(1)(a)(ii) - irrelevant material

today received notice of the Classification Board calling in a graphic novel memoir Gender Queer for classification.

I just wanted to confirm that we have completed the application for classification and a paperback copy of the book will be express posted on Monday.

We hope the board will take into account that this title is the winner of the ALA/YALSA Alex Award and an Honour Book in the Stonewall awards.

Kind regards,

s47F - personal privacy

[Redacted]

[Redacted]

[Redacted]

Email: s47F - personal privacy

s47F - personal privacy

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s22(1)(a)(ii) - irrelevant material

From: Legislation_Register <noreply@legislation.gov.au>
Sent: Friday, 24 March 2023 11:13 AM
To: s22(1)(a)(ii) - irrelevant material
Subject: Gazette Registration advice - Notification under section 23(2) of the Classification (Publications, Films and Computer Games) Act 1995 – Call in notice for Gender Queer: A Memoir [SEC=OFFICIAL]

Dear s22(1)(a)(ii) - irrelevant material

The following Gazette notice has been registered on the Federal Register of Legislation on 24/03/2023:

C2023G00359, Notification under section 23(2) of the Classification (Publications, Films and Computer Games) Act 1995 – Call in notice for Gender Queer: A Memoir, original R20230322Q006.

Regards,

Federal Register of Legislation

This is an automatically generated message. If you would like to respond to this message please select Reply and the email will be redirected to a staff member for action.

For assistance with this message or any Legislation Register matter, please contact:

Office of Parliamentary Counsel
28 Sydney Avenue Forrest 2603
E-mail: lodge@legislation.gov.au
Phone: (02) 6120 1350
Fax: (02) 6120 1403

s22(1)(a)(ii) - irrelevant material

From: s22(1)(a)(ii) - irrelevant material
Sent: Wednesday, 22 March 2023 9:42 AM
To: s22(1)(a)(ii) - irrelevant material
Subject: FW: Gender Queer classification [SEC=OFFICIAL]

OFFICIAL

FYI

OFFICIAL

From: Classification Branch Applications
Sent: Wednesday, 22 March 2023 9:42 AM
To: s47F - personal privacy
Subject: RE: Gender Queer classification [SEC=OFFICIAL]

OFFICIAL

s47F - personal privacy
Dear

Thank you for getting onto this so quickly, and for your time on the phone on Monday.

Just one thing – we haven't received the book yet. Could you please check what is happening with the delivery tracking?

Thanks again,

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material

s22(1)(a)(ii) - irrelevant material • Operations Section • Classification Branch
s22(1)(a)(ii) - irrelevant material @classification.gov.au

From: s47F - personal privacy
Sent: Friday, 17 March 2023 4:20 PM
To: enquiries <enquiries@classification.gov.au>
Subject: Gender Queer classification

s22(1)(a)(ii) - irrelevant material
Dear

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Kind regards,

s47F - personal privacy

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Email: s47F - personal privacy

Direct: s47F - personal privacy

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s22(1)(a)(ii) - irrelevant material

From: Legislation_Register <noreply@legislation.gov.au>
Sent: Wednesday, 22 March 2023 9:51 AM
To: s22(1)(a)(ii) - irrelevant material
Subject: Gazette lodgment R20230322Q006 has been received [SEC=OFFICIAL]

Please note: The lodgement service is not monitored after standard business hours. If you require urgent registration please call (02) 6120 1350 for after-hours access numbers.

Dea

s22(1)(a)(ii) - irrelevant material

Thank you for your lodgement of Notification under section 23(2) of the Classification (Publications, Films and Computer Games) Act 1995 – Call in notice for Gender Queer: A Memoir, R20230322Q006 for registration on the Federal Register of Legislation. Assessment of your Gazette notice will begin shortly.

You may access the lodgement at

<https://lodge.legislation.gov.au/Forms/Legislation/GazetteLodgment.aspx?Mode=View&LegislationId=ef8be166-b84f-4feb-84ba-24ea210cdb53>.

You will be advised by email when registration has occurred.

If you have any questions about this lodgement, please contact the registration help desk on (02) 6120 1350 or email lodge@legislation.gov.au.

Regards,

Federal Register of Legislation

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For assistance with this message or any Legislation Register matter, please contact:

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