

26 September 2023

By email: [REDACTED]

Tēnā koe [REDACTED],

Official Information Act request

Thank you for your request under the Official Information Act 1982 (OIA) about the classification of *Welcome to Sex!* and the app “Te Puāwaitanga: Beyond the Birds and the Bees”, which we received on 29 August 2023.

You said:

Please explain why both your inaction appears to both condone and not rate these two publications intentionally aimed specifically at minors containing sexualised content and descriptive sex acts, text & in the Software App, additional sexualised descriptive video content, which not been classified as R16 and until as such removed for sale or content distribution.

Please supply the following information under the [Official Information Act]:

1. When will an R rating for this book be assessed and applied as it is promoted by one of the Authors for ages 8 years or older (Minors) “Welcome to Sex” by Authors Melissa Kang & Yumi Stynes, or why not?
2. When will an R rating for this App be assessed and applied and promoted for 12+ Plus (Minors) “Beyond the Birds and the Bees”, or why not?
3. Please outline in writing why you have decided that the intentional sexualisation of Minors does fit with your remit “The Classification Office is an independent media regulator focused on keeping New Zealanders safe in a fast-changing digital world.”

In responding to your request, we have weighed up the factors in the OIA, including the purposes in [section 4](#) and the principle of availability in [section 5](#).

Response to your request

Welcome to Sex!

Unlike films, books do not need to be classified before they can be sold or supplied in New Zealand. Libraries, shops and other book suppliers decide whether to stock certain books – and if so, how and where they stock them and display them, and who they supply them to.

In special circumstances, books and other publications can be classified under the Films, Videos, and Publications Classification Act 1993. The classification process requires our office to consider the entire publication against legal criteria in the Act. The publication would then be classified as either unrestricted, restricted, or objectionable (ie banned).

Members of the public may submit books for classification. However, they are first required to ask for 'leave' to submit. Whether leave is granted would usually depend on factors such as the age of the publication, its social or educational merit or value, how widely available it is, and whether our office can obtain it for examination.

On 1 September 2023, the Chief Censor granted leave to classify the book *Welcome to Sex!* following a request by a member of the public.

The book is currently being classified by the Classification Office. The classification process will require the Office to consider the entire book against legal criteria in the Films, Videos, and Publications Classification Act, including its social or educational merit or value. The book will then be classified as either unrestricted, restricted, or objectionable (ie banned). More information about this process can be found on [our website](#).

We aim to complete our classification processes within 55 working days, although there may be reasons why a classification takes longer. When a decision has been made, the classification details will be available on our [register](#). We will also set out our reasons in the notice of decision. Section 38(3) of the Classification Act requires the Classification Office to supply copies of our notices of decision on request.

Te Puāwaitanga: Beyond the Birds and the Bees

Mobile apps do not use official New Zealand age ratings or content warnings, like those you would find on films or games. Mobile app ratings are set by app stores and our office has no role in that process. You can learn more about Google Play (Android) age ratings [here](#), under "Other countries", and about Apple Store age ratings [here](#).

Like books, mobile apps do not need to be classified before they can be sold or supplied in New Zealand. Mobile apps can be changed or updated by their developers at any time. This is not something that the classification process in the Films, Videos, and Publications Classification Act is designed for. Further, apps may reproduce content from websites, which are also changeable.

If an app were to be classified by our office, the Chief Censor would need to grant leave before a member of the public could submit it, following the process explained above. Our office has not received an application for leave to submit the “Te Puāwaitanga: Beyond the Birds and the Bees” app for classification.

Our remit

When we classify a publication, we must consider whether, and how much, it deals with criteria set out in the Films, Videos, and Publications Classification Act. These criteria include, amongst other things, “the exploitation of children, or young persons, or both, for sexual purposes”, and “sexual conduct with or by children, or young persons, or both”. These criteria are set by law. Our office is required to apply them when classifying publications.

Whether these factors form part of our decision on the classification of *Welcome to Sex!*, or any other publication, will be detailed in the reasons for our decision.

Publication of response

This response may be published on the Classification Office’s [website](#). If it is published there, your personal information will be redacted.

Right of review

You have the right to make a complaint and seek a review by the Ombudsman of this response, and decision to transfer part of your request, under [section 28\(3\) of the OIA](#). Information about this process is available at ombudsman.parliament.nz or freephone 0800 802 602.

Thank you for your interest in our mahi.

Ngā mihi nui,
Te Mana Whakaatu—Classification Office