



New South Wales

Screen and Digital Games Industries Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are to assist, promote and strengthen the screen and digital games industries in New South Wales and to establish the Screen and Digital Games Industries Advisory Committee (the *Committee*), which will give advice about the screen and digital games industries in New South Wales to the Minister for the Arts (the *Minister*).

Outline of provisions

Part 1 Preliminary

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Clause 3 defines certain words and expressions used in the proposed Act.

Clause 4 sets out the object of the proposed Act.

Part 2 Functions of Secretary

Clause 5 sets out the functions of the Secretary of the department in which the proposed Act is to be administered (the *Secretary*).

Part 3 Advisory Committee

Clause 6 establishes the Committee, sets out the functions of the Committee and provides for the composition of the Committee. The Committee must consist of members appointed by the Minister.

Part 4 Assistance to screen and digital games industries

Clause 7 sets out the principles a Minister, a head of a government sector agency or a local council must comply with in making a decision in relation to screen or digital games production under the proposed Act or another Act.

Clause 8 provides for the accreditation of local councils as being screen production friendly in accordance with guidelines issued by the Minister and sets out the requirements of the guidelines.

Clause 9 requires the Secretary to keep a register of screen production friendly councils and production spaces and locations.

Part 5 Miscellaneous

Clause 10 authorises the Secretary to delegate the exercise of the Secretary's functions under the proposed Act, other than the power to delegate, to—

- (a) a person employed in the Department in which the proposed Act is administered, or
- (b) a person or class of persons prescribed by a regulation made under the proposed Act.

Clause 11 exempts a protected person from personal liability for anything done in good faith and for the purpose of exercising a function under the proposed Act and defines *done*, *liability* and *protected person* for the proposed section.

Clause 12 repeals the *Film and Television Industry Act 1988*.

Clause 13 provides the Governor with a general regulation-making power under the proposed Act.

Clause 14 gives effect to the proposed regulation set out in Schedule 2.

Schedule 1 Dictionary

Schedule 1 contains the dictionary that defines certain terms used in the proposed Act.

Schedule 2 Screen and Digital Games Industries (Advisory Committee) Regulation 2025

Schedule 2 sets out the proposed *Screen and Digital Games Industries (Advisory Committee) Regulation 2025*, which includes the requirement that at least one member of the committee must be an Aboriginal or Torres Strait Islander person.

Schedule 3 Amendment of Local Government Act 1993 No 30

Schedule 3[1] requires the fee payable for a filming proposal to be paid for each application made in the proposal. **Schedule 3[3]** makes a consequential amendment.

Schedule 3[2] provides that the maximum fee for an application for a filming proposal must be determined by the applicable filming protocol.

Schedule 3[4] provides that a council must acknowledge receipt of a filming proposal lodged with the council and notify the applicant of the fee payable within 2 business days after the day on which the proposal was lodged.

Schedule 3[5] removes the requirement that, if a council rejects an application made in a filming proposal because the application is not clear as to the approval sought or is not easily legible, the council must reject the application within 7 days after the day the proposal is lodged.

Schedule 3[6] provides that a council is not required to refund an application fee for an application made in a filming proposal if the council rejects the application because the application is not clear as to the approval sought or is not easily legible.