

Head 180 — OFFICE FOR FILM, NEWSPAPER AND ARTICLE ADMINISTRATION

Controlling officer: the Director of Film, Newspaper and Article Administration will account for expenditure under this Head.

Estimate 2020–21 **\$53.6m**

Establishment ceiling 2020–21 (notional annual mid-point salary value) representing an estimated 67 non-directorate posts as at 31 March 2020 and as at 31 March 2021 **\$30.4m**

In addition, there will be an estimated one directorate post as at 31 March 2020 and as at 31 March 2021.

Controlling Officer's Report

Programme

Film Classification, Control of Obscene and Indecent Articles and Newspaper Registration

This programme contributes to Policy Area 17: Information Technology and Broadcasting (Secretary for Commerce and Economic Development) and Policy Area 18: Recreation, Culture, Amenities and Entertainment Licensing (Secretary for Constitutional and Mainland Affairs).

Detail

	2018–19 (Actual)	2019–20 (Original)	2019–20 (Revised)	2020–21 (Estimate)
Financial provision (\$m)	49.6	51.6	50.8 (–1.6%)	53.6 (+5.5%)
				(or +3.9% on 2019–20 Original)

Aim

2 The aim is to enforce a system of film classification according to the Film Censorship Ordinance (Cap. 392) (FCO) through a censorship scheme which meets the needs and reflects the moral standards of the community; to control, together with the Police and the Customs and Excise Department, the publication of obscene and indecent articles by enforcing the Control of Obscene and Indecent Articles Ordinance (Cap. 390) (COIAO); and to register local newspapers under the Registration of Local Newspapers Ordinance (Cap. 268) (RLNO).

Brief Description

3 On film classification, the Office for Film, Newspaper and Article Administration is responsible for the examination of films for public exhibition under the three-tier film classification system and the examination of advertising materials and packaging of films that fall within the statutory definition of Category III (for persons aged 18 or above only). The work of the Office involves:

- classifying films for public exhibition and publication, and granting exemption from classification;
- examining advertising materials and packaging of videodiscs of Category III films;
- inspecting cinemas to enforce the age restriction for audience admission and other provisions under the FCO;
- inspecting video shops and other retail outlets to regulate the publication of films;
- gauging public opinions on film classification standards;
- maintaining a panel of advisers to allow public participation in the film classification process; and
- promoting the three-tier film classification system to the public.

4 On the enforcement of the COIAO, the Office is responsible for:

- regulating the publication and public display of obscene and indecent articles under the COIAO through monitoring articles published in the media and inspecting newspaper stalls, video and computer shops and other retail outlets;
- taking appropriate enforcement and prosecution actions against violations of the COIAO;
- liaising with Internet service providers and the Hong Kong Internet Service Providers Association on the regulation of obscene and indecent materials transmitted through the Internet;

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- organising publicity and public education programmes to promote public awareness of the provisions of the COIAO; and
- processing complaints relating to the publication of obscene and indecent articles.

5 In 2019, the Office continued its efforts in promoting public awareness of the protection of youth from indecent and obscene materials. Major activities organised are set out below:

- the COIAO Subsidising Scheme sponsored 11 projects implemented by voluntary organisations, youth bodies and schools to provide proper counselling and guidance for children and youth;
- the Meritorious Website Contest was held to promote safe and smart use of the Internet;
- the Healthy Apps Contest was organised to promote the use of healthy applications in mobile phones or tablet computers;
- district talks and workshops to promote the use of filtering software were conducted, with free filtering software distributed to parent participants;
- 210 schools talks for students/parents on safe and smart use of the Internet to protect the youth from indecent and obscene materials were conducted;
- a student ambassador training scheme was held to recruit students to help promote the COIAO;
- a school drama tour programme was conducted to promote the COIAO to students of primary and secondary schools;
- a comic contest was conducted to encourage youngsters to stay away from unhealthy materials and electronic games; and
- an animation script creation contest was conducted to promote the COIAO among youngsters.

6 The Office is also responsible for registering local newspapers and news agencies, and licensing newspaper distributors under the RLNO.

7 The key performance measures in respect of film classification, control of obscene and indecent articles and newspaper registration are:

Targets

	Targets	2018 (Actual)	2019 (Actual)	2020 (Plan)
<i>Film classification</i>				
assigning film viewing sessions for films submitted for classification within seven working days (%)	100	100	100	100
notifying applicants on decisions about film classification within eight working days (%).....	100	100	100	100
issuing Certificates of Exemption to applicants within three working days (%).....	100	99.9	99.7	100
issuing Certificates of Packaging to applicants within two working days (%).....	100	100	100	100
issuing Certificates of Advertising Materials to applicants within two working days (%).....	100	100	100	100
<i>COIAO</i>				
issuing interim replies to complainants within seven working days (%)	100	100	100	100
issuing substantive replies to complainants regarding investigation results on their complaints within 20 working days (%).....	100	100	100	100
<i>Newspaper Registration</i>				
new registration for local newspapers within seven working days (%)	100	100	100	100

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Indicators

	2018 (Actual)	2019 (Actual)	2020 (Estimate)
<i>Film classification</i>			
films classified	2 499	2 604	2 600
films exempted from classification	8 807	6 076#	6 080
packaging examined.....	67	46^	50
advertising materials of films examined	278	150^	150
inspections conducted	1 300	1 300	1 300
<i>COIAO</i>			
articles scrutinised.....	330 527	330 781	330 000
inspections conducted	72 612	72 613	72 600
summonses issued§	51	57	62
enforcement operations conducted.....	180	180	180
obscene and indecent articles seized§.....	825	474	1 072
talks and seminars conducted.....	211	210	210
<i>Newspaper Registration</i>			
local newspapers and news-related publications registered.....	637	611	611
newspaper distributor licences issued	22	21	21

The FCO provides that the Film Censorship Authority (FCA) may exempt certain films from classification having regard to the nature of exhibition. The number of films exempted from classification has decreased significantly due to the noticeable decrease in the number of promotional films submitted to the FCA for exhibition in public places, which depends on actual market situation.

^ The FCO provides that only packaging and advertising materials in relation to publication of Category III films require examination by the FCA. The number of sets of packaging and advertising materials examined by the FCA has decreased due to the decrease in the number of Category III films produced in the year and the marketing scale of such publication, which depends on actual market situation.

§ While the number of enforcement operations conducted in 2019 was the same as that in 2018, the number of summonses issued and the number of obscene and indecent articles seized are affected by factors such as the number of offences detected and the evidence warranting prosecution. The estimated number of summonses issued and the estimated number of obscene and indecent articles seized in 2020 are projected based on the figures in 2017 to 2019.

Matters Requiring Special Attention in 2020–21

8 During 2020–21, the Office will:

- continue its enforcement of the FCO and the COIAO;
- continue to organise publicity and public education programmes to promote public awareness of the FCO and the COIAO; and
- continue to assist the Commerce and Economic Development Bureau in implementing improvement measures arising from the review of the COIAO.

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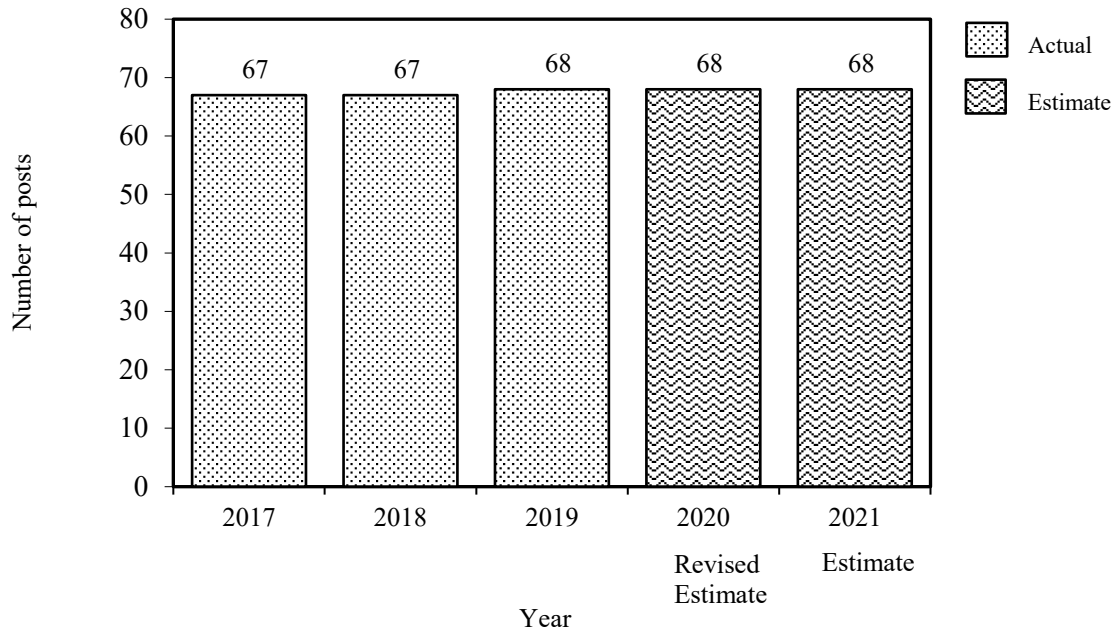
ANALYSIS OF FINANCIAL PROVISION

	2018-19 (Actual) (\$m)	2019-20 (Original) (\$m)	2019-20 (Revised) (\$m)	2020-21 (Estimate) (\$m)
Programme				
Film Classification, Control of Obscene and Indecent Articles and Newspaper Registration	49.6	51.6	50.8 (-1.6%)	53.6 (+5.5%)
				(or +3.9% on 2019-20 Original)

Analysis of Financial and Staffing Provision

Provision for 2020-21 is \$2.8 million (5.5%) higher than the revised estimate for 2019-20. This is mainly due to increased provision for salaries and personnel related expenses.

*Changes in the size of the establishment
(as at 31 March)*



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Sub-head (Code)	Actual expenditure 2018-19	Approved estimate 2019-20	Revised estimate 2019-20	Estimate 2020-21	
	\$'000	\$'000	\$'000	\$'000	
Operating Account					
Recurrent					
000	Operational expenses	49,622	51,627	50,801	53,635
	Total, Recurrent	49,622	51,627	50,801	53,635
	Total, Operating Account	49,622	51,627	50,801	53,635
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	Total Expenditure	49,622	51,627	50,801	53,635
		<u>49,622</u>	<u>51,627</u>	<u>50,801</u>	<u>53,635</u>

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Details of Expenditure by Subhead

The estimate of the amount required in 2020–21 for the salaries and expenses of the Office for Film, Newspaper and Article Administration (OFNAA) is \$53,635,000. This represents an increase of \$2,834,000 over the revised estimate for 2019–20 and \$4,013,000 over the actual expenditure in 2018–19.

Operating Account

Recurrent

2 Provision of \$53,635,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of OFNAA.

3 The establishment as at 31 March 2020 will be 68 permanent posts. No change in establishment is expected in 2020–21. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2020–21, but the notional annual mid-point salary value of all such posts must not exceed \$30,426,000.

4 An analysis of the financial provision under *Subhead 000 Operational expenses* is as follows:

	2018–19 (Actual) (\$'000)	2019–20 (Original) (\$'000)	2019–20 (Revised) (\$'000)	2020–21 (Estimate) (\$'000)
Personal Emoluments				
- Salaries.....	35,402	35,812	35,853	37,733
- Allowances.....	194	160	476	446
- Job-related allowances.....	—	—	—	1
Personnel Related Expenses				
- Mandatory Provident Fund contribution.....	80	98	107	109
- Civil Service Provident Fund contribution.....	1,629	2,140	1,836	2,189
Departmental Expenses				
- General departmental expenses	12,317	13,417	12,529	13,157
	49,622	51,627	50,801	53,635