

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 2022–23 **\$54.1m**

Establishment ceiling 2022–23 (notional annual mid-point salary value) representing an estimated 65 non-directorate posts as at 31 March 2022 and as at 31 March 2023 **\$30.4m**

In addition, there will be an estimated one directorate post as at 31 March 2022 and as at 31 March 2023.

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

	2020–21 (Actual)	2021–22 (Original)	2021–22 (Revised)	2022–23 (Estimate)
Financial provision (\$m)	48.6	53.9	53.1 (–1.5%)	54.1 (+1.9%)
				(or +0.4% on 2021–22 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 physical storage media 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;

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- 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;
- 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 2021, 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 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;
- 225 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;
- a poster design contest was conducted to promote the COIAO among youngsters; and
- a leaflet design contest has commenced for completion in 2022 to encourage students to stay away from unhealthy materials.

6 The Office is also responsible for newspaper registration and related matters 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	2020 (Actual)	2021 (Actual)	2022 (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	98.9	99.9	100
issuing Certificates of Exemption to applicants within three working days (%).....	100	99.9	99.9	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	96.7	100	100

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Indicators

	2020 (Actual)	2021 (Actual)	2022 (Estimate)
<i>Film classification</i>			
films classified	1 404	2 259¶	2 300
films exempted from classification	3 047	5 475#	5 500
packaging examined.....	46	35	40
advertising materials of films examined	62	264^	300
inspections conducted	808	1 136φ	1 300φ
<i>COIAO</i>			
articles scrutinised.....	277 750	331 075λ	294 500λ
inspections conducted	48 159	72 650λ	64 600λ
summonses issued§	45	69	57
enforcement operations conducted.....	138	180λ	160λ
obscene and indecent articles seized§.....	504	268	415
talks and seminars conducted.....	117	225@	210
<i>Newspaper Registration</i>			
local newspapers and news-related publications registered.....	594	536	536
newspaper distributor licences issued	271	236Ω	37Ω

¶ The number of films classified has increased due to the re-opening of cinemas and exhibition venues and resumption of film festivals and events during the year.

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 increased due to the increase in the number of promotional films and cultural films submitted to the FCA for exhibition in public places, which depends on actual market situation.

^ The FCO provides that advertising materials in relation to publication of Category III films require examination by the FCA. The number of sets of advertising materials examined by the FCA has increased due to the increase in film production including Category III films in the year and the marketing scale of such publication, which depends on actual market situation.

φ The number of inspections conducted has increased due to the re-opening of cinemas during the year. The estimated number of inspections conducted is expected to further increase in 2022.

λ The number of articles scrutinised, the number of inspections and the number of enforcement operations conducted have increased in 2021 due to the resumption of normal work arrangements during the year. The estimated number of articles scrutinised, the estimated number of inspections and the estimated number of enforcement operations conducted in 2022 are expected to decrease arising from the reduction in the number of retail outlets.

§ 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 2022 are projected based on the figures in 2019 to 2021.

@ The number of talks and seminars conducted has increased due to the rescheduling of some talks and seminars originally held in 2020 to 2021.

Ω The number of newspaper distributor licences issued in 2021 has slightly decreased after the surge in number of applications received in 2020. The estimated number of newspaper distributor licences issued in 2022 is expected to further decrease significantly based on the number of renewal applications received.

Matters Requiring Special Attention in 2022–23

8 During 2022–23, the Office will:

- continue its enforcement of the FCO and the COIAO; and
- continue to organise publicity and public education programmes to promote public awareness of the FCO and the COIAO.

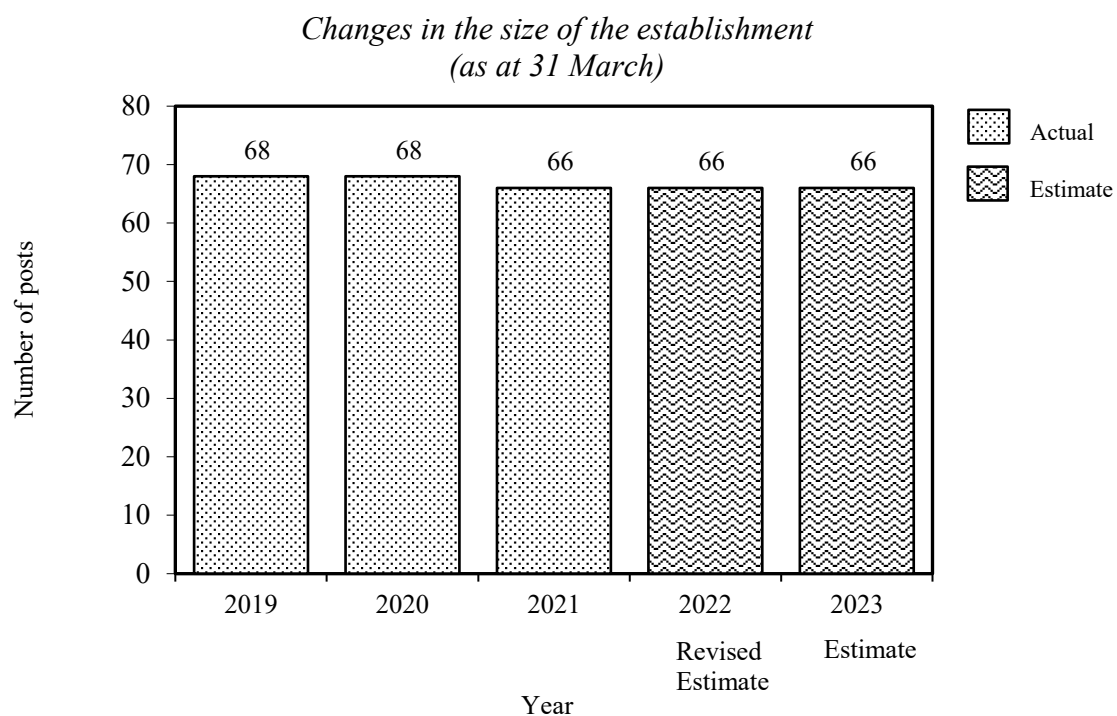
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ANALYSIS OF FINANCIAL PROVISION

	2020–21 (Actual) (\$m)	2021–22 (Original) (\$m)	2021–22 (Revised) (\$m)	2022–23 (Estimate) (\$m)
Programme				
Film Classification, Control of Obscene and Indecent Articles and Newspaper Registration.....	48.6	53.9	53.1 (–1.5%)	54.1 (+1.9%)
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Analysis of Financial and Staffing Provision

Provision for 2022–23 is \$1.0 million (1.9%) higher than the revised estimate for 2021–22. This is mainly due to increased provision for personal emoluments.



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Sub-head (Code)	Actual expenditure 2020–21	Approved estimate 2021–22	Revised estimate 2021–22	Estimate 2022–23
	\$'000	\$'000	\$'000	\$'000
Operating Account				
Recurrent				
000 Operational expenses	48,622	53,908	53,141	54,070
Total, Recurrent	48,622	53,908	53,141	54,070
Total, Operating Account	48,622	53,908	53,141	54,070
<hr/>				
Total Expenditure	48,622	53,908	53,141	54,070
	<hr/>	<hr/>	<hr/>	<hr/>

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Details of Expenditure by Subhead

The estimate of the amount required in 2022–23 for the salaries and expenses of the Office for Film, Newspaper and Article Administration (OFNAA) is \$54,070,000. This represents an increase of \$929,000 over the revised estimate for 2021–22 and \$5,448,000 over the actual expenditure in 2020–21.

Operating Account

Recurrent

2 Provision of \$54,070,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of OFNAA.

3 The establishment as at 31 March 2022 will be 66 permanent posts. No change in establishment is expected in 2022–23. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2022–23, but the notional annual mid-point salary value of all such posts must not exceed \$30,375,000.

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

	2020–21 (Actual) (\$'000)	2021–22 (Original) (\$'000)	2021–22 (Revised) (\$'000)	2022–23 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	35,368	35,836	36,079	36,779
- Allowances	999	721	561	467
- Job-related allowances.....	—	1	1	1
Personnel Related Expenses				
- Mandatory Provident Fund contribution	93	65	81	68
- Civil Service Provident Fund contribution	2,170	2,436	2,453	2,645
Departmental Expenses				
- General departmental expenses	9,992	14,849	13,966	14,110
	<hr/> 48,622	<hr/> 53,908	<hr/> 53,141	<hr/> 54,070