

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 2023–24 **\$56.8m**

Establishment ceiling 2023–24 (notional annual mid-point salary value) representing an estimated 65 non-directorate posts as at 31 March 2023 and as at 31 March 2024 **\$32.2m**

In addition, there will be an estimated one directorate post as at 31 March 2023 and as at 31 March 2024.

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

	2021–22 (Actual)	2022–23 (Original)	2022–23 (Revised)	2023–24 (Estimate)
Financial provision (\$m)	51.4	54.1	52.9 (–2.2%)	56.8 (+7.4%)
				(or +5.0% on 2022–23 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;

Head 180 — OFFICE FOR FILM, NEWSPAPER AND ARTICLE ADMINISTRATION

- 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 2022, 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;
- 255 school 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 video contest was held to promote the healthy use of the Internet among youngsters;
- 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 mobile app sticker design competition was conducted to encourage youngsters to stay away from unhealthy materials and electronic games;
- a public speaking competition was conducted to increase the awareness of students of objectionable materials and to promote the COIAO among youngsters; and
- a leaflet design contest was held 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	2021 (Actual)	2022 (Actual)	2023 (Plan)
<i>Film classification</i>				
assigning film viewing sessions for films submitted for classification within seven working days (%)	100	100	98.5@	100
notifying applicants on decisions about film classification within eight working days (%).....	100	99.9	100	100
issuing Certificates of Exemption to applicants within three working days (%).....	100	99.9	100	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

Head 180 — OFFICE FOR FILM, NEWSPAPER AND ARTICLE ADMINISTRATION

	Targets	2021 (Actual)	2022 (Actual)	2023 (Plan)
<i>Newspaper Registration</i>				
new registration for local newspapers				
within seven working days (%)	100	100	100	100

@ The percentage of assigning film viewing sessions for films submitted for classification within seven working days has decreased in 2022 due to the implementation of special work arrangements in the first quarter of 2022 arising from the COVID-19 epidemic.

Indicators

	2021 (Actual)	2022 (Actual)	2023 (Estimate)
<i>Film classification</i>			
films classified	2 259	1 984¶	2 600¶
films exempted from classification	5 475	5 279#	6 000#
packaging examined.....	35	27^	50^
advertising materials of films examined	264	136^	200^
inspections conducted	1 136	950φ	1 300φ
<i>COIAO</i>			
articles scrutinised.....	331 075	286 817λ	294 500λ
inspections conducted	72 650	61 896λ	64 600λ
summonses issued§	69	15	43§
enforcement operations conducted.....	180	160λ	160
obscene and indecent articles seized§.....	268	6 334	2 369§
talks and seminars conducted.....	225	255	255
<i>Newspaper Registration</i>			
local newspapers and news-related publications registered.....	536	507	507
newspaper distributor licences issued.....	236	42Ω	42

¶ The number of films classified has decreased in 2022 due to the temporary closure of cinemas and exhibition venues and suspension of film festivals and events arising from the COVID-19 epidemic. The estimated number of films classified is expected to increase in 2023 because the film production level is anticipated to gradually increase 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 (e.g. promotional and educational films). The number of films exempted from classification has decreased in 2022 due to the temporary closure of cinemas and exhibition venues arising from the COVID-19 epidemic. The estimated number of films exempted from classification is expected to increase in 2023 because the film production level is anticipated to gradually increase during the year.

^ The FCO provides that 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 in 2022 due to the decrease in film production including Category III films in the year and the marketing scale of such publication, which depends on actual market situation. The estimated number of sets of packaging and advertising materials examined by the FCA is expected to increase in 2023 because the film production level is anticipated to gradually increase during the year.

φ The number of inspections conducted has decreased in 2022 due to the temporary closure of cinemas arising from the COVID-19 epidemic. The estimated number of inspections conducted is expected to increase in 2023.

λ The number of articles scrutinised, the number of inspections and the number of enforcement operations conducted have decreased in 2022 due to the implementation of special work arrangements in the first quarter of 2022 and the reduction in the number of retail outlets. The estimated number of articles scrutinised and the estimated number of inspections conducted are expected to increase in 2023.

§ 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 2023 are projected based on the figures in 2020 to 2022.

Ω After short term fluctuations in 2020 and 2021, the number of newspaper distributor licences issued in 2022 has returned to a level comparable to that of 2018 and 2019.

Head 180 — OFFICE FOR FILM, NEWSPAPER AND ARTICLE ADMINISTRATION

Matters Requiring Special Attention in 2023–24

8 During 2023–24, 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.

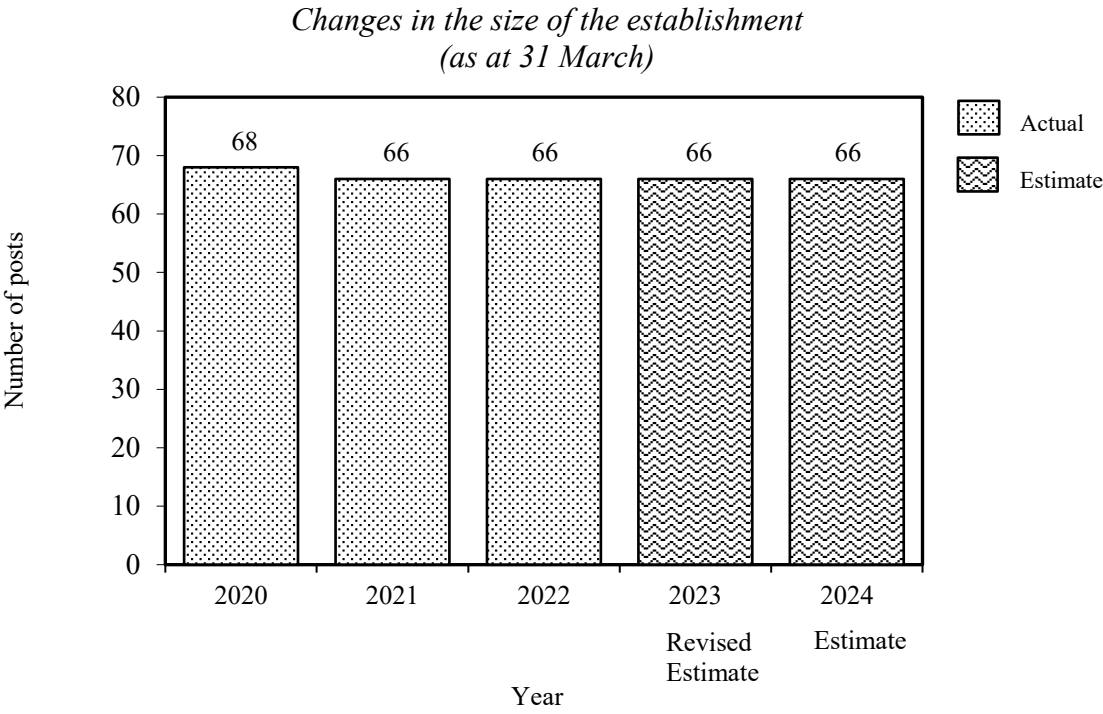
Head 180 — OFFICE FOR FILM, NEWSPAPER AND ARTICLE ADMINISTRATION

ANALYSIS OF FINANCIAL PROVISION

	2021–22 (Actual) (\$m)	2022–23 (Original) (\$m)	2022–23 (Revised) (\$m)	2023–24 (Estimate) (\$m)
Programme				
Film Classification, Control of Obscene and Indecent Articles and Newspaper Registration.....	51.4	54.1	52.9 (–2.2%)	56.8 (+7.4%)
				(or +5.0% on 2022–23 Original)

Analysis of Financial and Staffing Provision

Provision for 2023–24 is \$3.9 million (7.4%) higher than the revised estimate for 2022–23. This is mainly due to increased provision for personal emoluments.



Head 180 — OFFICE FOR FILM, NEWSPAPER AND ARTICLE ADMINISTRATION

Sub-head (Code)		Actual expenditure 2021–22	Approved estimate 2022–23	Revised estimate 2022–23	Estimate 2023–24
		\$'000	\$'000	\$'000	\$'000
Operating Account					
	Recurrent				
000	Operational expenses	51,412	54,070	52,899	56,816
	Total, Recurrent	51,412	54,070	52,899	56,816
	Total, Operating Account	51,412	54,070	52,899	56,816
<hr/>					
	Total Expenditure	51,412	54,070	52,899	56,816
		<hr/>	<hr/>	<hr/>	<hr/>

Head 180 — OFFICE FOR FILM, NEWSPAPER AND ARTICLE ADMINISTRATION

Details of Expenditure by Subhead

The estimate of the amount required in 2023–24 for the salaries and expenses of the Office for Film, Newspaper and Article Administration (OFNAA) is \$56,816,000. This represents an increase of \$3,917,000 over the revised estimate for 2022–23 and \$5,404,000 over the actual expenditure in 2021–22.

Operating Account

Recurrent

2 Provision of \$56,816,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of OFNAA.

3 The establishment as at 31 March 2023 will be 66 permanent posts. No change in establishment is expected in 2023–24. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2023–24, but the notional annual mid-point salary value of all such posts must not exceed \$32,248,000.

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

	2021–22 (Actual) (\$'000)	2022–23 (Original) (\$'000)	2022–23 (Revised) (\$'000)	2023–24 (Estimate) (\$'000)
Personal Emoluments				
- Salaries	35,946	36,779	36,888	39,168
- Allowances	672	467	197	211
- Job-related allowances.....	—	1	11	4
Personnel Related Expenses				
- Mandatory Provident Fund contribution	80	68	74	20
- Civil Service Provident Fund contribution	2,434	2,645	2,548	3,395
Departmental Expenses				
- General departmental expenses	12,280	14,110	13,181	14,018
	<u>51,412</u>	<u>54,070</u>	<u>52,899</u>	<u>56,816</u>