

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 2021–22 **\$53.9m**

Establishment ceiling 2021–22 (notional annual mid-point salary value) representing an estimated 67 non-directorate posts as at 31 March 2021 reducing by two posts to 65 posts as at 31 March 2022..... **\$30.4m**

In addition, there will be an estimated one directorate post as at 31 March 2021 and as at 31 March 2022.

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

| | 2019–20 (Actual) | 2020–21 (Original) | 2020–21 (Revised) | 2021–22 (Estimate) |
|---------------------------|---------------------|-----------------------|----------------------|-----------------------------------|
| Financial provision (\$m) | 48.7 | 53.6 | 50.5 (–5.8%) | 53.9 (+6.7%) |
| | | | | (or +0.6% on 2020–21 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;

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 2020, 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;
- 117 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
- a poster design contest has commenced for completion in 2021 to promote the COIAO among youngsters.

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 | 2019 (Actual) | 2020 (Actual) | 2021 (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 | 98.9 | 100 |
| issuing Certificates of Exemption to applicants within three working days (%)..... | 100 | 99.7 | 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 | 100 | 96.7 | 100 |

Head 180 — OFFICE FOR FILM, NEWSPAPER AND ARTICLE ADMINISTRATION

Indicators

| | 2019 (Actual) | 2020 (Actual) | 2021 (Estimate) |
|--|------------------|------------------|--------------------|
| <i>Film classification</i> | | | |
| films classified | 2 604 | 1 404¶ | 2 600 |
| films exempted from classification | 6 076 | 3 047# | 6 080 |
| packaging examined..... | 46 | 46 | 50 |
| advertising materials of films examined | 150 | 62^ | 150 |
| inspections conducted | 1 300 | 808φ | 1 300 |
| <i>COIAO</i> | | | |
| articles scrutinised..... | 330 781 | 277 750λ | 330 000 |
| inspections conducted | 72 613 | 48 159λ | 72 600 |
| summonses issued§ | 57 | 45 | 51 |
| enforcement operations conducted..... | 180 | 138λ | 180 |
| obscene and indecent articles seized§ | 474 | 504 | 601 |
| talks and seminars conducted..... | 210 | 117@ | 210 |
| <i>Newspaper Registration</i> | | | |
| local newspapers and news-related publications registered..... | 611 | 594 | 594 |
| newspaper distributor licences issued | 21 | 271Ω | 196 |

- ¶ The number of films classified has decreased significantly due to the temporary closure of cinemas and exhibition venues and cancellation 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 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 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 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.
- φ The number of inspections conducted has decreased due to the temporary closure of cinemas during the year.
- λ The number of articles scrutinised and the number of inspections and enforcement operations conducted have decreased due to the special work arrangements of the Government during the year.
- § 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 2021 are projected based on the figures in 2018 to 2020.
- @ The number of talks and seminars conducted has decreased due to the suspension of classes in schools during the year.
- Ω The number of newspaper distributor licences issued has increased significantly due to the surge in number of applications received in the year.

Matters Requiring Special Attention in 2021–22

- 8 During 2021–22, 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

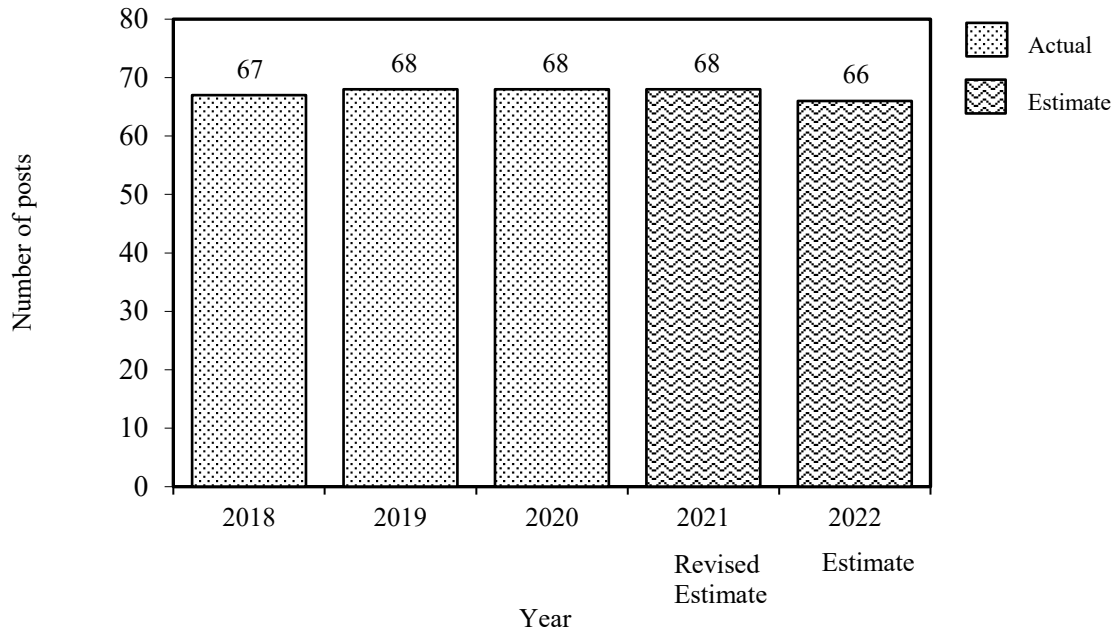
ANALYSIS OF FINANCIAL PROVISION

| | 2019–20 (Actual) (\$m) | 2020–21 (Original) (\$m) | 2020–21 (Revised) (\$m) | 2021–22 (Estimate) (\$m) |
|---|------------------------------|--------------------------------|-------------------------------|-----------------------------------|
| Programme | | | | |
| Film Classification, Control of Obscene and Indecent Articles and Newspaper Registration..... | 48.7 | 53.6 | 50.5 (-5.8%) | 53.9 (+6.7%) |
| | | | | (or +0.6% on 2020–21 Original) |

Analysis of Financial and Staffing Provision

Provision for 2021–22 is \$3.4 million (6.7%) higher than the revised estimate for 2020–21. This is mainly due to increased provision for general departmental expenses.

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



Head 180 — OFFICE FOR FILM, NEWSPAPER AND ARTICLE ADMINISTRATION

| Sub-head (Code) | Actual expenditure 2019–20 | Approved estimate 2020–21 | Revised estimate 2020–21 | Estimate 2021–22 | |
|--------------------------|----------------------------------|---------------------------------|--------------------------------|-----------------------------|---------------|
| | \$'000 | \$'000 | \$'000 | \$'000 | |
| Operating Account | | | | | |
| Recurrent | | | | | |
| 000 | Operational expenses | 48,667 | 53,635 | 50,470 | 53,908 |
| | Total, Recurrent | 48,667 | 53,635 | 50,470 | 53,908 |
| | Total, Operating Account | 48,667 | 53,635 | 50,470 | 53,908 |
| <hr/> | | | | | |
| | Total Expenditure | 48,667 | 53,635 | 50,470 | 53,908 |

Head 180 — OFFICE FOR FILM, NEWSPAPER AND ARTICLE ADMINISTRATION

Details of Expenditure by Subhead

The estimate of the amount required in 2021–22 for the salaries and expenses of the Office for Film, Newspaper and Article Administration (OFNAA) is \$53,908,000. This represents an increase of \$3,438,000 over the revised estimate for 2020–21 and \$5,241,000 over the actual expenditure in 2019–20.

Operating Account

Recurrent

2 Provision of \$53,908,000 under *Subhead 000 Operational expenses* is for the salaries, allowances and other operating expenses of OFNAA.

3 The establishment as at 31 March 2021 will be 68 permanent posts. It is expected that there will be a net decrease of two posts in 2021–22. Subject to certain conditions, the controlling officer may under delegated power create or delete non-directorate posts during 2021–22, 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:

| | 2019–20 (Actual) (\$'000) | 2020–21 (Original) (\$'000) | 2020–21 (Revised) (\$'000) | 2021–22 (Estimate) (\$'000) |
|--|---------------------------------|-----------------------------------|----------------------------------|--|
| Personal Emoluments | | | | |
| - Salaries | 34,991 | 37,733 | 35,702 | 35,836 |
| - Allowances | 661 | 446 | 720 | 721 |
| - Job-related allowances..... | — | 1 | 1 | 1 |
| Personnel Related Expenses | | | | |
| - Mandatory Provident Fund contribution | 83 | 109 | 103 | 65 |
| - Civil Service Provident Fund contribution | 1,884 | 2,189 | 2,145 | 2,436 |
| Departmental Expenses | | | | |
| - General departmental expenses | 11,048 | 13,157 | 11,799 | 14,849 |
| | 48,667 | 53,635 | 50,470 | 53,908 |