

## **Bills Committee on Entertainment Special Effects Bill**

### **Responses to Written Submissions from Deputations**

This paper sets out the Administration's responses to the written submissions on the Entertainment Special Effects Bill (the Bill) from the various deputations.

#### **Submission from Movie Producers and Distributors Association of Hong Kong Limited (MPDA) (LC Paper No. CB(2)2030/99-00(01))**

2. We welcome MPDA's support for the Bill.
3. The fees to be charged under the Bill, whilst set on a full-cost recovery basis, will be kept to a minimum through streamlined procedures. Details about the estimated fees level and comparison with existing fees have been provided in LC Paper No. CB(2)2018/99-00(05) submitted on 17 May 2000.
4. As regards MPDA's suggestion that modified firearms for filming purpose should be regulated under the Bill, the issue has been thoroughly addressed in the enactment of the Firearms and Ammunition Ordinance. Modified firearms used to produce special effects in film and television productions may be converted to discharge live ammunition. In order to ensure safety for the users and those present at the shooting location, as well as for public security considerations, the conclusion is that these modified firearms should be regulated under the Firearms and Ammunition Ordinance.

#### **Submission from the Hong Kong Kowloon & New Territories Motion Picture Industry Association Ltd (MPIA) (LC Paper No. CB(2)2030/99-00(02))**

5. We welcome MPIA's support for the Bill.
6. On MPIA's concern relating to discharge permits, we wish to emphasize that the application procedures will be kept as simple as

possible, having regard to the operational needs of the industry. The information required to be provided in such applications will also be kept to the minimum (please refer to LC Paper No. CB(2)2018/99-00(03) submitted on 16 May 2000). We have pledged to process simple applications (e.g. simple gunfight or small-scale explosion scenes) within 3 working days, more complicated applications (e.g. large-scale special effects scenes, medium-scale explosion scenes or the production of special effects scenes requiring site visits by the Television and Entertainment Licensing Authority (TELA)) within 6 working days, and even more complicated applications requiring consultation with other departments within 12 working days.

7. Under the regulatory regime proposed under the Bill, a discharge permit will cover multiple discharges of special effects materials at the same location for a period of up to 24 hours, irrespective of the types and quantities of special effects materials used and the number of special effects scenes to be produced. As regards the conditions to be imposed on discharge permits, we need to have regard to the types and quantities of the special effects materials to be used and how the special effects are to be produced. A right balance will be struck between meeting the operational needs of the industry and public safety concerns.

8. On the question of storage of pyrotechnic special effects materials (PSEM), we are prepared to discuss with the industry with a view to facilitating the industry in addressing this matter.

9. On the question of conveyance of PSEM, we wish to reiterate that, under the regulatory regime proposed under the Bill, conveyance of PSEM of quantities below the exempted level will be exempted from the conveyance permit requirement. This will be a substantial improvement over the existing regulatory regime under which a removal permit is always required irrespective of the quantities of PSEM involved. Moreover, the exempted quantities will be sufficient for typical entertainment special effects scenes. We have discussed with the industry this arrangement and the exemption level during past consultation with them.

10. As regards MPIA's suggestion of setting up a working group comprising representatives of the industry and concerned Government departments, TELA already has regular liaison meetings with the film industry including those involved in the production of special effects.

We consider that these regular liaison meetings will continue to be a suitable forum for discussion on matters relating to special effects after the entry into force of the new legislation. Indeed, we have consulted the industry through this forum, as well as other channels, in drawing up the new regulatory system.

### **Submission from Mr Tassilo Baur**

11. We note Mr Tassilo Baur's comments and would like to point out that we have engaged a US consultant, who is a retired Fire Marshal of California, to advise us on the essential parameters of the new regulatory system, having regard to the specific needs of the local industry and the Californian regulatory regime. Also, an experienced Senior Engineer, who is a Member of the Institute of Explosives Engineers in the United Kingdom and has relevant experience and expertise in regulatory matters relating to explosives and pyrotechnic materials, has been seconded to TELA to head a special team to run and enforce the new regulatory system. We will ensure that the system will be as user-friendly, efficient and flexible as possible. We will not require users of the system to supply unnecessary information and will keep the processing time to the minimum.

12. On the comment relating to continual consultation with the industry, the MPIA is one of the bodies we have consulted in drawing up the new regulatory system. We have also consulted the Police and other concerned Government departments in the process. We will continue to maintain close liaison with these bodies in the implementation of the new regulatory system after the Bill is enacted.

### **Guidelines**

13. TELA will draw up and issue guidelines on the implementation of the Bill after consultation with the industry and the enactment of the Bill.

**Information Technology and Broadcasting Bureau**  
**22 May 2000**