



HONG KONG JOURNALISTS ASSOCIATION
香港記者協會

HKJA Submission for Panel on Information Technology and Broadcasting

- 1.) The Hong Kong Journalists Association (HKJA) notes with concern that the Panel on Information Technology and Broadcasting review of the provisions in the Control of Obscene and Indecent Articles Ordinance today. We would like to reiterate our stance that we are against any enactment or review of the existing provisions of the relevant Ordinance that would result in jeopardizing freedom of the press and freedom of expression.
- 2.) We think it is more important that the Government launch a public education, including uploading enforcement statistics and details of referrals and conviction onto the Internet. We think that these measures will be enough as the existing powers have not been fully exercised by the judicial officers and the Television and Entertainment Licensing Authority.
- 3.) We should remember that under section 22 of the Control of Obscene and Indecent Articles Ordinance, a first offender, who publishes an indecent article, is liable to a fine of \$400,000 and to imprisonment for 12 months, and to a fine of \$800,000 and to imprisonment for 12 months for a second or subsequent conviction. The law is already there. What, then, is the point of amending it when the law has never been exercised to its fullest extent? The penalty which related to entertainment magazines in the past 7 months has only ranged from \$3,000 to \$5,000.
- 4.) So we would urge that the authority perform its duty more vigorously, including undertaking a series of public education programmes in order to teach the public of Hong Kong that they have an inherent right to choose rather than allow the choice to be made for them. The current situation has seriously distorted the meaning of democracy.

HKJA Executive Committee
17 October 2006