

商務及經濟發展局  
通訊及科技科

香港添馬添美道二號  
政府總部西翼二十一樓



COMMUNICATIONS  
AND TECHNOLOGY BRANCH  
COMMERCE AND ECONOMIC  
DEVELOPMENT BUREAU

21/F, West Wing  
Central Government Offices  
2 Tim Mei Avenue  
Tamar, Hong Kong

本局檔號 OUR REF :  
來函檔號 YOUR REF :  
電話 TEL. NO. : 2810 2708  
傳真 FAXLINE : 2827 0119  
電子郵件 E-mail Address: [aaronliu@cedb.gov.hk](mailto:aaronliu@cedb.gov.hk)

8 May 2012

Miss Flora TAI  
Clerk to the Panel on Administration  
of Justice and Legal Service  
Legislative Council Complex  
1 Legislative Council Road  
Central  
Hong Kong

Dear Miss Tai,

**Panel on Administration of Justice and Legal Services (AJLS)**

**The Second Round Public Consultation on the Review of  
the Control of Obscene and Indecent Articles Ordinance (COIAO)**

Further to the AJLS Panel meeting on 30 January 2012, we write to update the Panel on the latest progress on the second round public consultation of the review on COIAO.

The Government launched the second round public consultation on 16 April 2012 and the three-month consultation will end on 15 July 2012. The concerned Legislative Council (LegCo) Brief and consultation document are attached. The consultation document is also available at [www.coiao.gov.hk](http://www.coiao.gov.hk).

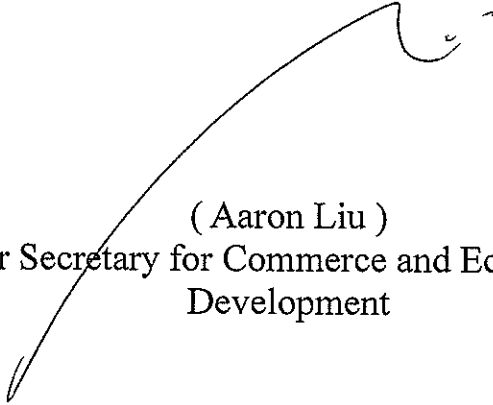
The focus of this round of public consultation includes how the institutional set-up of the Obscene Articles Tribunal (OAT) should be reformed. In particular, to address the fundamental concerns of the

Judiciary and the legal sector, we are inviting feedback from the community on two proposed reform options. The first option proposes to segregate the administrative classification and judicial determination functions. Under this option, the Administration would appoint a statutory and independent classification board and offer an appeal mechanism, leaving the OAT to deal with judicial determination upon referral by a court or a magistrate in civil or criminal proceedings. The second option is to abolish the administrative classification function altogether; under this option, the OAT would continue to be responsible for determining whether an article is obscene/ indecent or not in criminal and civil proceedings. Both reform options would address the fundamental concerns of the Judiciary by removing the administrative classification function from the OAT.

The Government has been gathering, through different means and media, public's views on the various proposed improvement measures. On 14 May 2012, we will brief the LegCo Panel on Information Technology and Broadcasting on details of the consultation exercise, and we understand that all LegCo members are invited to participate in the discussion of the item concerned. In addition, town hall meetings involving representatives from various sectors will be organised during the three-month consultation period.

Should you have any question on the above, please feel free to contact me (email: [aaronliu@cedb.gov.hk](mailto:aaronliu@cedb.gov.hk), telephone: 2810 2708).

Yours sincerely,



( Aaron Liu )  
for Secretary for Commerce and Economic  
Development

cc Judiciary Administrator (Attn: Ms Wendy Cheung)  
Fax: 25014636