

**立法會**  
**Legislative Council**

LC Paper No. CB(1)1504/20-21  
(These minutes have been seen  
by the Administration)

Ref : CB1/BC/13/20

**Bills Committee on Film Censorship (Amendment) Bill 2021**

**Minutes of the first meeting held on  
Tuesday, 14 September 2021, at 2:30 pm  
in Conference Room 1 of the Legislative Council Complex**

**Members present** : Hon MA Fung-kwok, GBS, JP (Chairman)  
Hon Mrs Regina IP LAU Suk-ye, GBM, GBS, JP  
Hon Paul TSE Wai-chun, JP  
Hon CHUNG Kwok-pan  
Hon Holden CHOW Ho-ding  
Hon SHIU Ka-fai, JP  
Hon YUNG Hoi-yan, JP

**Member attending** : Hon LUK Chung-hung, JP

**Public Officers  
attending** : Agenda item II

Commerce and Economic Development Bureau

Mr Johann WONG, JP  
Deputy Secretary for Commerce and Economic  
Development (Communications and Creative  
Industries)

Mr Keith GIANG  
Principal Assistant Secretary for Commerce and  
Economic Development (Communications and  
Creative Industries)A

Miss Candace LO  
Assistant Secretary for Commerce and Economic  
Development (Communications and Creative  
Industries)A2

Office for Film, Newspaper and Article  
Administration

Mr Tony LI, JP  
Deputy Director of Film and Newspaper and Article  
Administration

Mr Derek LEE  
Assistant Director (Film, Newspaper and Article  
Administration)

Department of Justice

Mr Salvador TSANG  
Senior Government Counsel (Acting)

Miss Carol LAM  
Government Counsel

**Clerk in attendance** : Mr Daniel SIN  
Chief Council Secretary (1)6

**Staff in attendance** : Mr Mark LAM  
Assistant Legal Adviser 7

Ms Mandy LI  
Senior Council Secretary (1)6

Ms Ada LAU  
Senior Council Secretary (1)7

Miss Judy YEE  
Council Secretary (1)6

Miss Yolanda CHEUK  
Legislative Assistant (1)6

Ms Yvonna HO  
Clerical Assistant (1)6

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Action

**I. Election of Chairman**

Election of Chairman

Mrs Regina IP, the member who had the highest precedence in the Council among members of the Bills Committee on Film Censorship (Amendment) Bill 2021 ("the Bill") present at the meeting, presided over the election of Chairman of the Bills Committee. She invited nominations for the chairmanship of the Bills Committee.

2. Ms YUNG Hoi-yan nominated Mr MA Fung-kwok and the nomination was seconded by Mr CHUNG Kwok-pan. Mr MA accepted the nomination.

3. Mrs Regina IP invited other nominations for the chairmanship. As there were no other nominations, Mrs IP declared that Mr MA Fung-kwok was elected the Chairman of the Bills Committee. Mr MA then took over the chair.

Election of Deputy Chairman

4. Members agreed that there was no need to elect a Deputy Chairman.

**II. Meeting with the Administration**

(LC Paper No. CB(3)921/20-21 -- The Bill

File Ref: CCIB/A 230-5/1(C) -- Legislative Council Brief

LC Paper No. LS115/20-21 -- Legal Service Division Report

LC Paper No. CB(1)1315/20-21(01) -- Marked-up copy of the Film Censorship (Amendment) Bill 2021 prepared by the Legal Service Division  
(Restricted to members only)

LC Paper No. CB(1)1315/20-21(02) -- Background brief prepared by the Legislative Council Secretariat

LC Paper No. CB(1)1315/20-21(03) -- Letter dated 8 September 2021 from the Legal Service Division to the Administration

LC Paper No. CB(1)1331/20-21(01) Administration's reply dated 14 September 2021 to the letter from the Assistant Legal Adviser

5. Members noted the letter submitted by the Hong Kong Motion Picture Industry Association Limited. The Bills Committee deliberated (index of proceedings in the **Appendix**).

*[Post-meeting note: A soft copy of the letter (Chinese version only) was circulated to members vide LC Paper No. CB(1)1334/20-21(01) on 14 September 2021.]*

6. At 4:32 pm, the Chairman extended the meeting for five minutes and members present agreed.

#### Invitation for views

7. The Bills Committee agreed that a public hearing session would not be held, but written submissions on the Bill would be invited from the public and relevant organizations.

*[Post-meeting note: invitations were issued on 15 September 2021 for written submissions on the Bill. By 24 September 2021, one written submission was received.]*

#### Date of next meeting

8. The Chairman said that a meeting had been scheduled for 4:30pm, 20 September 2021 to follow up on the written submissions (if necessary) and commence clause-by-clause examination of the Bill.

### **III. Any other business**

9. There being no other business, the meeting ended at 4:37 pm.

Action

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Council Business Division 1  
Legislative Council Secretariat  
16 December 2021

**Bills Committee on Film Censorship (Amendment) Bill 2021**

**Proceedings of the first meeting held on  
Tuesday, 14 September 2021, at 2:30 pm  
in Conference Room 1 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
<b>Agenda item I — Election of Chairman</b>			
000346 – 000529	Mrs Regina IP LAU Suk- yee Ms YUNG Hoi-yan Mr CHUNG Kwok-pan Mr MA Fung-kwok	Election of Chairman. Mr MA Fung-kwok was elected the Chairman of the Bills Committee.	
<b>Agenda item II — Meeting with the Administration</b>			
000530 – 000610	Chairman	Opening remarks. The Chairman brought to the attention of members of a written submission by the Hong Kong Motion Picture Industry Association Limited ("HKMPIAL").	
000610 – 001220	Chairman Administration	Briefing by the Administration on the Film Censorship (Amendment) Bill 2021 ("the Bill").	
001221 – 001610	Chairman	The Chairman explained the role and the focus of the Bills Committee in scrutinizing the Bill.	
001611 – 002105	Chairman Mr LUK Chung-hung Administration	<p>Mr LUK Chung-hung supported the Bill and enquired about whether films (including short films) broadcast on online platforms (local and overseas) through live-streaming would be subject to the regulatory requirements proposed in the Bill.</p> <p>The Administration responded that:</p> <p>(a) the Film Censorship Ordinance (Cap. 392) set out a film censorship regulatory framework for films intended for exhibition in Hong Kong and the Bill aimed at enhancing the framework following the enactment of the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region ("NSL");</p> <p>(b) neither Cap. 392 nor the Bill regulated films accessible on the Internet or social media platforms; and</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>(c) other statutes, including NSL and the Crimes Ordinance (Cap. 200) provided for criminal liabilities of activities concerning secession, subversion, organization and perpetration of terrorist activities, collusion with a foreign country or with external elements to endanger national security and other offences endangering national security, such as publication of seditious materials. Activities on online platforms were subject to these laws.</p>	
002106 – 003103	<p>Chairman Mr Holden CHOW Ho- ding Ms YUNG Hoi-yan Administration</p>	<p>Mr Holden CHOW and Ms YUNG Hoi-yan supported the Bill. They noted that the Bill provided for (a) the Chief Secretary for Administration ("CS") to be empowered to direct the Film Censorship Authority ("the Authority") to revoke the certificate of exemption or the certificate of approval for exhibition of a film (proposed section 14A of clause 12); and (b) the disapplication of sections 17, 18 and 19 for decisions made on grounds of national security (proposed section 19A of clause 17). They enquired about:</p> <p>(a) whether the decision by the CS above could be reviewed/appealed by a judicial review ("JR");</p> <p>(b) the procedures and framework of such mechanism; and</p> <p>(c) the disclosure of information on which CS had formed his decision in the event that such information might be related to the work of the Committee for Safeguarding National Security of the Hong Kong Special Administrative Region ("CSNSHK").</p> <p>The Administration responded that:</p> <p>(a) the remit of the Board of Review (Film Censorship) was not intended to include judging whether a decision involving national security considerations was appropriate;</p> <p>(b) a person might seek a JR of the decision of (i) a censor / the Authority where the decision was based on the opinion that the exhibition of such film would be contrary to the interests of national security; or (ii) CS to revoke a certificate of approval or a certificate of</p>	

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		<p>exemption. The procedures generally applicable to any JR would apply; and</p> <p>(c) information relating to the work of CSNSHK on which CS might base to form his opinion was not subject to disclosure in JR, pursuant to Article 14 of NSL.</p> <p>Ms YUNG referred to the written submission of HKMPIAL and expressed concerns about the proposed extension of the period for making film censorship decision ("decision period") and the number of extensions allowed by the Bill for cases involving national security. She enquired about the work of the Administration in explaining to the trades on the Bill and easing their worries.</p> <p>The Administration responded that:</p> <p>(a) the proposed power of extension was exercisable only for films with national security concerns and there was no express limit on the number of extensions allowable under the proposed section 10A of Cap. 392 under clause 8;</p> <p>(b) the proposed provision would provide censors with sufficient time to process cases with national security concerns and, where necessary, seek expert and legal advice in order to make the appropriate decisions;</p> <p>(c) for films that did not involve national security considerations, under Cap. 392, a censor should make a decision on a film not later than 14 days after a film was submitted to and accepted by the Authority or within a longer period, but in any case not more than 28 days, as the Secretary for Commerce and Economic Development ("SCED") might allow;</p> <p>(d) the performance pledge of the Office for Film, Newspaper and Article Administration ("OFNAA") specified that applicants should be notified on film classification decisions within eight working days. The requirement and performance pledge remained unchanged; and</p>	



Time marker	Speaker	Subject(s)	Action required
		<p>(e) in the past three years, censors had been able to make decisions for 99% of some 2 000 films submitted each year within eight working days.</p> <p>The Administration further made the point that:</p> <p>(a) it was anticipated that few films would require more time to process under the enhanced regulatory framework, and the proposed arrangement was unlikely to have material effects on the film industry; and</p> <p>(b) the Administration had been reaching out to the industry since the promulgation of the amended Film Censorship Guidelines for Censors ("the revised Guidelines") in June 2021 and had gained the understanding of the industry in this regard.</p>	
003104–003814	Chairman Mrs Regina IP LAU Suk-ye Administration	<p>Mrs Regina IP supported the Bill and enquired about:</p> <p>(a) how films that were accessible from overseas online platforms and re-transmitted between people in Hong Kong would be handled under the Bill; and</p> <p>(b) whether it would be up to the viewing censor alone to determine whether a film contained any content that involved national security.</p> <p>The Administration replied that:</p> <p>(a) the revised Guidelines promulgated in June 2021 spelt out the assessment criteria in more concrete terms and was an open document accessible to the public. The revised Guidelines served to provide censors with clearer guidance when performing film censorship duties and the censor should adhere to the Guidelines in performing his duties under Cap. 392;</p> <p>(b) censors might, with the written approval of the Authority, consult the Department of Justice ("DoJ") when in doubt about the application of the Guidelines to ensure that decisions made under Cap. 392 were justifiable and legally in order; and</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>(c) the regulatory framework was enforceable against films intended for "exhibition" as defined in section 2(1) of Cap. 392, in Hong Kong, regardless of the media in which the film was stored or transmitted.</p>	
003815 – 004329	Chairman Mr CHUNG Kwok-pan Administration	<p>Mr CHUNG Kwok-pan supported the Bill and asked the Administration to provide information on film censorship legislation that had been enacted in other jurisdictions where national security consideration was a censoring criterion, and from such legislation that the Administration had drawn reference when drafting the Bill.</p> <p>Mr CHUNG Kwok-pan commented that when the Bill took effect, and with NSL in force, film producers would need to be circumspect about the possibility that films portraying corruption of Mainland and local government officials and destruction of properties by bad elements in films might breach NSL. He expressed concern whether the Bill might stifle creativity of film producers.</p> <p>The Administration remarked that since the promulgation of the revised Guidelines in June 2021, the Authority had processed about 470 films which were mostly commercial productions. Judging by the number and variety of films going on screen in Hong Kong since the promulgation of the revised Guidelines, the Administration considered that the room for creativity was still very wide and filmmakers appeared to be conversant with the censoring criteria.</p>	
004330 – 005010	Chairman Administration	<p>The Chairman noted that clause 7(3) of the Bill sought to amend section 10(2) of Cap. 392 so that, when viewing a film submitted for approval for exhibition and classification, a censor had to consider whether the exhibition of the film would be "<i>contrary to the interests of national security</i>". He pointed out that the provision appeared to be inconsistent with paragraph 7(a) of the revised Guidelines which provided that a censor should be vigilant to the portrayal, depiction or treatment of any act or activity which may "<i>amount to an offence endangering national security</i>". The Chairman requested clarification on how a censor should</p>	

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		<p>interpret the requirements in the two documents when handling issues involving national security.</p> <p>The Administration explained that:</p> <ul style="list-style-type: none"> <li>(a) in assessing the suitability of a film for exhibition, censors would view the films in detail as to the manner of depiction, including the level of details and the length of depiction; whether the depiction purports to be based on or adapted from real-life events; overall effect of the portrayal of the film; whether the film contains any biased presentation of viewpoints, etc.;</li> <li>(b) censors would also assess whether the contents of a film could be objectively and reasonably capable of being perceived as endorsing, supporting, promoting, glorifying, encouraging or inciting act or activity endangering national security or which would otherwise be contrary to the interests of national security;</li> <li>(c) under the arrangements for the current film censorship framework, film-makers might seek non-binding advice from OFNAA at all stages of their production; and</li> <li>(d) guidelines caused to be prepared and published by SCED ("Guidelines") must not be inconsistent with Cap. 392 or the Bill. Censors should be vigilant to the issues set out in the revised Guidelines.</li> </ul>	
005011 – 005541	Chairman Mrs Regina IP LAU Suk- yee Administration	<p>Mrs Regina IP enquired about the professional profile of the censors and advisers whom the censors would consult as prescribed under section 10(6)(a) of Cap. 392. She also enquired about the number and roles of the censors and advisers in making decisions about a film.</p> <p>The Administration responded that:</p> <ul style="list-style-type: none"> <li>(a) under Cap. 392, the Authority must assign a censor and might at the same time assign not less than two advisers to view a film submitted to and accepted by OFNAA unless the film was exempted under section 9 of Cap. 392;</li> </ul>	

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		<p>(b) censors working in the Film Division of OFNAA were civil servants of the Entertainment Standards Control Officer grade. They were appointed to the Panel of Censors by the Chief Executive and their appointments were published in the Gazette. Each censor would usually view about 200 films every year. On-the-job training and opportunities to exchange with peers were readily available to staff members newly joining the Division;</p> <p>(c) the Panel of Advisers, which comprised citizens from all walks of life, age groups and professions, were appointed by the Authority in writing. Any member of the public aged 18 or above and proficient in Chinese and English could apply to become a member of the Panel of Advisers. The Administration might also refer to the Central Personality Index System in recruiting suitable candidates for the Panel. There were about 300 members in the Panel of Advisers at present; and</p> <p>(d) the censor must make the decision on the suitability of a film for exhibition and give the film a classification (if the film was considered suitable for exhibition) after viewing the film and deliberating with the advisers (if the latter were assigned to view the film). The censor must adhere to the Guidelines in performing his duties under Cap. 392 and, in case of doubt, might consult DoJ with the written approval of the Authority.</p>	
005542 – 010854	Chairman Mr SHIU Ka-fai Mr CHUNG Kwok-pan Mr LUK Chung-hung Administration	<p>Mr SHIU Ka-fai supported the Bill and expressed his views on films portraying corruption of Mainland and local government officials. Mr LUK Chung-hung enquired whether filmmakers could claim as a defence that the contents of their films were purely fictional, when the film was, in fact, dramatizing certain real-life events or promoting acts which might be considered as jeopardizing national security.</p> <p>The Administration replied that:</p> <p>(a) in assessing the suitability of a film for exhibition, censors would view the films in detail as to the manner of depiction, including</p>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
		<p>the level of details and the length of depiction; whether the depiction purported to be based on or adapted from real-life events; overall effect of the portrayal of the film; whether the film contained any biased presentation of viewpoints, etc.;</p> <p>(b) the fact that a film purported to be a documentary or purported to report on or re-enact certain real events with immediate connection to the circumstances in Hong Kong would necessitate an even more careful consideration of its contents by the censors; and</p> <p>(c) censors would also assess whether the contents of a film could be objectively and reasonably capable of being perceived as endorsing, supporting, promoting, glorifying, encouraging or inciting act or activity endangering national security or which would otherwise be contrary to the interests of national security.</p> <p>The Administration re-iterated that, as regards publication of messages that were likely to endanger national security on electronic platforms, pursuant to Schedule 4 to the Implementation Rules for Article 43 of NSL, the Commissioner of Police ("CP"), with the approval of the Secretary for Security, might require the person who had published such electronic messages on an electronic platform to remove the messages from the platform or require the relevant services provider to disable access to the messages. In response to Mr CHUNG's earlier question on film censorship legislation in other jurisdictions which included national security consideration as a censoring criterion and from which the Administration had drawn reference when drafting the Bill, the Administration remarked that national security considerations could be found in various legislation in the United Kingdom and other common law jurisdictions. For film censorship legislation that included national security consideration as a censoring criterion, for example, section 16 of Singapore's Films Act provided that the parties responsible for film censorship must refuse to classify any film that was against national security.</p>	

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010855 – 011639	Chairman Administration	<p>The Chairman asked whether the revised Guidelines, which had been issued before the introduction of the Bill, would remain in force after the Bill had been enacted. He also enquired about the Administration's work in familiarizing relevant stakeholders, including those who produced films for non-commercial purposes, with the new regulatory requirements.</p> <p>The Administration reiterated that:</p> <ul style="list-style-type: none"> <li>(a) Guidelines must not be inconsistent with Cap. 392 or the Bill. Censors should be vigilant to the issues set out in the revised Guidelines;</li> <li>(b) since the promulgation of the revised Guidelines in June 2021, the Authority had processed about 470 films which were mostly commercial productions. Under the arrangements for the current film censorship framework, filmmakers might seek non-binding advice from OFNAA at all stages of their production;</li> <li>(c) during the Administration's contacts with the film industry, the Administration noted that the industry appreciated the objective of the proposed new censorship requirements in curbing the portrayal of acts/activities contrary to the interests of national security; and</li> <li>(d) Since the implementation of NSL in end-June 2020, the Administration had only received a few enquiries or complaints as far as non-mainstream film productions are concerned.</li> </ul>	
011640 – 012105	Chairman Mr SHIU Ka-fai Administration	<p>Mr SHIU Ka-fai referred to the written submission from HKMPIAL, which suggested that the Administration should issue guidelines on re-exhibition arrangements for films for which certificates of approval had already been issued some time ago, and asked the Administration to give a response.</p> <p>The Administration advised that:-</p> <ul style="list-style-type: none"> <li>(a) under the existing legal framework, a certificate of approval or a certificate of exemption remained in force after it was issued, unless the</li> </ul>	

Time marker	Speaker	Subject(s)	Action required
		<p>certificate was subject to conditions in relation to the time and venue of exhibition or other relevant conditions;</p> <p>(b) after the Bill was enacted, once CS exercised the power to direct the Authority to revoke a certificate of approval or certificate of exemption previously issued for a particular film on grounds that the exhibition of the film would be contrary to the interests of national security, the film must not be exhibited or re-exhibited without any valid certificate; and</p> <p>(c) the Government would give notice to the person to whom the relevant certificates were issued, and make appropriate arrangements (such as by issuing a press release) to inform the public that the certificates for that film had been revoked.</p>	
012106 – 012822	Chairman Mrs Regina IP LAU Suk- yee Administration	<p>Mrs Regina IP enquired about:-</p> <p>(a) film censorship legislation in other jurisdictions which included national security consideration as a censoring criterion and from which the Administration had drawn reference when drafting the Bill;</p> <p>(b) the identity of "any other person" in section 10(6) of Cap. 392 whom censors might consult; and</p> <p>(c) whether exhibitions of films in private premises would be subject to the regulatory requirements proposed in the Bill.</p> <p>The Administration responded that:-</p> <p>(a) national security considerations could be found in various legislation in the United Kingdom and other common law jurisdictions. For film censorship legislation that included national security consideration as a censoring criterion, for example, Singapore's Films Act provided that the parties responsible for film censorship must refuse to classify any film that was against national security;</p> <p>(b) censors might consult experts in a particular area of interest. For example, the Hong Kong</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>Police Force might be consulted where portrayal of triad expressions or ceremonies were found in a film;</p> <p>(c) the regulatory framework was enforceable against films intended for "exhibition" as defined in section 2(1) of Cap. 392, in Hong Kong, regardless of the media in which the film was stored or transmitted;</p> <p>(d) as regards publication of messages that were likely to endanger national security on electronic platforms, pursuant to Schedule 4 to the Implementation Rules for Article 43 of NSL, CP, with the approval of the Secretary for Security, might require the person who had published such electronic messages on an electronic platform to remove the messages from the platform or require the relevant services provider to disable access to the messages. Prior approval was not required for the transmission of messages and videos online; and</p> <p>(e) private screening of films among family members or friends in private premises was not regulated under Cap. 392.</p>	
012823 – 013924	Chairman Mr CHUNG Kwok-pan Administration	<p>Mr CHUNG Kwok-pan enquired about:-</p> <p>(a) whether films (including short films) broadcast on online platforms overseas through live-streaming would be subject to the regulatory requirements proposed in the Bill;</p> <p>(b) whether films that depicted corruptions in Mainland or local government officials would be considered unacceptable and censored; and</p> <p>(c) the review mechanism for a decision of a censor/the Authority that a film was not suitable for exhibition, or a direction by CS that a certificate of approval or certificate of exemption should be revoked, based on the opinion that the exhibition of such film would be contrary to the interests of national security.</p> <p>The Administration responded that:</p>	



Time marker	Speaker	Subject(s)	Action required
		<p>(a) Cap. 392 set out a film censorship regulatory framework for films intended for exhibition in Hong Kong and the Bill aimed at enhancing the framework following the enactment of NSL;</p> <p>(b) neither Cap. 392 nor the Bill regulated films accessible on the Internet or social media platforms;</p> <p>(c) other statutes, including NSL and the Crimes Ordinance provided for criminal liabilities of activities concerning secession, subversion, organization and perpetration of terrorist activities, collusion with a foreign country or with external elements to endanger national security and other offences endangering national security, such as publication of seditious materials. Activities on online platforms were subject to these laws;</p> <p>(d) the regulatory framework was enforceable against films intended for "exhibition" as defined in section 2(1) of Cap. 392, in Hong Kong;</p> <p>(e) censors might require part or parts of a film be modified or excised, or might approve the film for exhibitions with conditions imposed; and</p> <p>(f) the affected party might approach OFNAA to ascertain the grounds of refusal to issue the certificate of approval or certificate of exemption for a film submitted, before resorting to JR.</p> <p>Noting Administration's remarks that prior approval was not required for the transmission of messages and videos online, Mr CHUNG Kwok-pan commented that the Bill could not prevent or eradicate the portraying of acts or activities endangering national security in films.</p> <p>The Chairman enquired and the Administration remarked that in the past, the film industry rarely sought the advice of OFNAA about the contents of films under production.</p>	

013925 – 014827	Chairman Administration	<p>The Chairman pointed out that the film industry had expressed concerns about the proposed extension of the decision period and the number of extensions allowed by the Bill for cases involving national security, as well as the potential financial loss inflicted on film distributors in the event of repeated extensions. He enquired whether an interim notification would be issued to the applicant concerned stating the reason for delay in completing the censorship procedure when national security issues arose.</p> <p>The Administration remarked that:</p> <ul style="list-style-type: none"><li>(a) the proposed power of extension was exercisable only for films with national security concerns;</li><li>(b) in exercising the power of extension on the recommendation by the Authority, SCED must be of the opinion that (a) the exhibition of the film might be contrary to the interests of national security; and (b) the censor concerned could not reasonably be expected to make a decision for the film within the decision period because of the time required for considering matters relating to national security;</li><li>(c) although there was no express limit on the number of extensions allowed, in deciding whether an extension should be granted, SCED should also bear in mind the common law duty of the censor to make a decision within a reasonable time;</li><li>(d) for films that did not involve national security considerations, under Cap. 392, a censor should make a decision on a film not later than 14 days after a film was submitted to and accepted by the Authority or within a longer period, but, in any case, not more than 28 days, as SCED might allow. The performance pledge of OFNAA specified that applicants should be notified on film classification decisions within eight working days;</li><li>(e) it was anticipated that few films would require more time to process under the enhanced regulatory framework, and the proposed arrangement was unlikely to have material effects on the film industry. The Administration had been reaching out to the</li></ul>	
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Time marker	Speaker	Subject(s)	Action required
		<p>industry since the promulgation of the revised Guidelines in June 2021 and had gained the understanding of the industry in this regard; and</p> <p>(f) upon enquiry by a person having submitted a film for censoring, OFNAA would provide a reply as appropriate.</p>	
014828 – 015245	Chairman Mr CHUNG Kwok-pan Administration	<p>Mr CHUNG Kwok-pan requested the Administration to provide further information on the following:</p> <p>(a) a written response to the letter submitted by HKMPIAL, particularly, to their suggestion of the Administration issuing guidelines on re-exhibiting films for which certificates of approval had already been obtained; and</p> <p>(b) examples of overseas film censorship legislation which included national security consideration as a censoring criterion and from which the Administration had drawn reference when drafting the Bill.</p> <p>[<i>Post-meeting note:</i> A soft copy of the list of follow-up actions and Administration's written response were circulated to members vide LC Paper Nos. CB(1)1349/20-21(01) and CB(1)1356/20-21(01) respectively on 17 September 2021 and 20 September 2021.]</p>	
015246 – 020601	Chairman Administration	<p>The Chairman enquired whether people arranging for the exhibition or re-exhibition of films with valid certificates would be prosecuted under NSL if the Guidelines were subsequently revised so that the contents of the film would fail to fulfill the censoring criteria under the updated Guidelines.</p> <p>The Administration advised that one should consider all relevant facts and evidence, including the circumstances of such exhibition or re-exhibition when determining whether any offences including those under NSL or other ordinances have been committed. People arranging for exhibition of films with valid certificates should ensure compliance with the conditions of exhibition set out in the relevant certificates, as well as observing all other applicable laws and statutes.</p>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
<b>Agenda item III — Any other business</b>			
020602 – 021041	Chairman Mr CHUNG Kwok-pan Chief Council Secretary (1)6 Administration	The Chairman extended the meeting for five minutes.  Members agreed that written submissions on the Bill should be invited and that the Bills Committee would not hold a public hearing session to receive deputations' views.  Date of next meeting.  End of meeting	

Council Business Division 1  
Legislative Council Secretariat  
16 December 2021