

**Business Facilitation Advisory Committee  
Food Business and Related Services Task Force**

***The Film Censorship Ordinance (Cap 392)***

**Purpose**

This paper intends to brief members on the relevant provisions and requirements of the Film Censorship Ordinance (FCO)(Cap 392) for public exhibition of films.

**Films intended for Public Exhibition**

2. According to FCO, a film intended for public exhibition must be approved by the Film Censorship Authority (FCA) (i.e. the Director of Film, Newspaper and Article Administration) before exhibition.

3. Under section 2 of FCO, “film” includes, among others, -

- (a) a cinematograph film including any sound-track associated with such film;
- (b) a videotape or laserdisc including any sound-track associated with such videotape or laserdisc; and
- (c) any other record of visual moving images that is capable of being used for the subsequent screening including any sound-track associated with such record.

“Exhibition” means the screening of the film in Hong Kong at any place of public entertainment within the meaning of section 2 of the Places of Public Entertainment Ordinance (Cap 172)<sup>1</sup> or at any public place within

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<sup>1</sup> Under section 2 of the Places of Public Entertainment Ordinance (Cap 172), “place of public

the meaning of section 3 of the Interpretation and General Clauses Ordinance (Cap 1)<sup>2</sup>.

4. Films which required approval for exhibition under FCO are either classified under a three-tier film classification system (of which a Certificate of Approval will be issued by FCA), or are exempted from classification (of which a Certificate of Exemption will be issued).

5. For films which require classification (such as films shown in cinemas and film festivals), they are classified into: Category I (suitable for all ages), Category IIA (not suitable for children), Category IIB (not suitable for young persons and children) and Category III (persons aged 18 or above only). Categories I, IIA and IIB are advisory in nature, but the age restriction (18 or above) for Category III films is legally enforced. It is an offence to exhibit a Category III film or sell a Category III video disc to a person under the age of 18. Any person who intends to show a Category III film for public exhibition is required to take reasonable precautions to prevent admission of minors into the venue showing such film.

6. Under FCO, cultural, educational, instructional, promotional, sports, travel, musical and religious films may be exempted for classification. Examples of exempted films include feature film trailers, products/service advertisements and promotional materials shown in cinemas, public transports (such as MTR stations, buses and trains), and on TV screens mounted on external walls of buildings.

### **How to Apply for a Certificate of Approval / Exemption**

7. If a person intends to show a motion-picture film for public exhibition, he/she has to apply for a Certificate of Approval from FCA

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entertainment” means (a) so much of any place, building, erection or structure, whether temporary or permanent, capable of accommodating the public; and (b) any vessel, in or on which a public entertainment is presented or carried on whether on one occasion or more.

<sup>2</sup> Under section 3 of the Interpretation and General Clauses Ordinance (Cap 1), “public place” means (a) any public street or pier, or any public garden; and (b) any theatre, place of public entertainment of any kind, or other place of general resort, admission to which is obtained by payment or to which the public have or are permitted to have access.

before exhibition. The person needs to make a booking with the Office for Film, Newspaper and Article Administration (OFNAA) for a time slot for examination of the film and submit the film along with a duly completed Film Submission Form to OFNAA before its scheduled examination date. Applicant will be notified of the film classification decision within eight working days after examination of the film, and if approved, a Certificate of Approval will be issued.

8. If a person intends to show a product/service advertisement/promotional film for public exhibition, he/she has to apply for a Certificate of Exemption from FCA before exhibition. The applicant has to submit the film along with a duly completed Film Submission Form to OFNAA. It will normally take about three working days for OFNAA to issue a Certificate of Exemption after examination of such film.

### **Film Examination Fees**

9. The Film Censorship Regulation (Cap 392A) specifies the examination fees payable under FCO. Examination fees for films applying for Certificates of Approval/Certificates of Exemption are as follows:

- Film which require classification (e.g. motion-picture films shown mostly in cinemas) - \$65 per minute of running time or part thereof.
- Film which are exempted from classification (e.g. product/service advertisement with moving images, promotional film/footage, etc.) - \$26 per minute of running time or part thereof.

## **Way forward**

10. Members are invited to note the relevant provisions and requirements of FCO for public exhibition of films.

**Office for Film, Newspaper and Article Administration  
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