

Our Ref 本處檔號 : (2) in L/M(19) to OFCA/F/NR/2/6/200
Your Ref 來函檔號 :

30 December 2016

Comic World Hong Kong 43 Exhibitor

Dear Sir/Madam,

Control of Obscene and Indecent Articles Ordinance

I understand that you have enrolled to be an exhibitor in the Comic World Hong Kong 43 organised by the Comic World HK Ltd. and would like to take this opportunity to introduce to you the Control of Obscene and Indecent Articles Ordinance (COIAO), Chapter 390 of the Laws of Hong Kong.

Hong Kong is a free and open society. We cherish the free flow of information and respect the individual's right of access to information and freedom to publish. The Hong Kong Special Administrative Region Government's policy is to strike a proper balance between protecting public morals and our young people on the one hand and preserving the free flow of information and safeguarding the freedom of expression on the other. On this basis, the COIAO seeks to restrict the publication, circulation and display of obscene and indecent materials without stifling free expression and freedom of publication. The COIAO does not require compulsory pre-censorship before the publication of any article, but it is the responsibility of the publisher to ensure that the publication is in compliance with the COIAO.

The information provided in this letter aims to enable exhibitors in Comic World Hong Kong 43 to understand the statutory requirements in the COIAO. Under the COIAO, articles can be classified into three different classes –

- Class I (Neither Obscene Nor Indecent) article can be published to any person;
- Class II (Indecent) article can only be published to persons aged 18 or above; it has to be sealed in transparent wrapper (completely opaque wrapper if the front and/or back cover is indecent) and display the statutory warning notice on the covers; and particulars of the publisher should also be printed on the front or back cover of the article; or
- Class III (Obscene) article cannot be published.

It is an offence in law to publish an obscene article, or an indecent article without following the statutory requirements.

Classification of articles is carried out by the Obscene Articles Tribunal (OAT) set up under the COIAO. While the COIAO does not require a publication to be classified before its publication, if the publisher is uncertain about the classification of an article, he may submit it to the OAT for a ruling. Further information on the classification procedure can be obtained from the OAT (telephone number: (852) 2886 6807, website: www.judiciary.gov.hk/en/crt_services/pphlt/html/oat.htm).

A pamphlet on the COIAO is attached for your reference. Full version of the COIAO can be obtained from the website of the Department of Justice (www.doj.gov.hk). If you have any enquiry, you are welcome to contact the Office for Film, Newspaper and Article Administration at (852) 2676 7676 or by e-mail (e-mail address : naa@ofnaa.gov.hk).

Yours faithfully,



(Raymond WMLIU)

for Director of Film, Newspaper and
Article Administration