

“The Control of Obscene and Indecent
Articles Ordinance” and other laws of
Hong Kong

Control of Obscene and Indecent Articles Ordinance (COIAO)

According to **Control of Obscene and Indecent Articles Ordinance**, the definition of “indecent” and “obscenity” include “violence, depravity and repulsiveness”. Articles can be classified as follows :

Class I : Neither obscene nor indecent

Class II : Indecent

Class III : Obscene

- **Class I** articles may be published without restrictions.
- **Class II** articles must not be published or sold to persons under the age of 18.
- **Class III** articles are prohibited from publication.

Packaging of Class II articles

Publication of Class II articles must comply with certain statutory requirements, including the sealing of such articles in wrappers (**opaque wrappers if the covers are indecent**) and the display of a warning notice on no less than **20%** of the front and back covers of such articles.

Warning notice of Class II articles

This article contains material which may offend and may not be distributed, circulated, sold, hired, given, lent, shown, played or projected to a person

under the age of 18 years.

Penalty

According to the COIAO anyone who fails to observe the restrictions on publishing Class II articles is liable to a maximum penalty of \$400,000 fine and imprisonment for 12 months on first conviction and \$800,000 fine and imprisonment for 12 months on a second or subsequent conviction.

Anyone who publishes a Class III article under any circumstances is liable to a maximum penalty of \$1 million fine and imprisonment for 3 years.

The Film Censorship Ordinance (FCO)

All films intended for public exhibition should be submitted to the Film Censorship Authority (FCA) for examination. FCA would consider whether the film portrays, depicts or treats cruelty, torture, violence, crime, horror, disability, sexuality or indecent or offensive language or behaviour or other matters for classification of films under the CFO.

Classification under Film Censorship Ordinance

- Category I : Suitable for all ages
- Category II_A : Not suitable for children
- Category II_B : Not suitable for young persons
and children
- Category III : For persons aged 18 or above

SMART Internet Safety Guidelines

- S – Safety
- M – Manners
- A – Authentic Learning
- R – Research
- T – Technology

Source: Cybersmart!Education (2013) & 陳明月(2007)