

LCQ5: Reproduction of Hong Kong currency notes for filming

Following is a question by the Hon James To and a reply by the Acting Secretary for Commerce and Economic Development, Dr Bernard Chan, in the Legislative Council today (June 20):

Question:

It has been reported that in the year before last, the Police found in a props company a large number of replica banknotes which were claimed to be used as film props. The owner of the company was convicted last month of possessing counterfeit currency notes and sentenced to four months' imprisonment, suspended for two years. Angered and shocked by the judgment, some members of the film industry pointed out that the authorities had never issued clear guidelines on the legal requirements for reproduction of banknotes, nor had they carried out publicity in this respect, resulting in members of the industry breaching the law inadvertently. In this connection, will the Government inform this Council:

(1) whether it has plans to draw up for the film industry a more flexible and simpler application procedure for reproducing banknotes, including making the application form and detailed requirements available on the website of the Film Services Office (FSO), so as to encourage members of the industry to file applications in accordance with the law; if so, of the details; if not, the reasons for that;

(2) given that representatives of the FSO, the Hong Kong Monetary Authority and the Police discussed the relevant issues with members of the film industry yesterday, of the views and suggestions put forward at the meeting, as well as the outcome; and

(3) whether it will consider establishing a regime to regulate the film props industry, under which only those props companies approved by the Government may design, produce and rent out props of a high degree of resemblance to the genuine ones, such as replicas of banknotes, guns, Police Warrant Cards, government documents, so as to strike a balance between supporting the production of high-quality films and prevention of the illicit activities; if so, of the details; if not, the reasons for that?

Reply:

President,

According to section 103 of the Crimes Ordinance (Cap. 200 of the Laws of Hong Kong), a person who reproduces on any substance whatsoever, and whether or not to the correct scale, any Hong Kong currency note or any part of a Hong Kong currency note, must first obtain the consent in writing of the Hong Kong Monetary Authority (HKMA).

My reply to Hon James To's question is as follows:

(1) & (2) In view of the concerns raised recently by the film and television sectors in relation to the application for reproducing Hong Kong currency notes for filming purposes, the Film Services Office of Create Hong Kong (FSO) under the Commerce and Economic Development Bureau has actively followed up on the case by liaising with different industry associations and listened to their views. The FSO acted as a facilitator and lined up a meeting yesterday (June 19) for industry representatives to exchange views direct with the HKMA and the Police. Industry participants included representatives of the Federation of Hong Kong Filmmakers, the Hong Kong Televisions Association, the Hong Kong Film Directors' Guild, the Hong Kong Film Assistant Directors' Association, the Hong Kong Film Arts Association and the Hong Kong Movie Production Executives Association.

At the meeting, to ease the concerns of the trade, detailed explanations were given on the existing application procedures and compliance requirements for using prop currency notes for filming; the Police also elaborated on their established follow-up arrangements, including the requirements for storage and destruction of the prop currency notes.

Parties at the meeting also discussed ways to enhance the trade's understanding of the relevant guidelines, with a view to achieving a suitable balance between meeting the trade's expectations and effective crime prevention.

In particular, to further facilitate the trade's understanding of the requirements under the guidelines, the HKMA would provide the application guidelines in Chinese, which has now been uploaded to HKMA's website for easy reference. A link to the guidelines has also been provided on FSO's website. The HKMA will in slower time attach to the guidelines a set of samples demonstrating the required size of the prop currency notes and distinguishing designs and features that would set the prop notes apart from genuine banknotes. An application form will also be attached to the guidelines to facilitate the applicants' filling out of the required information.

(3) Making props is a professional segment of the film and television sectors. As per FSO's understanding, while there are a number of prop companies providing different props for the industry, most of the props used for film productions are specifically procured or produced by art directors of individual films to suit the specific filming needs of that particular film concerned. Given the tremendous variety and types of props and the different requirements of and for props peculiar to different productions, it would not be cost-effective for the Government to standardise the regulation of the making of different props, a move which would also dampen the creativity of the industry.

Currently, there are established procedures for and guidelines on using prop banknotes or modified firearms for filming purposes. The relevant authorities would take into account of considerations relevant to the project concerned in granting permissions. It is therefore difficult to standardise the handling of props across the board. For production of certain props, such

as identity or warrant cards of government officers or logos of government departments, the FSO would assist in obtaining consent from the relevant departments to ensure no infringement of copyrights. The FSO will also continue to provide appropriate assistance to the trade in handling other filming issues.