

A Comparative Analysis of Film Regulatory Systems in CN

Huayu Liao¹, Lio IpWang²

¹Faculty of Law, Macau University of Science and Technology, Macao, China

²The Institute for Social and Cultural Research, Macau University of Science and Technology, Macao, China

Abstract: The film industry of CN has a vast market and has become the second-largest box office market in the global film industry. This paper aims to provide a new perspective for related research fields by analyzing the film regulatory systems in CN. The film regulatory systems of CN exhibit differences. CN adopts an official-led pre-release approval model, which effectively maintains ideological security, comprehensively regulates the industry, and supports industrial development. However, the significant discretionary power of the authorities somewhat restricts creative freedom. HK and MO share the same goal by adopting a non-public personnel participation model for film classification review. This not only improves measures to protect minors and enhances social governance efficiency but also balances creative freedom, though it lacks industrial support measures. Comparative studies show that, compared to the pre-release approval model, the classification review model has greater advantages in clarifying review standards and improving relief measures, and can more effectively promote the diversified development of the film market. This conclusion deepens the discussion on the strengths and weaknesses of different film regulatory systems and provides important references to learn from and improve relevant laws and regulations.

Keywords: Film Censorship; Film Classification; Comparative Analysis; Regulatory Systems

1. Introduction: Market Prospects and Comparability Analysis

Until November 1, 2025, the box office revenue of CN this year has exceeded 44.8 billion yuan, accounting for 19.4% of the global film box office market. This indicates

that the current film industry in CN has a broad prospect. Laws have a positive effect on economic growth due to their signaling and self-acknowledging effects [1], so it is crucial to improve relevant legislation by comparing the film regulatory systems of CN, and to explore how official regulation can balance social governance and economic benefits.

This article analyzes the laws and regulations related to film supervision enacted and implemented in CN. These legislative measures aim to protect the physical and mental health of minors, uphold the mainstream values of society, and promote market development [2]. In CN, the "Film Law" came into effect in 2017. Together with the "Film Filing Regulations", these laws are dedicated to safeguarding national ideological security, promoting industrial development, regulating market order, and protecting citizens' cultural rights [3]. The other regions have enacted and implemented laws such as the "Film Censorship Regulations" and "Decree No.15/78/M," which all focus on film classification and review to standardize and promote the diversified development of the film industry, protect the physical and mental health of minors, and align with the international film market.

This comparative analysis shows that different regions have adopted different regulatory approaches to standardize the film market and promote industry development. These differences reflect variations in the censorship systems in terms of historical evolution, governance objectives, and market scale. CN regulatory strategy of reviewing scripts before final releases, while effective in standardizing the industry throughout the process, supporting high-quality films, and preventing the spread of inappropriate content, has room for improvement in areas such as cumbersome procedures, lack of remedies, and creative constraints. In contrast, HK and MO allow

production companies to complete film production first before undergoing review and grading. This model is more flexible and efficient, opening up market access and diversifying film themes and consumer choices, but it lacks positive value guidance and industry support. The healthy development of the film industry requires balancing social governance with economic benefits. Evaluating the strengths and weaknesses of CN film regulatory systems helps understand how different regulatory approaches can standardize and promote the film industry, thereby advancing the gradual improvement of film regulatory systems across the three regions.

2. CN Film Regulatory Model: Official-Led, Dual Review

The current film regulatory system in CN is primarily guided by the "Film Law" officially implemented in 2017, supplemented by the "Film Management Regulations" and "Film Filing Regulations" issued in 2001 and 2006. This section will separately study and discuss the main body, procedures, and standards of the current film regulatory system in CN.

2.1 The Official-Led Institution

According to Article 8 of the Film Law, the film censorship institution is the National Film Bureau or the film administrative department of the provincial or municipal government. Specifically, according to Article 18 of the "Film Law", the film censorship shall be organized by expert review, and the selection method shall be stipulated by the National Film Bureau.

This demonstrates that the film censorship in CN is administered by government agencies, with expert panels conducting evaluations, which lends credibility and professionalism to the process. However, the National Film Bureau has not specified the composition or selection criteria for these experts, nor has it incorporated diverse stakeholders such as industry representatives and public representatives. As a result, the professionalism and public acceptance of the censorship system require further enhancement [4].

2.2 Dual and Comprehensive Procedures

According to the "Film Law", "Film Administration Regulations", and "Film Filing Regulations", the film supervision procedures

in CN adopt a dual review system of script filing and final film approval: production units must first file the script with the film censorship authority for review, and can only proceed with filming after approval; the completed film must be submitted to the film censorship authority for review upon completion; approval results in the issuance of a "Film Public Screening License" for screening, while rejection requires revisions and re-review, with the right to apply for reconsideration if dissatisfied with the review results. The review period is 30 days, and the re-review period is recalculated.

As above, the CN film censorship system establishes a dual-layered oversight framework through script registration and final film review, ensuring content alignment with mainstream social values. However, the review bodies frequently issue ambiguous modification guidelines, leaving production companies unable to effectively adjust their final products [5]. When dealing with sensitive content, reviewers may consult National Censorship Committee members overseeing such matters, potentially prolonging the review process [6].

2.3 Subjective and Obscure Standards

Regarding the content censorship standards for films in CN, the "Film Law", "Film Administration Regulations", and "Film Filing Regulations" mainly clarify prohibited content, such as not violating the constitution or undermining the rule of law; not endangering national unity; not undermining ethnic unity; and not violating public order and good morals. The content review system in CN, which combines prohibitive and encouraging criteria, effectively prevents the spread of materials endangering national security or violating public order and good morals, while also driving the growth of the film industry [7]. However, its limitations include ambiguous regulations, lack of quantitative standards, and excessive subjectivity in review bodies, leading to overly flexible censorship and frequent content censors which often without clear guidelines [8]. This ambiguity also leaves production companies unable to clearly define what content they should modify when implementing "self-restriction" measures [9].

3. HK and MO Film Regulatory Model: Public Participation, Classification

HK and MO have respectively inherited the common law and civil law systems. In the realm of film censorship, despite operating under different legal systems, both regions have independently adopted a tiered review mechanism. This section will examine the entities, procedures, and standards of the current film censorship systems in HK (under the Film Censorship Ordinance) and MO (under Laws No.10/78/M and Decree No.15/78/M), respectively.

3.1 The Public-Participated Institutions

HK film regulatory body, Office for Film, Newspaper and Article Administration, comprises three key components: Supervisors, Inspectors, and Inspector Groups; Advisors and Advisor Groups; and the Review Committee. The Supervisors and Inspectors are public officials responsible for film classification, with Supervisors being selected from the Inspector Groups. The Advisor Groups consist of HK citizens aged 18 or older who are fluent in both Chinese and English and volunteer to provide recommendations to Supervisors or Inspectors. The Review Committee, comprising at least five non-public officials, evaluates objections to classification decisions and issues directives. MO film regulatory body, Assessment Committee of Performing Arts, consists of six public officials and three non-public officials (including one industry representative) who review films through voting.

Accordingly, in terms of the subject of censorship, HK attaches great importance to the extensive participation of the public; the mutual independence of censorship and review guarantees the fairness of the results of film censorship [10]. The characteristics of the review body in MO are as follows: the official plays a dominant role, although there is public participation, but not enough, and there is no reconsideration unit.

3.2 Clear and Efficient Procedures

The film censorship procedures in HK and MO are largely similar, both implementing a rating system for completed films. Production companies must submit finished films to the regulatory body for classification to obtain release approval. In certain statutory cases, some films may be exempt from the rating process. The review period is 15 days in HK

and 3 days in MO.

However, there are notable differences between the two regions. In HK, production companies whose films are denied theatrical release may apply for reconsideration to the censorship committee, while MO lacks a formal review procedure. HK also mandates regular inspections of cinemas and video stores by censors to ensure effective control over restricted-content films, whereas MO has no such regulations. Additionally, HK Chief Secretary for Administration may revoke a film's classification and release permit for "national security" reasons.

The film censorship processes in HK and MO demonstrate both higher efficiency than CN and greater creative freedom for production companies. However, both regions conduct direct final reviews without allowing script-stage feedback to prevent content restrictions in the final product. Notably, HK lacks clear deadlines for re-examination, while MO has no legal remedies or periodic inspection mechanisms in place.

3.3 Diversified and Liberal Standards

Under HK Film Censorship Ordinance, film content is assessed based on four criteria: the extent of violence, pornography, or horror depicted; whether it defames specific ethnicities, religions, or genders; whether it endangers national security; and whether it possesses artistic, educational, or scientific value. The films are then classified into four age-appropriate tiers to suit different audiences.

HK film censorship system balances creative freedom with child protection by prioritizing age-appropriate content types. While the "Inspector's Guidelines for Film Censorship" ensure objectivity in review outcomes, advisory in nature often prove ineffective in practice [11].

The censorship of film content in MO is similar to that in HK, which is expressed as the appropriateness of each age group of the audience and whether it involves illegal and criminal activities, violates public order and good customs, and strictly controls the films involving pornographic themes, and accordingly, it is divided into five grades to suit different age groups of the audience.

The classification of film content in MO reflects the protection of minors, but the

classification method is close to CN, and the specific standard is relatively vague.

4. Comparative Analysis of Differentiation Factors

Overall, CN has adopted distinctly different strategies in film regulation. CN has established an official-led dual-review framework for approved releases, which has proven effective in safeguarding ideological security and maintaining a healthy social atmosphere. It has also promoted the vigorous development of the film market through industrial support, balancing social governance with economic benefits. In stark contrast, HK and MO advocate for a public-participated mechanism for reviewing and rating films for release, which protects the physical and mental health of minors. The strategic differences between CN and HK and MO can be explained from the dimensions of historical evolution, legal objectives, and market scale.

4.1 Historical Evolution and Path Selection

The film censorship system in CN focusing on propaganda and educational functions, and was officially dominated. The government emphasized the role of films in ideological propaganda and cultural construction, specifically setting up the Central Film Bureau and local film review committees to conduct rigorous reviews [12]. Following the reform and opening-up, to adapt to market economy demands and improve industry standards, the government successively promulgated the "Film Management Regulations" in 2001 and the "Film Filing Regulations" in 2006, which remain in effect today, and formally enacted the "Film Law" at the legal level in 2016. Throughout this process, film censorship has always been officially dominated, with the core focus on maintaining ideological security and emphasizing the state's dominance over cultural products.

Before the 1980s, HK lacked a formal film censorship system. During the rapid expansion of its film industry in the 1980s, many films exploited themes like pornography and violence to attract audiences, sparking public discontent with the government's inaction and concerns about the negative impact on children's and adolescents' healthy development [13]. As legal awareness grew and local filmmakers and audiences

increasingly demanded stricter controls, the HK authorities enacted the Film Censorship Ordinance (Cap. 392) on November 10, 1988, marking the establishment of a film censorship system centered on age ratings. This system directly adopted the market-driven rating model from the UK and US, aiming to accommodate diverse artistic expressions and consumer preferences while ensuring the physical and mental well-being of minors through age-specific admission restrictions [14].

The film censorship system in MO originated in the late 1970s. With improved governance, the region prioritized films 'moral education function. In response, the government enacted "Decree No.15/78/M" on May 20, 1978, establishing a age-based screening framework [15]. Modeled after Portugal's cultural product regulations, the decree targeted inappropriate elements like pornography and violence while maintaining streamlined market governance, ensuring diverse consumer choices.

4.2 Legal Foundation and Governance Targets

CN legal system is centered on the Constitution. As a product of the constitutional provision on freedom of expression, films can safeguard citizens' cultural rights and fulfill the function of ideological guidance [16]. Given the large population base and wide regional disparities in CN, authoritative entities are more required to review films to consolidate consensus. Therefore, to ensure cultural products align with mainstream values while catering to the preferences of audiences across all age groups, CN adopts an official-led dual-review and approval model for film releases.

Since the handover, HK and MO respectively adopting the common law and civil law systems [17]. Both legal frameworks prioritize individual freedom and market diversity, while emphasizing the protection of minors 'physical and mental well-being and encouraging public participation [18]. Accordingly, governance in these regions focuses on balancing creative freedom with child protection, adopting a public-participatory rating system that aligns with international standards. Institutionally, HK legal framework reflects the common law tradition's emphasis on procedural justice, combining professional expertise with

democratic principles. MO legislation is similar to CN model, favoring administrative dominance. Its highly centralized power structure matches MO political architecture, ensuring efficient decision-making while maintaining relatively low transparency [19].

4.3 Industrial Form and Market Size

CN film market boasts a massive scale and promising prospects, with domestic films dominating box office revenues across diverse genres. While authorities must guide the industry toward high-quality development through policy measures, they also face the challenge of regulating the vast volume of content. To address this, a comprehensive regulatory framework should be established to provide targeted support for quality domestic films, particularly through an approval-based model.

The film market in HK and MO is relatively small, with output primarily consisting of small-to-medium productions, local-themed films, or co-productions, demonstrating a high degree of internationalization. In HK, local films have dominated box office revenues over the past five years, while imported films account for a significant share. The market is highly competitive, and the region possesses overseas distribution capabilities with diverse platforms, requiring production companies to adjust content and marketing strategies according to market demands. In MO, locally produced films mainly focus on government-commissioned cultural tourism and documentary themes, with low commercialization levels. The cultural and creative industries account for a negligible portion of MO economy, resulting in a censorship system that primarily serves regulatory purposes rather than industry promotion.

5. Conclusion: The Characteristics of Different Modes and the Feasibility of Mutual Reference

The approval-based film regulatory system, characterized by its authoritative and supportive nature, focuses on safeguarding ideological security and social order, guiding the sustainable development of the film industry. In contrast, the rating-based regulatory system emphasizes standardization and efficiency, catering to diverse market

demands and aligning with international standards. It plays a pivotal role in encouraging artistic freedom and public engagement.

CN experience demonstrates that a comprehensive regulatory framework for the film industry—combining support measures with age-appropriate content censors—effectively addresses the massive demand for film censorship while sustaining a vast market. However, challenges persist, including insufficient democratization and professionalization of administrative decision-making, limited consumer autonomy in film selection, restricted creative freedom, and inadequate alignment with global standards. Ultimately, the core of censorship system prioritizes a balance between society stability and economic efficiency.

In contrast, HK and MO adopt a tiered regulatory framework for film censorship. By empowering audiences to choose their preferred film genres, these regions encourage creative freedom and public participation in governance. Essentially, their social governance philosophy prioritizes public autonomy while emphasizing rapid economic returns.

The divergent film censorship strategies in CN reveals distinct trade-offs in balancing social governance with economic efficiency. Rooted in historical evolution, CN maintains an official-led approach to cultural product regulation, prioritizing collective ideological stability over individual creative freedom. This model continues to yield substantial economic returns supported by its massive market potential. HK responding to diversified international market demands and public engagement in political life while emphasizing artistic freedom and rapid commercialization. MO, inheriting the civil law system structure, adopts a hybrid model combining CN strong official dominance with HK public participation mechanisms, effectively catering to localized niche market demands and social governance patterns.

To sum up, CN could incorporate industry associations and representatives from various sectors into the review bodies to enhance their democratic and professional nature. By adopting HK regulatory model, it could establish a rating system based on Article 20 of the Film Law, which mandates "providing warnings when screenings may cause physical

or psychological discomfort to minors or other audiences." HK could maintain existing regulatory measures while learning from CN support mechanisms for high-quality films, guiding domestic productions to align with mainstream values and expand their market share. MO could further increase public participation in reviews and adopt HK's established standards for film censorship. Through this collaborative approach, the film regulatory systems of CN can be significantly improved.

References

- [1] Yu Guanghua. Economic Growth and the Role of the Formal Legal System. *Peking University Law Journal*, 2011, 23(01):176.
- [2] Liu Fangqi. Thoughts on the Legal Regulation of Film Regulatory Systems. *Film Studies*, 2023, (04):23.
- [3] Yan Qiuping. Analysis of CN Film Supervision System. *CN Economist*, 2021, (03):50.
- [4] Pan Jie. Film Censorship from the Perspective of Administrative Law. *CN University of Political Science and Law*, 2010.
- [5] Zhang Qian. Research on CN Film Supervision System from the Perspective of Administrative Licensing. *Legal System and Society*, 2021, (02):187.
- [6] Fang, J. The Culture of Censorship: State Intervention and Complicit Creativity in Global Film Production. *American Sociological Review*, 2024, 89(3):488.
- [7] Gao Zhihong. Serving a stir-fry of market, culture and politics – on globalisation and film policy. *Policy Studies*, 2009, 30(4): 423.
- [8] Huang Xin and Zhu Jinhua. Construction of the Film Rating System. *Journal of Xiangnan University*, 2022, 43(04): 35.
- [9] Zhang Yao and Huang Xianrong. Research on the Issues of Government Regulation in CN Film Industry. *Publishing Journal*, 2017, (11): 11.
- [10] Wang Qian. Legal Reflections on the Formulation Subject of the Film Rating System. *Regional Governance*, 2020, (03): 147.
- [11] Hu Xihui. A Commentary on HK Film Censorship System. *CN University of Political Science and Law*, 2010.
- [12] Zhang Shuoguo. Research on Film Censorship in CN in the Early Days of ROC. *Journalism Bimonthly*, 2011, (02): 113.
- [13] Chen Xihe and Liu Yuqing. HK Cinema in the New Pattern of Chinese-language Cinema — and a Reconsideration of Post-colonial Theory. *Literary Review*, 2007, (11): 14.
- [14] Li Shuai. A Study on HK Motion Picture Rating System and Its Referential Significance. *Southwest University*, 2018.
- [15] Luo Le and Deng Tao. The Earliest Rating System and Film Myths in CN — Film Screenings in MO in the 1970s, *Journal of Beijing Film Academy*, 2023, (07): 120.
- [16] Xiao Jinming. Positioning, Principles and System of Cultural Law. *Legal Forum*, 2012, 27(01): 26.
- [17] Chen Duanhong. On the Implementation of the Constitution in the HK and MO Special Administrative Regions. *Peking University Journal of Legal Studies*, 2025, 37(04): 845.
- [18] Fu Jing. A Constitutional Reflection on the Film Censorship and Film Rating System in the United States — Centering on the First Amendment to the U.S. Constitution. *Journal of Beijing Film Academy*, 2019, (11): 95.
- [19] Zhang Jieying. A Comparative Study on the Film Rating Systems of HK, MO and TW from the PEST Perspective. *MO University of Science and Technology*, 2025.