

# COMM 2035

Communication, Ethics and Law

Lecture 3 Ethics/Law and Film Making

Part 1

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Semester 1 , 2025 / 26



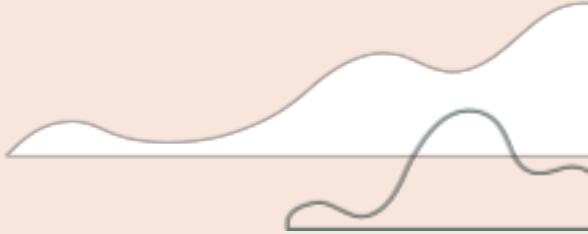
# What are the ethics of filmmaking?



- + Filmmakers attempt to balance several principles in their work
  - Box Office Hit
  - Aesthetic / Artistic Values
  - Political Articulation
  - Amusement
  - Social Responsibilities



# Aesthetics and Ethics

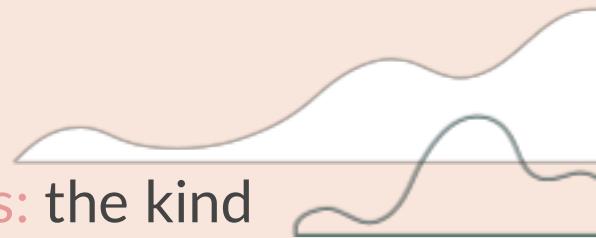


Film making is a form of aesthetic activity

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- Aesthetics can offer us insights about objects: the beautiful woman, the gorgeous portrait, the hideous cesspool, and so on.
- Aesthetics can offer us insights about sounds: the beautiful music, the sweet voice, the grating rant, and so on.

- Aesthetics can offer us **insights about actions**: the kind gesture, the rude remark, the generous help, the callous betrayal.
- Indeed, almost everything a person can experience can be processed in accordance to how beautiful or how ugly it is.
- Taking all of this into account, it is plain to see that **aesthetics** are a big part of being human.



It is useful to keep in mind that ethics does not apply as broadly as aesthetics does.

Aesthetics typically has something to say about everything imaginable, while ethics only applies to a few things.

When considering whether or not to paint a house, one's aesthetic sense is pondering millions of questions: What colour? What pattern? What paint(s)? What kind of finish? What brush type? What brush technique? What budget? What approach? And so on... and there is no right or wrong answer to these questions.

Meanwhile, the ethical centre of one's brain is only asking a few questions: Is the house mine? Are the painting materials mine? If the answer to both questions is "yes", then that's it. You're free to do what you wish.

When considering all this, it is advisable that when making a decision, ethical considerations should take precedence over aesthetic considerations.

**This is not intended to denigrate aesthetics.**



Aesthetics are a big part of life, they're valuable, enjoyable, they help us to understand who we are, and what is important to us, while ethics can at times feel like an endless killjoy and burden to carry through life.

In fact, the tendency is that the more self-knowledge a person has, the more enjoyable ethical behaviour is for them because they can see the hidden beauty in doing the right thing and justice becomes its own reward.





## Reference :

Aesthetics and Ethics,  
PHILOSOPHICALTHERAPIST ,

11 June 2017

<https://philosophicaltherapist.com/2017/06/11/aesthetics-and-ethics/>



# Hong Kong Film Industry

## Industry Data

Hong Kong has one of the largest and most dynamic film industries in the world. As a major centre for the production of film and television content, the city has captured a fair share of the regional market, particularly in mainland China.



As a regional hub for buying and selling Asian films and TV dramas, Hong Kong is widely recognized as a superb platform for co-production.

The *Hong Kong International Film & TV Market (FILMART)* is Asia's leading content marketplace.



# Hong Kong International Film & TV Market (FILMART)

香港國際影視展

**13-16/3/2023**

- For the past two years it has taken place online, providing a virtual content trading and meeting platform for industry players during the *Covid-19* crisis.
- More than 7,000 international buyers from 81 countries and regions attended the four-day event in March 2021, when some 2,200 film and television productions were released and promoted.



- Hong Kong's audio-visual services industry has gained preferential access under the *Closer Economic Partnership Arrangement (CEPA)* to the mainland's huge entertainment media market.
- Following the implementation of the *CEPA* agreement concerning the Mainland's Specific Commitments on Liberalization of Trade in Services for Hong Kong in mid-2016, an *Amendment Agreement* was introduced with new 2016, an *+ Amendment Agreement* was introduced with new liberalization measures for motion pictures (film) and television industries, among others, effective from 1 June 2020.



## Motion Pictures and Other Entertainment Services

**June 2021**

Number of establishments	3,078
Employment (excluding those in civil service)	15,605

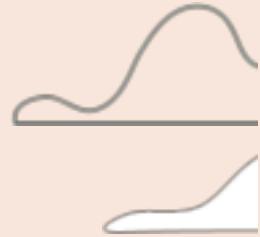
Source: Quarterly Report of Employment and Vacancies Statistics, Census and Statistics Department

	<b>2019</b>	<b>2020</b>	<b>1H 2021</b>
Number of local films released	46	34	24
Number of foreign films released	280	184	106
Total box-office receipts, including foreign films (HK\$ million)	1,923	537	376

Source: Hong Kong Box Office Ltd



# Industry Development and Market Outlook



## + *Film Distribution*

- The Covid-19 pandemic has **upended the global film industry**.
- In line with strict social distancing requirements, cinemas have been closed and film production suspended for a prolonged period since the onset of the Covid-19 outbreak.
- The result was a plunge in box office receipts in 2020 for most regions, including mainland China (-68%), Hong Kong (-72%) and North America (-80%).

- According to *Hong Kong Box Office Limited*, 63 cinemas were operating in Hong Kong as of October 2021, up from 45 at the end of 2013. In Hong Kong, films are mainly released through cinema.

## Broadway Circuit

- Cinemas, Golden Harvest Cinemas, Newport Circuit, MCL Circuit, AMC Circuit, Cine-Art House, Golden Scene Cinema and Cinema City Circuit.*



Hong Kong's film industry is reliant on overseas revenue, given the limited size of the domestic market, with Asia accounting for the majority of foreign sales income.



According to the American media measurement and analytics Company *Comscore*, the mainland film market surpassed that of North America to become the world's biggest film market in 2020, accounting for one-fourth of the global box receipts.

For the year, three Hong Kong-mainland co-productions –namely *Leap*(奪冠), *ShockWave2* (拆彈專家2) and *Caught in Time* (除暴)–ranked among the mainland's top 10 highest-grossing movies.



- While the mainland market has opened up for film co-production and is signing more agreements with overseas counterparts, Hong Kong remains its primary co- production partner.
- In the first eight months of 2020, 30 out of 39 *National Radio and Television Administration (NRTA)*-approved applications for film co-production were for movie projects between Hong Kong and mainland filmmakers.

- With a strong cinematic tradition, Hong Kong is well-positioned as the gateway to the Asian film industry.
- Since 1997, Hong Kong has hosted an annual film market to promote the city as an international film distribution centre in the region.
- *FILMART* is Asia's biggest film and entertainment event and well known for new film launches, networking activities and professional seminars.

Video : FILMART 2019 Fair Highlights

[https://home.hktdc.com/en/video/203909\\_19061101](https://home.hktdc.com/en/video/203909_19061101)

- Now in its 25th year, the Fair widely recognised as a powerful platform to explore co-production in Asia.
- +
- Transforming into a virtual-content marketplace during the *Covid-19* pandemic, *FILMART Online* in March 2021 attracted more than 7,000 international buyers from 81 countries and regions 2,200 film and television productions were released or promoted during the four-day event.



- Hong Kong is also a popular place for crews from Hollywood and also from other Asian countries, to shoot commercial films, TV programmes and advertisements.
- Recent examples include American drama series *Expats* (upcoming release), American monster film *Godzilla vs. Kong* (released in 2021), South Korean action horror heist film *Peninsula* (2020), Japanese drama series *Confidence Man JP* (2019) and Singaporean reality show *Asia's Got Talent* (亞洲達人秀) (2017).



# CEPA Provisions

- + • CEPA provisions include significant market liberalisation measures for Hong Kong's audio-visual services industry, with regard to cinema theatre services, film-distribution services, technical services for cable television and the production of television drama programmes and films.
  
- By the end of September 2021, the Hong Kong government had certified 94 audio-visual service companies as Hong Kong service suppliers (香港服務提供者證明書) (HKSS).

The film industry is represented by several associations, including the

- Federation of Hong Kong Filmmakers (香港電影工作者總會)
- Movie Producers and Distributors Association of Hong Kong Ltd (MPDA)
- Motion Picture Industry Association (MPIA)
- Hong Kong Film Directors' Guild (HKFDG)
- Hong Kong Screenwriters' Guild (HKSWG)
- Propsmen's Guild of Hong Kong (香港電影道具同業協會)
- Association of Motion Picture Post-Production Professionals

None of these associations concerned the ethics on film making

# Film Classification In Hong Kong

+ Office for Film, Newspaper and Article Administration , The HKSARG (電影、報刊及物品管理辦事處 )

The Film Division examines films intended for public exhibition — under the three-tier film classification system.





Under the Film Censorship Ordinance (Cap. 392), films intended for public exhibition must be approved by the Film Censorship Authority (FCA).

Films are either classified into the [three-tier classification system](#) or exempted from [classification](#) (examples of films eligible for exemption include educational, cultural, religious and promotional films).

The three-tier film classification system according to the Ordinance is as follows:

+ Category I

Suitable for All Ages

Category IIA

Not Suitable for Children

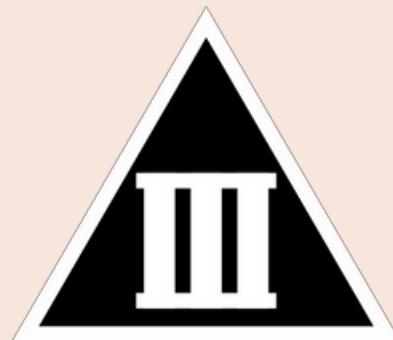
Category IIB

Not Suitable for Young Persons and Children

Category III

Persons Aged 18 or Above Only

- Categories IIA and IIB are advisory in nature, while the age restriction for Category III films is legally enforced.
- Advertising materials for Category III films and packaging of the physical storage medium of Category III films (such as video disc) also require **the approval of the FCA**.



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- Advertising materials for Category III films and packaging of the physical storage medium of Category III films (such as video disc) also require the approval of the FCA.



- The Film Censorship Guidelines for Censors indicates the manner in which censors exercise their functions under the Ordinance.
- We implement the film classification system in an objective manner. Any aggrieved by a decision of the FCA or censor may request review. Under general circumstances, a person who is the Board of Review (Film Censorship) to review the decision.

## Film Classification System

How does a censor classify films ? What factors would the censor consider when classifying a film for public exhibition ?

Under section 10 of the Film Censorship Ordinance (Cap. 392) (FCO), a censor has to take into consideration the following matters when making a decision:

1. Whether the film portrays, depicts or treats cruelty, torture, violence, crime, horror, disability, sexuality or indecent or offensive language or behavior;
2. Whether the film denigrates or insults any particular class of the public by reference to the colour, race, religious beliefs or ethnic or national origins or the sex of the members of that class; and
3. Whether the exhibition of the film would be contrary to the interests of national security.

The censor shall also take into account the following matters when making a decision:

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    1. the effect of the film as a whole and its likely effect on the persons likely to view the film;
    2. the artistic, educational, literary or scientific merit of the film and its importance or value for cultural or social reasons; and
    - +    - 3. in relation to the intended exhibition of the film, the circumstances of such exhibition

## What are the classification standards for the use of language in films ?

Expressions or expletives with sexual connotations and those normally used specifically in the context of certain criminal groups in Hong Kong are not permitted in Category I films.

In Category IIA films, mild expletives with sexual connotations and coarse language may be used only infrequently and must be contextually justified.

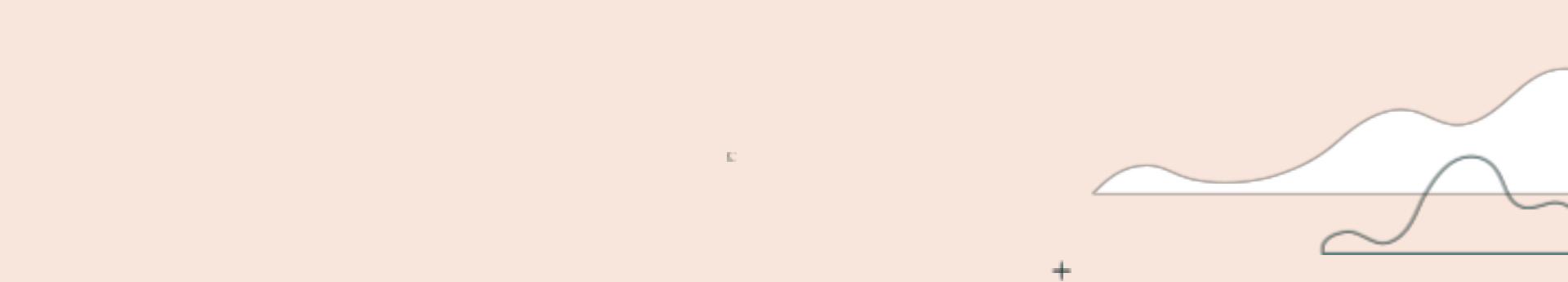
In deciding between Category IIB and III, the degree of offensiveness of any such language will be considered.

## Is the depiction of nudity allowed only in category III films ?

The depiction of nudity is an established art form, but full-length frontal nudity in a film that can be watched by children is generally not tolerated by local audiences.

Such depiction is not normally permitted in a Category I film. Depictions of nudity in Category IIA films should be carried out with tact and discretion, and nudity depicted in a sexually suggestive manner should not be permitted.

In considering whether to pass films depicting nudity for Category IIB or III, the censor will consider the degree of the possible erotic effect of that nudity.

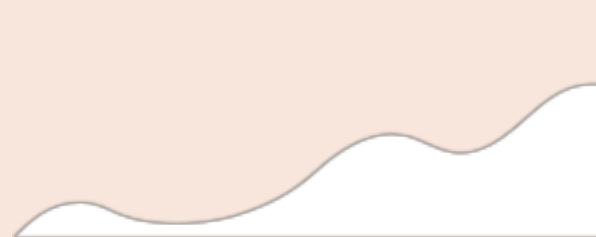


## Are the standards for television programmes similar to film classification standards?

Television and film are different media, and hence different regulatory systems apply.

## Film Censorship (Amendment) Bill 2021

Legislators have passed a bill to toughen Hong Kong's film censorship law, authorising the city's No 2 official to ban productions that undermine national security and increasing the maximum jail term for anyone who screens movies already classified as a threat.



The changes allow the government to extend the vetting period from the usual two weeks to as long as 28 days so censors can seek legal advice before deciding.

Unauthorized screenings can result in a maximum jail sentence of three years, up from two, and a HK\$1 million (US\$128,570) fine under the changes to the Film Censorship Ordinance, which also enable the chief secretary to ban the showing of previously approved productions on national security grounds.

Secretary for Commerce and Economic Development Edward Yau Tang-wah said most movies would not be affected and the new rules would not undermine the industry.



“Our objective is simple and direct –it is to improve our film censorship system and effectively prevent and suppress any act that would endanger national security,” he said during the Legco meeting.

“I believe that most films would not have any national security consideration ... This bill would provide clear rules for the industry to follow, so that they would not cross the red lines accidentally.”

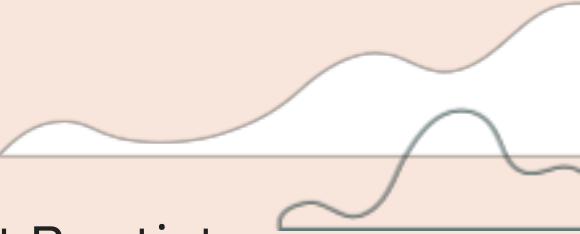
But some professionals and commentators raised fears that creativity and freedom of expression would suffer.



Tenky Tin Kai-man, spokesman for the Federation of Hong Kong Filmmakers, said the impact of the new rules remained to be seen, “we would hope it’s not a sweeping hit, but it depends on how far authorities would go.”

Independent theatres would also probably think twice before screening documentaries, especially those touching on social disobedience or the police, he said.





Kenny Ng Kwok-kwan, an associate professor at Baptist University's Academy of Film, said the industry had accepted that authorities were tightening their grip over the creative arts.

“The industry was expecting that the changes would be passed so filmmakers were already anticipating how to operate under the new environment,” he said.

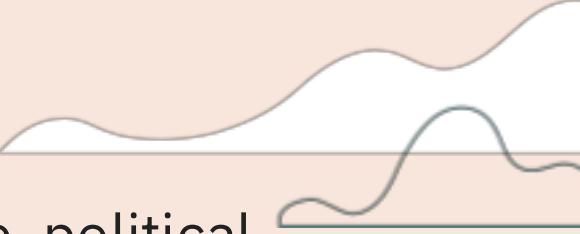


## Reference :

Hong Kong passes bill to ban films deemed threats to national security, increase penalty for unauthorized screenings,

by Tony Cheung, SCMP.  
**27 October 2021**

<https://www.scmp.com/news/hong-kong/politics/article/3153857/hong-kong-passes-bill-ban-films-deemed-threats-national>



Before Hong Kong was returned to Chinese rule, political censorship was also in place and strict.

《再見中國》：港英時代首部政治禁片，曾在台灣白色恐怖中拍攝 文革  
特約撰稿人彭嘉林，端傳媒，2016年5月20日

<https://theinitium.com/article/20160520-culture-movies-chin>

拍攝文革中國青年逃亡到香港的《再見中國》，是首部港英禁片。第一部被禁的香港政治電影

這是第一部香港人拍攝的文革電影，七八十年代香港電影的標誌性作品之一，也成了第一部因為落入「C類影片」而被港英政府電檢處查禁的香港電影。



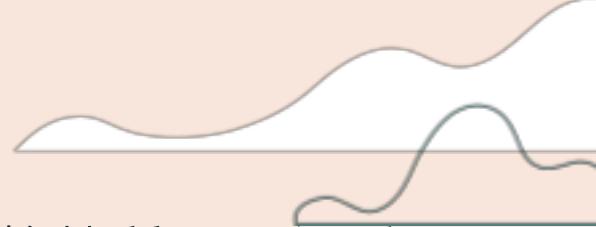
文革前，港英政府電檢處曾因認為美國電影《碼頭風雲》（On the Waterfront (1954)）有可能鼓動香港工運，而禁止放映，還查禁了1962年的《滿洲候選人》（The Manchurian Candidate），電影描述韓戰時蘇聯擄走美國士兵到中國滿洲洗腦，變成受人控制的殺人兇手。

與《再見中國》同類被禁的還有15部影片，全部都關於中國，比較為人熟悉的有《紅娘子軍》、《東方紅》、《鴉片戰爭》。





文化研究學者游靜引述2003年立法會公佈的會議記錄，1965至1974年底，共有357部電影於第一次送檢時被禁止公開放映。《再見中國》讓港英電檢處打響了對香港電影的審查第一槍。1974年，該片因被指「損害鄰近地區關係」（damage good relations with other territories）遭禁。



游靜：「這些例子很能夠看到港英政府審查制度的特質。我們看到港英在很小心地踩一條鋼線，一方面禁止像《再見中國》這些得罪大陸的電影，另一方面不允許電影擁護大陸政權，同時又會害怕《碼頭風雲》這些電影，怕香港的工人為自己的權益抗爭。因此只要你明顯寫政治題材，不管是批判還是支持，都不受歡迎。」



### 參考閱讀：

1952年港英政府驱逐左派影人事  
件始末,團結網, 2018年6月5日。

[http://www.tuanjiebao.com/2018-06/05/content\\_144231.htm](http://www.tuanjiebao.com/2018-06/05/content_144231.htm)



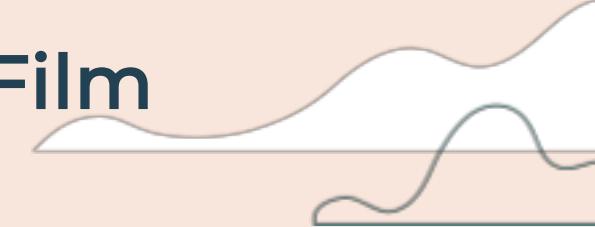
# 近年被禁電影作品

以下電影按照送審日期排列，未獲「核准證明書」或「拒絕核准證明書」的電影則以新聞日期表示。

片名	日期	導演	狀態	被禁說明
「香港紀理大圍城	2021年3月	錄片工作者	被禁映	紀錄片被電檢局評為「三級電影」。在公映前遭左派媒體抨擊， <a href="#">高先電影院</a> 和 <a href="#">香港藝術中心</a> 遂宣佈取消放映。
同愛一家	2021年6月	未知	未獲公映許可	台灣的同志紀錄片。電檢處不允許放映，未說明被禁原因。
時代革命	2021年8月	<a href="#">周冠威</a>	導演於《電影檢查條例》修訂後放棄	題材涉及 <a href="#">反送中修例風波</a> ，導演因認為無法通過電檢處審查而放棄送檢。 送檢和在港公映
Time, and Time Again	2022年6月	王彥博	拒絕審核	劇情以一名失蹤少女展開，該片在6月15日還未獲得放映許可證，此事引起 <a href="#">鮮浪潮國際短片節</a> 的導演反彈。11名電影節導演連署要求盡快回復審批結果。
暗房夜空	2022年8月	未知	未獲公映許可	由 <a href="#">香港都會大學</a> 3名學生創作的動畫。電檢處要求刪減「佔領中環」不到1秒的畫面，因為「毋忘初衷」和「我要」文字容易讓人聯想到2014年的暴動示威。送審方「平地映社」回絕要求，並宣佈將會取消暗房夜空的實體放映。

來源：維基百科

# A Brief History of Hong Kong Film Industry



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Of the many national cinemas Hong Kong's was once one of the most distinctive.

Although it owes a large debt to its mainland heritage, Hong Kong cinema helped popularise entire genres of film such as kung fu and wuxia on top of creating specifically local genres like molei tau comedies and heroic bloodshed action films.

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During its heyday from the mid-80s to the mid-90s Hong Kong films dominated the box office in East Asia and enjoyed a cult reputation in the West.

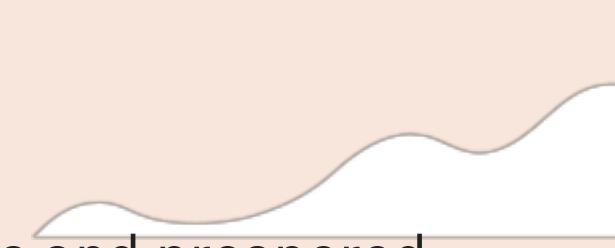
Despite the city's size, it exported more films than every other country in the world except the United States. Local stars Jackie Chan and John Woo became bona fide Hollywood celebrities and the likes of Chow Yun-fat and Jet Li also had the chance to shine Stateside.

According to film historian David Bordwell, at its peak Hong Kong produced “arguably the world’s most energetic, imaginative popular cinema”.

The first film of fiction made in Hong Kong is generally accepted to be *Chuang Tsi Tests His Wife*, made in 1913.

Although by 1939 local studios were making more than 100 films per year, in both Cantonese and Mandarin, the then British colony was second to Shanghai in cinematic importance.





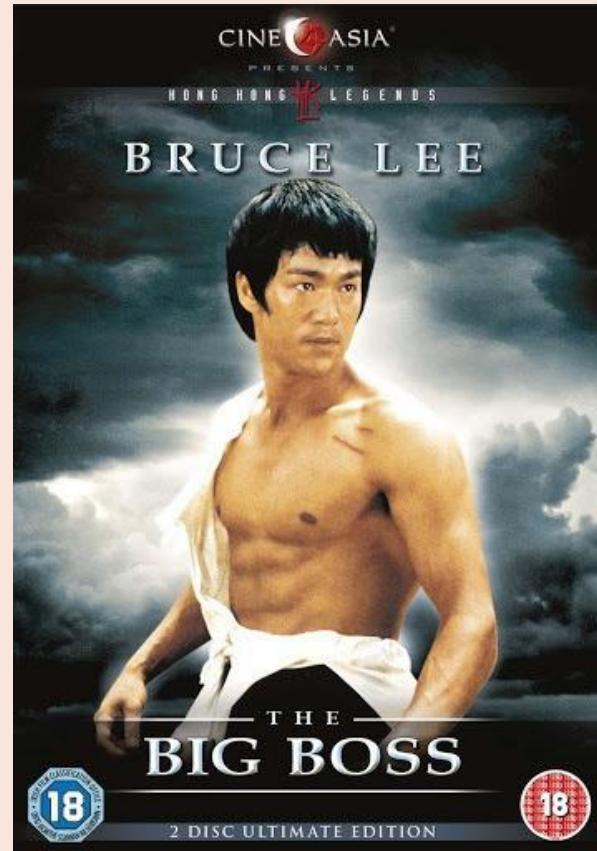
Local filmmakers took advantage of all of this and prospered.

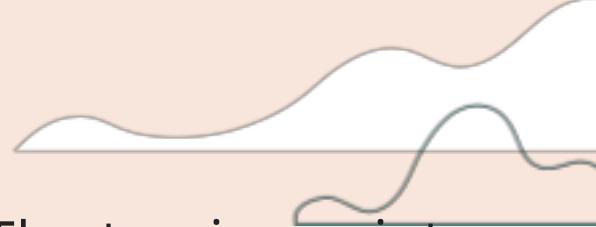
With Chinese communities spread throughout Thailand, Malaysia, Singapore and Indonesia –not to mention Taiwan – Hong Kong movies had eager audiences across Asia. In the 60s, studios mimicked the popular Japanese jidaigeki samurai films, producing their own Chinese equivalent such as the hugely popular *Come Drink With Me*(1966) and *The One-Armed Swordsman*(1967).

Then came Bruce Lee. An international icon to this day.

Lee's break out role was in *The Big Boss* (1971).

His break out role was in *The Big Boss* (1971), which set box office records across Asia. Lee's follow-up, *Fists of Fury* (1972), broke those same records and his final film, *Enter the Dragon* (1973), released posthumously, made him an international star even after his untimely death.





Unfortunately, the situation could not last. The turning point was 1993 when *Jurassic Park* stomped into view and topped the Hong Kong box office.

The same year, Taiwan, long the most lucrative overseas market, saw the introduction of cable and satellite television, enticing viewers to stay at home rather than visit the cinema.

During the peak years of production in the early 90s, per capita Hong Kong had the most active film industry on the planet.



With a huge number of investors seeking a quick buck in this buoyant market –including triad gangs, a dark side to the boom years –the result was overproduction of poor quality movies.

The film industry never recovered from this succession of blows –blows that kept coming with the likes of Sars and mainland China's determination to push its own cinema.



## Must Read

How did the Hong Kong film industry get so big -and why did it fall into decline?

The Hong Kong film industry once produced stars like Bruce Lee, Chow Yun-fat and Wong Kar-wai: how did it get so big, and why did it fall ?

By Douglas Parkes, SCMP , 26 April 2020

<https://www.scmp.com/magazines/style/celebrity/article/3081457/how-did-hong-kong-film-industry-get-so-big-and-why-did-it>





## Reference Readings

A Hero Never Dies to Running on Karma –  
Hong Kong film director Johnnie To's top 5  
most underrated films

By Douglas Parkes, SCMP , 23 April 2020.  
[https://www.scmp.com/magazines/style/celebrity/article/3081250/hero-never-dies-running-karma-hong-kong-film-director?module=hard\\_link&pgtype=article](https://www.scmp.com/magazines/style/celebrity/article/3081250/hero-never-dies-running-karma-hong-kong-film-director?module=hard_link&pgtype=article)



# **5 of Louis Koo's best movies –celebrating the Hong Kong actor so beloved they named a cinema after him**



Hong Kong Arts Centre opened the Louis Koo Cinema in 2018 to celebrate a homegrown icon. As the actor, director and philanthropist turns 49 a year later, here are 5 of Koo's most memorable performances –from Throw Down to Paradox

By Douglas Parkes, SCMP, 21 October 2019

<https://www.scmp.com/magazines/style/celebrity/article/3033558/5-louis-koos-best-movies-celebrating-hong-kong-actor-so>

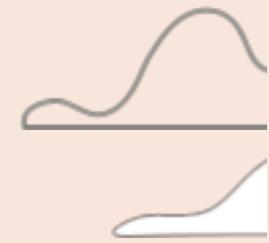
# China's Film Industry Promotion Law

- + On November 7, 2016, the Standing Committee of the National People's Congress (NPC) passed the Film Industry Promotion Law, the first national law regulating the country's film industry.

Zhonghua Renmin Gongheguo Dianying Chanye Cujin Fa promulgated on Nov. 7, 2016, effective on Mar. 1, 2017. State Administration of Press, Publication, Radio, Film, and Television (SAPPRFT) website; Film Industry Promotion Law 2016

- The new Law keeps the censorship system, with some amendments, and adds provisions on promotion of the film industry.
- The new Law retains the requirement of obtaining a film release license, a license issued to the film producer by the SAPPRFT or its provincial agencies after reviewing the finished film. (Film Industry Promotion Law, art. 17.)

- The current Regulations forbid any publication or display of films by the producers without the release license.  
(Regulations, art. 42.)
- The Law further stipulates that films for which there is no release license will not be transmitted over the Internet, telecommunications networks, or radio and television networks; recorded as audio or video products; or submitted to any film festival or exhibition (Film Industry Promotion Law, arts. 20 & 21.)



## Targeting Box-Office Fraud

- + • The Law requires film publishing entities and cinemas to record film revenues truthfully and forbids false transactions.
  
- Noncompliance with the provision will be subject to confiscation + of illegal gains and fines of up to five times the amount of illegal gains.

## Core Socialist Values

- One of the legislative purposes of the Film Industry Promotion Law is to promote “core socialist values”; such values will be embedded in the examination standards of films.
- The Law also requires film industry associations to issue self-discipline rules and to strengthen professional ethics education in the industry.
- In addition, it stipulates that actors and directors “shall behave professionally and ethically.”



### Reference Readings

China : First Law on Film Industry  
Effective in March , 28 February 2017

<https://www.loc.gov/item/global-legal-monitor/2017-02-28/china-first-law-on-film-industry-effective-in-march/>



## Chinese authorities came down hard on idol culture

+

- In the year of 2021, celebrities of luxury brands went on a roller coaster of outrages, scandals, and they fall out.
- Chinese authorities criticized platforms that make stars out of “unworthy individuals.”

+

- From Louis Vuitton dropping Kris Wu after his #MeToo allegations to Lanvin scrubbing the posts of *Word of Honor*'s star Zhang Zhehan over a selfie gone wrong, the fashion industry got rocked by several unexpected controversies.
- For brands, these often unexpected scandals show that luxury must be more aware of cultural sensitivities in China. They can do that by investing in more in-depth background research on celebrity profiles before signing partnerships and endorsement agreements.





From

China's Biggest Celebrity Controversies  
in 2021, by Gemma A. Williams , JING  
DAILY, 29 December 2021

<https://jingdaily.com/china-celebrity-controversies-2021-kris-wu-zhao-wei/>



## Reference Readings :

**Analysis of China's Film Industry in 2020, by Hong Yin and YanbinSun, from the Journal of Chinese Film Studies, 11 November 2021.**

<https://www.degruyter.com/document/doi/10.1515/jcfs-2021-0029/html?lang=en>





### Reference Readings :

China's Film Industry, CHARLTONS Solicitors,

April 2015

<https://www.charltonslaw.com/legal/china/China-film-industry.pdf>



### Video:

中国电影混剪 【1905年 – 2020年】致敬中国电影诞生115周年

[https://www.bilibili.com/video/BV1qg4y1i7JH/?spm\\_id\\_from=333.788.recommend\\_more\\_video.7](https://www.bilibili.com/video/BV1qg4y1i7JH/?spm_id_from=333.788.recommend_more_video.7)

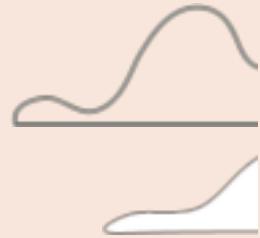
## China's film industry's tax-evasion scandal

+

- Chinese studio executives called 2019 the new “cold winter” for the Chinese film business.
- Wildly cash-flush as recently as three years ago, many entertainment companies across the industry are now seeking ways to cut costs and invest more conservatively in new content.

+

## China's film industry's tax-evasion scandal



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—

+

- The materials were said to lay bare the widespread, but thoroughly illegal, practice of “yin-yang contracting,” whereby
  - + production companies provide actors with two sets of pay contracts: a small one to submit to tax authorities, and a second revealing the star’s vastly larger true pay.
- 
- The scandal over famous Chinese actress Fan Bingbing's tax evasion has given many Chinese film producers pause, causing an industry-wide slowdown.





Reference :

China's Film Industry Paid \$1.7B in Back Taxes Following Fan Bingbing Scandal,  
by Patrick Brzeski, THE HOLLYWOOD REPORTER, 22 January 2019



<https://www.hollywoodreporter.com/news/general-news/fan-bingbing-scandal-chinas-entertainment-industry-pays-back-17b-back-taxes-1178266/>

# Basic Filmmaker's Code in US

- I promise to create the best works I can, using the time, knowledge and tools I have available and complete those works to the best of my ability.
- I promise to not explain or make excuses for my work but to improve my competence by learning and practicing my craft.
- + I promise to help others when I can with those things I know and to not pretend I know something when I don't.

- I promise to not make less of my own or another's work and to not damage another filmmaker's reputation or status
- I promise to give advice to those who ask for it and to keep my advice constructive and helpful.
- I promise to ignore and not engage those who are super-critical and irrational.  
+

- I promise to not condone the theft of another's work, and will legally obtain, license and credit another's work as required.
- I promise to get the proper releases and permissions. I need for my work as required.
- I promise to treat those around me with respect, courtesy, and understanding, and to help them understand the film making process and its terminology.

- I promise to not permit unauthorized photos, shots, sound recordings, or information given to me in confidence, to be passed on to anyone for any reason.  
+
- I promise to not condone any type of discrimination of any filmmaker because of race, color, religion, creed, age, sex, or national origin.
- I promise to recognize and support filmmakers, knowing their true intentions are to have their ideas brought into being, shared and enjoyed by others.  
+

**Code of a Filmmaker: 12 Principles That All Filmmakers Should Live, by V Renee, 7 March 2019**



## Some Of The Ethical Issues The Film Industry That Are Most Frequently Faced Include :

- Showing a lack of humility in the way shots are juxtaposed.
- Demeaning an interview by allowing fewer shots or shorter shots of one versus another.
- Using the camera pan or tilt to create an audience sense of distrust or of belittlement of a character.

- Editing an interview to remove comments or add comments that
- + change the audience's perception of a topic.
- Diminishing dramatic impact of a scene by eliminating certain parts or adding in edits.



- Allowing a subject to embarrass himself by keeping the shot
- + long as he rambles an answer that has little value.
- Reassembling events in a way that is aesthetically and causes the audience to question what they see.

Ethical Issues In The Film Industry : Is Hollywood Ethically Bind ?  
TEAMBEVERLYBOY , Beverly Boy Productions , 16 August 2021.

<https://beverlyboy.com/filmmaking/ethical-issues-in-the-film-industry-is-hollywood-ethically-bind/>

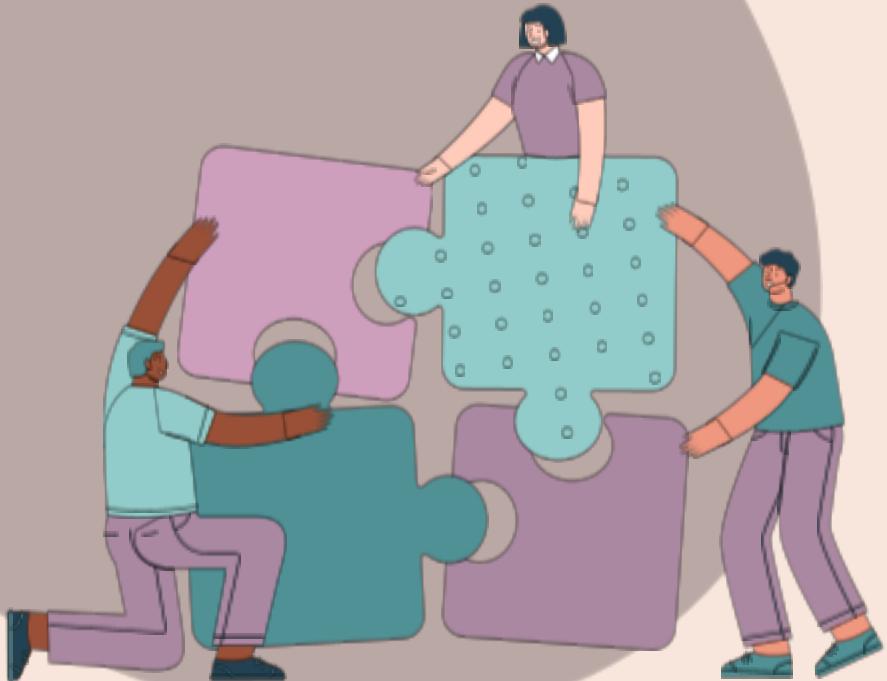
# Dark side of Hollywood

In October 2017, The New York Times and The New Yorker reported that more than a dozen women accused Weinstein of sexually harassing, assaulting, or raping them. Many other women in the film industry subsequently reported similar experiences with Weinstein.

In 2019, the documentary Untouchable was released with interviews from several of his accusers. Weinstein was charged by the New York County District Attorney's Office with "rape, criminal sex act, sex abuse and sexual misconduct for incidents involving two separate women" on May 25, 2018.

He was arrested the same day after surrendering to the New York City Police Department (NYPD).





# Video

The Dark Side of  
Hollywood Icon Jerry  
Lewis | Vanity Fair , 23  
February 2022.

[https://www.youtube.com/  
watch?v=ddH-T91K0tU](https://www.youtube.com/watch?v=ddH-T91K0tU)

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# Ethics in Documentary Film

The Center for Media and Social Impact concluded that filmmakers shared **three general ethical principles** that they attempted to balance in their work:

1. Honor your (vulnerable) subjects.
2. Protect them from attack and don't leave them worse off than + when you met them.
3. Honor your viewers. Make sure that what they understand to be true and real wouldn't be betrayed if you told them where and how you got that image.

## Thinking more deeply:

In circumstances where filmmakers are working with vulnerable subjects, how can they ensure that the subjects are able to provide informed consent?

What other options did the subjects have?

Were the subjects able to entrust their stories to this filmmaker because they were the best option (or were they the only option)?



What rights or protections should be provided to subjects who are survivors of violent trauma?

Should their stories be handled any differently than those of other subjects? Why or why not?

Should subjects reserve the right to withdraw consent? Under what circumstances?

When children are the subject of a documentary, how can consent be fairly given?

What are the potential benefits and problems with parents or guardians having the authority to give consent on the child's behalf? What responsibility, if any, does the filmmaker have to the future adult who will live with the decisions made on their behalf when they were young?

Honest Truths: Ethics in Documentary Film by ALLISON MILEWSKI, AMERICAN DOCUMENTARY

<https://www.amdoc.org/engage/resources/honest-truths-ethics-documentary-film/honest-truths-documentary-filmmaking-ethics/#:~:text=Ultimately%2C%20the%20Center%20for%20Media,Honor%20your%20viewers.>

Documentary filmmaking requires acknowledgement and application of industry ethics such as integrity of content and respectful, non-exploitative filming relationships.



Audiences are typically unconcerned about filmmaking ethics, particularly in reference to science and educational films.

It is, however, under this categorical umbrella that some of the most serious ethical grievances have taken place.



# Ethics in Wildlife Filmmaking

- Wildlife and environmental filmmaking involves perhaps the most complicated issues of ethics due to the position of its subjects.
- Animals cannot control their media representation, nor can they give consent to their relationships with filmmakers.

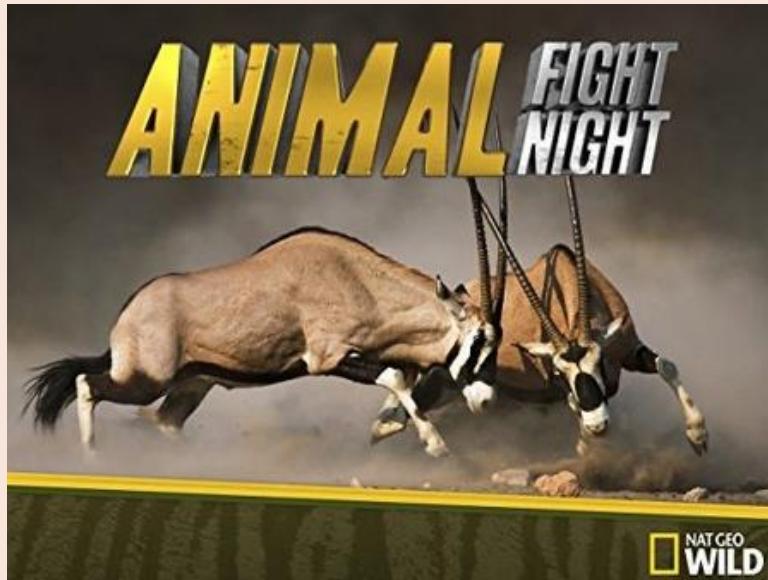
## Why the concern about ethics in wildlife filmmaking?

The violations of ethics in this field have an influence on the spread of educational information and human-environmental relations.

- There are numerous instances of ethical transgressions, ranging from lack of transparency and audience deception to animal harassment and abuse.
- Animal abuse and harassment is used to provoke desired
- Harassing animals can put both the animals and the production  
+ crew at physical risk.

- Additionally, harassment can lead to a disruption of normal animal behavior; this creates unrealistic expectations for viewers on animal behavior.
- On-screen harassment, which occurs at times with “reality” programming and films with thrill narratives, creates an inappropriate representation of human-animal relations.

*Animal Fight Night*(Nat Geo Wild, 2013) is a series that features battles between some of the biggest and fiercest animals in the world, including lions, hippopotami, wolves, bison and crocodiles. National Geographic claims the programs will deliver “the bright lights, drama and testosterone of the Ultimate Fighting Championship.”



To create the series, National Geographic hired a British production company called Arrow Media, which, in turn, quietly put the word out to young, hungry cinematographers that they were looking for exciting animal fight footage.

This resulted in the following post on Facebook on March 26, 2014, from an impecunious young filmmaker hoping to get hired by Arrow Media: “I need to film bobcats and mountain lions fighting, and also red squirrels, coach whips and raccoons fighting. I’m looking for help.”



The filmmaker's Facebook post resulted in an explosion of outrage over young filmmakers being pressured to behave unethically by staging animal fights. As more and more filmmakers and photographers weighed in and the discussion became more heated, the original post was suddenly deleted by the young filmmaker, who clearly regretted the post and the uproar and embarrassment it had caused.

Ratings and money can be a powerful driving force towards unethical actions in filming.

Animal harassment and cruelty are only the tip of the iceberg. Average audiences would seldom suspect that wildlife films and television programming would prey on audience trust through deliberate deception.





From :

When Wildlife Documentaries  
Harass: Ethics Required in  
Environmental Filmmaking Too ,  
by Chris Palmer , Documentary ,  
15 April 2015.



<https://www.documentary.org/feature/when-wildlife-documentaries-harass-ethics-required-environmental-filmmaking-too>

**END**