

Use of Special Effects Materials for Producing Entertainment Special Effects

Permit Name : Discharge Permit for Special Effects Materials
Licensing Authority : Entertainment Special Effects Licensing Authority (ESELA)
Inquiry Contact : Special Effects Licensing Section
Film Services Office, Create Hong Kong
39/F, Immigration Tower, 5 Gloucester Road, Wan Chai, Hong Kong
Tel : 2594 0465 or 0466 Fax : 3101 0929
Email : esela@createhk.gov.hk

Governing Regulation : Section 10 of the Entertainment Special Effects Ordinance Cap. 560

Control Subject Matter :

- Prior to the use of special effects materials for producing entertainment special effects for film, TV programme, commercial productions or theatrical performance, a discharge permit shall be obtained from ESELA.

General Conditions of the Permit:

- All special effects materials shall be discharged by licensed special effects operators.
- A discharge permit is classified as one of the following streams:
Stream A - films, commercials, television programmes (excluding any stage or similar production performed before a proximate audience), and other similar productions
Stream B - literary, dramatic, musical and artistic works and other similar stage productions normally performed before a proximate audience

How to Apply (for Stream A Discharge Permit⁺):

1. Complete an application form and submit it to Create Hong Kong as early as practicable. In general, please allow the following processing time:

<u>Type of Special Effects</u>	<u>Processing Time*</u> (working days)
Simple special effects scenes (such as gun fights, bullet hits, small explosion scenes or small flame effects) where on site inspection is not required	3
Complicated special effects scenes or where on site inspection is required	5
Large special effects scenes of high risk level or where consultation with other government departments is required	13

**Upon receipt of all key information on the safety aspects of the proposed special effects*

2. Provide details of:
 - the special effects operators responsible for the proposed discharge
 - the types and quantity of special effects materials to be used, the proposed location and the special effects to be produced
 - fire preventive measures, safety precautions and protective measures provided to the performers and support personnel
3. Attached copies of:
 - Business Registration Certificate of the production company
 - valid public liability insurance policy covering the production of special effects
 - location plans and drawings for the proposed discharge

Permit Fees:

- \$535/permit

Duration of the Permit:

- Valid for a period of 24 hours or such shorter period as the Authority may specify in the permit

Form Required:

- Application form and guidelines are available at the Resource Centre of Film Services Office.

⁺ For Stream B discharge permit, special effects operator licence and other permits/ licences concerning the use of special effects materials, please refer to the website: <http://www.createhk-esela.gov.hk>.

ENTERTAINMENT SPECIAL EFFECTS LICENSING AUTHORITY (ESELA)
Application Form for a Discharge Permit (Stream A)

(Please read the Guidelines on Application before filling out this application form. You may provide further details in a blank sheet if the space provided is insufficient.)

1. Details of the Applicant (please complete item (a) or (b)):

(a) For Application submitted by a Company:

Name of Company/Organisation:

Tel. No. : _____
Fax No. : _____

Correspondence Address: _____

Name of the Person-in-charge and Position held: _____

Tel. No. : _____
Mobile No. : _____
Fax No. : _____

Business Registration Certificate no. (please attach copy): _____

(b) For Application submitted by an individual:

Name of the Applicant: _____ Name in Chinese (if any): _____

Hong Kong Identity Certificate No. (please attach copy): _____

Correspondence Address: _____

Tel. No. : _____
Mobile No. : _____
Fax No. : _____

2. Details of the proposed Operator-in-charge:

(If necessary, you may propose in Section 2(b) a back-up Operator-in-charge to be responsible for the discharge of special effects materials in the absence of the Operator-in-charge specified in Section 2(a).)

(a) Name of the Operator-in-charge:

_____ Licence No. : _____

Correspondence Address: _____

Tel. No. : _____
Mobile No. : _____
Fax No. : _____

(b) Name of the Back-up Operator-in-charge (if any):

_____ Licence No. : _____

Correspondence Address: _____

Tel. No. : _____
Mobile No. : _____
Fax No. : _____

3. Details of the Proposed Discharge of Special Effects Materials (SEM):

(a) Title of the production:

(b) Details of the proposed discharge (please attach location plan):

Date of discharge: _____ Time of discharge: _____

Location of discharge:

(c) Description of the proposed special effects:

(You may tick more than one boxes. For each of the proposed special effects specified below, please attach additional information in accordance with Guidance Notes No. 2)

- | | |
|--|--|
| <input type="checkbox"/> A - Bullet Hits (other than body hits) | <input type="checkbox"/> B - Body Hits |
| <input type="checkbox"/> C - Fireball Effects using Lifters/ Can Poppers (Outdoor) | <input type="checkbox"/> D - Fireball Effects using Lifters/Can Poppers (Indoor) |
| <input type="checkbox"/> E - Fireball Effects using LPG Mortars (Outdoor) | <input type="checkbox"/> F - Fireball Effects using LPG Mortars (Indoor) |
| <input type="checkbox"/> G - Flame Effects with Burning of Props (Outdoor) | <input type="checkbox"/> H - Flame Effects with Burning of Props (Indoor) |
| <input type="checkbox"/> I - Flame Effects without Burning of Props | <input type="checkbox"/> J - Water Explosions |
| <input type="checkbox"/> K - Vehicle Flame/Fireball/Cannon Roll | <input type="checkbox"/> L - Vehicle Explosions (Projecting Flying Objects) |
| <input type="checkbox"/> M- Others (Please specify) _____ | |

(d) Details of the Special Effects Materials (SEM) to be used per take:

<u>Type of SEM</u>	<u>UN No. & HCC</u>	<u>Maximum Quantity</u>	<u>ESELA Ref. No</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(e) Does any of the proposed special effects need to be discharged by a person (such as a performer) not holding a special effects operator licence?

- No Yes (please provide details on a separate sheet)

(f) Does any of the proposed special effects scenes involve child entertainers (performers) aged below 15?

No

Yes (please submit details of Labour Department approval)

4. Provide a method statement with respect to the staging of the discharge and the proposed fire preventive measures, safety precautions and personal protective equipment.

_____ (Please provide the required information as an attachment)

5. Details of public liability insurance policy in respect of the discharge (please attach copy) :

Policy No.: _____ Insured Amount: _____

6. Declaration of the proposed Operator-in-charge (see Section 2):

I/We declare that I /we have read the Statement of Purpose of providing the personal data in this application. I/We also declare that all the information and particulars submitted by me/us in support of this application are, to the best of my/our knowledge and believe, true and correct. I/we undertake to verify with the applicant and the production company that permission from the owner/person in charge of the premises/vessel has been obtained prior to using any special effects materials at the proposed location.

Signature of the Operator-in-charge: _____ Date: _____

Signature of the Back-up Operator-in-charge: _____ Date: _____

7. Declaration of the Applicant:

I/We declare that I /we have read the Statement of Purpose of providing the personal data in this application. I/We also declare that all the information and particulars submitted by me/us in support of this application are, to the best of my/our knowledge and believe, true and correct. I/We undertake to coordinate with the production company to ensure that permission from the owner/person in charge of the premises/vessel has been obtained prior to using any special effects materials at the proposed location. I/We will give a copy of the discharge permit, if this application is approved, to the Operator-in-charge/back-up operator-in-charge for their compliance.

(a) For Company Applicant (see Section 1(a)):

Company Stamp: _____

Signature of the Person-in-charge: _____ Date: _____

(b) For Individual Applicant (see Section 1 (b)):

Signature: _____ Date: _____

Entertainment Special Effects Licensing Authority

Guidelines on Application for a Discharge Permit (Stream A)

Applicants should read the following guidelines before completing the application form:

1. Under section 10 of the Entertainment Special Effects Ordinance (Cap. 560), a discharge permit is required for the use of special effects materials for producing entertainment special effects. A discharge permit is classified into Stream A or Stream B according to the types of entertainment programme as follows:

Stream A – Films, commercials, television programmes (excluding any stage or similar production performed before a proximate audience) and other similar productions

Stream B – Literary, dramatic, musical and artistic works and other similar stage productions normally performed before a proximate audience

2. The Authority may issue a discharge permit in respect of one act of discharge or a series of acts of discharge at the same location. A discharge permit may be valid for a period of 24 hours or such shorter period as the Authority may specify in the permit.
3. An application for a discharge permit may be made by a body corporate, a partnership or an individual who organizes the entertainment programme or the licensed special effects operator who is responsible for the discharge of the special effects. For an individual applicant, he/she must be of at least 18 years of age and must hold a Hong Kong Identity Certificate.
4. An application for a discharge permit shall contain the details of the person to be engaged as the operator-in-charge. This person must hold a Class I or Class II Special Effects Operator (Stream A) licence with scope of operation qualified him/her to use the proposed special effects materials and to discharge the proposed special effects. A Class I operator may have a wider choice of special effects materials than a Class II operator. A short term licence issued by this Authority with relevant scope of operation may be acceptable.
5. In addition to the operator-in-charge, a back-up operator-in-charge may be proposed to be responsible for the discharge in the absence of the operator-in-charge. This person must hold a special effects operator licence of Stream A with permitted scope of operation similar to the operator-in-charge. The provision of a back-up operator-in-charge is optional and is only to facilitate the applicant to avoid interruption caused by the absence of the operator-in-charge.
6. Please indicate the type of special effects to be produced in this application, and attach additional information in accordance with Guidance Notes No. 1. A method statement is required to explain how the proposed work is staged.
7. Under section 9(c) of the Entertainment Special Effects (General) Regulation (Cap. 560A), a valid public liability insurance policy in respect of the discharge is required, subject to the insured amount and the terms and conditions of the policy acceptable to this Authority. In addition to complying with other statutory requirements for insurance policies, it is also advisable for the applicant/operator-in-charge to take out other liability insurance policies. Please consult your insurance agents if necessary.

8. For unconventional special effects scenes at high risk level, the applicant shall make arrangements to conduct a risk assessment and submit the report together with this application. The risk assessment shall cover all operations associated with the various stages during the life cycle of the special effects materials including conveyance, storage, setting-up, discharge, handling of misfires and surplus materials. The risk assessment should include three key processes:
 - hazard identification
 - risk evaluation
 - risk control
9. The applicant shall inform the operator-in-charge and other relevant parties of any changes to this application, or when this application has been withdrawn or refused.
10. The production company and the applicant shall ensure that permission from the owner of the premises and/or the person in charge of the vessel have been obtained prior to using any special effects materials at the proposed location. The applicant shall submit the completed acknowledgement form (Form 17) for our further processing.
11. Where the discharge of special effects is for location shooting in public places such as on a street, the permissions from the Police and relevant government departments are required. For enquiries, please contact the Film Services Office of the Create Hong Kong at 2594 5758. The Film Services Office may be able to facilitate film production in Hong Kong by liaising between government departments.
12. Under section 5 of the Entertainment Special Effects Ordinance, no person shall use any special effects materials without a special effects operator licence. In the circumstances that there is an operational need for a performer or other persons not holding a special effects operator licence to discharge any special effects materials, the applicant must provide such details in the application. If approved, the operator-in-charge shall, prior to the discharge, conduct a briefing to such person(s) on the hazards and safety aspects associated with the discharge.
13. The applicant/operator-in-charge shall engage adequate assistants holding a special effects operator licence of Stream A to ensure the safety of staging the proposed discharge. When under the supervision of the operator-in-charge, these assistants may handle and use the specified special effects materials according to the terms and conditions of the discharge permit.
14. The applicant/operator-in-charge shall made available adequate fire fighting equipment in the discharge location. For larger fire effects or explosion scenes, water hose, water truck and/or the employment of Fire Officers from the Fire Services Department may be required to standby at the discharge venue.

15. The applicant and the operator-in-charge shall observe all relevant legislation and regulations including:
- The Dangerous Goods Ordinance (Cap. 295) and its subsidiary legislation with respect to the use, storage and conveyance of non-pyrotechnic special effects materials.
 - The Gas Safety Ordinance (Cap. 51) and its subsidiary legislation with respect to the storage and conveyance of LPG.
 - The Firearms and Ammunition Ordinance (Cap. 238) and its subsidiary legislation with respect to the use of pneumatic capsule launchers, modified firearms and blank ammunition.
 - The Occupational Safety and Health Ordinance (Cap. 509) and its subsidiary legislation with respect to accident prevention, fire precautions, workplace environments, hygiene and first aid at workplaces.
 - The Employment Ordinance (Cap. 57) and its subsidiary legislation with respect to the employment of children aged below 15.
16. A discharge permit may be issued subject to such terms and conditions as the Authority thinks fit. In the case where the Authority refuses an application for a discharge permit, the applicant shall be notified in writing of the reasons for refusal.
17. To facilitate the processing of a discharge permit application, the applicant shall make a payment for the discharge permit fee as soon as possible upon receipt of a General Demand Note (GDN) issued by the Special Effects Licensing Unit (SELU). The payment methods are shown on the back page of the GDN. If the applicant would like to pay the fee by cash or crossed cheque, he/she should go to a convenience store or post office, where appropriate, to make the payment first and submit a copy of the payment receipt to the SELU staff for verification and filing before collecting the permit.
18. It is an offence to offer any bribe or inducement to the staff of the Entertainment Special Effects Licensing Authority in return for favouritism in processing an application. Any such offer will result in the application concerned being cancelled and the case reported to the Independent Commission Against Corruption. Any offer by a person to assist in an application in return for an advantage should be reported to the Entertainment Special Effects Licensing Authority or the Independent Commission Against Corruption.
19. Enquiries may be directed to the Special Effects Licensing Unit of the Create Hong Kong:
- Address: 39/F, Revenue Tower, 5 Gloucester Road Wan Chai, Hong Kong.
Tel.: 2594 0465 or 2594 0466
Fax: 3101 0929
E-mail: esela@createhk.gov.hk

**Performance Pledge on
Processing of Discharge Permit (Stream A) Applications**

<u>Type of Special Effects</u>	<u>Processing Time* (working days)</u>
Simple special effects scenes (such as gun fights, bullet hits, small explosion scenes or small flame effects) where on site inspection is not required	3
Complicated special effects scenes or where on site inspection is required	5
Large special effects scenes of high risk level or where consultation with other government departments is required	13

* Upon receipt of all key information on the safety aspect of the proposed special effects

Statement of Purpose of Providing Personal Data

1. The personal data provided in this application will be used for the purpose of processing your application.
2. The personal data in this application may be disclosed to any relevant government departments and kept by these departments for the purpose of processing this application.
3. According to the Personal Data (Privacy) Ordinance, you have a right of access and correction with respect to the personal data provided in this application. Your right of access includes the right to obtain a copy of the personal data provided in this application.
4. Enquiries regarding the personal data collected on this application including checking and amendment of data may be directed to the Special Effects Licensing Unit of the Create Hong Kong.