Panel on Information Technology and Broadcasting

List of outstanding items for discussion
(position as at 28 January 2005)

Proposed timing
for discussion

IT-related issues

1. **Implementation of Computer Information System Integration Qualification Certification under CEPAII**

Under CEPA II, Hong Kong service suppliers can apply for the computer information system integration (SI) qualification certification in accordance with the provisions of the relevant laws, regulations and rules promulgated by the Mainland.   In recognition of the differences between Hong Kong and Mainland companies, the Mainland has instituted special arrangements for Hong Kong applicants so as to facilitate their application for SI qualification certification.   The arrangements were announced in an industry forum on 17 December 2004 and implemented with effect from 1 January 2005.   The Administration plans to brief the Panel on the arrangements and the industry response in April 2005.

April 2005

2. **E-government – The Next Wave**

In the last report on the Progress Update of E-government Development in July 2004, the Panel was informed that the E-government Steering Committee would be set up and chaired by the Financial Secretary to steer the strategic direction of the e-government programme.   The Administration intends to brief the Panel on the vision and objectives of the next wave of e-government and the key priority areas as endorsed by the E-government Steering Committee.

March 2005

The Panel Chairman has proposed to invite the Administration to brief the Panel on the lastest development, implementation and policy initiatives of Global Positioning systems in Hong Kong in the context of E-government.   Hon Emily LAU has raised a question on "application of object positioning technologies in Hong Kong" at the Council on 17 November 2004.   The Administration has agreed to take the Chairman's request into account in preparing the papers.

3.   IT Easy Link Services

IT Easy Link was first launched in June 2002 on a pilot basis and has been extended twice until June 2005.   It provides free advice to members of the community on general problems that they might encounter in using basic IT applications.   The subject was last discussed on 10 May 2004.   The Administration was requested to brief the Panel on the way forward in about one year's time.

April 2005

The Administration has advised that the Office of GCIO will discuss with the Hong Kong Computer Society to determine the mode of collaboration in continuing the IT Easy Link Services after 2004-05.

4.   Promoting the Development of the Digital Entertainment Industry in Hong Kong – Strategy and Measures

The 2004 Digital 21 Strategy has identified digital entertainment as one of the focus areas of technology development.   The Administration has made good progress in implementing the recommendations made by the Working Group on Digital Entertainment set up under the former Information Infrastructure Advisory Committee.

First half of 2005

Taking into account the discussions with the digital entertainment industry, industry support organizations and the academia, the Administration is refining its strategy and developing a comprehensive programme of measures to foster the development of the local digital entertainment industry.   It plans to brief the Panel on its strategy and measures in the first half of 2005.

5.   Progress on the Cyberport Project

The Panel received an overall report on the Cyberport Project on 10 January 2005.   The Administration has been requested to report further progress to the Panel on an annual basis.   The Administration has proposed to brief the Panel in early 2006.

Early 2006

Telecommunications

6. **Partial commencement of section 8(1)(aa) of the Telecommunications Ordinance and creation of a class licence to regulate telecommunications services on a prepaid basis**

The Administration launched a consultation exercise on 15 October 2004, proposing to commence section 8(1)(aa) of the Telecommunications Ordinance for the purposes of regulating resellers of telecommunications services on a prepaid basis, including IDD prepaid cards, and associate companies of carriers or dominant operators reselling telecommunications services of those carriers or dominant operators. The consultation period ended on 14 December 2004 with 8 submissions received. The Administration is studying the submissions and will revert to the Panel.

To be confirmed

7. **Report on result of consultation on proposals to contain the problem of unsolicited electronic messages**

The public consultation exercise on proposals to contain the problem of unsolicited electronic messages ended on 25 October 2004. 42 submissions have been received. The Administration is studying those submissions and will report the result of consultation to the Panel.

March 2005

8. **Consultation exercise on the licensing framework for the deployment of broadband wireless access**

As broadband wireless technologies and standards (e.g. WiMAX) are continuing to develop, the Administration would like to facilitate their introduction into Hong Kong. The Office of the Telecommunications Authority (OFTA) has launched a public consultation exercise on 20 December 2004 on the licensing framework for deployment of broadband wireless access. The relevant executive summary and press release have been issued to members on 4 January 2005 vide LC Paper No CB(1)629/04-05.

March 2005

9. **Consultation exercise on the regulation of Internet Protocol (IP) Telephony**

At the meeting on 13 December 2004, the Panel had exchanged views with deputations on issues related to the regulation of IP Telephony. The Administration was requested to balance different interests in formulating regulatory measures that could address the concerns of all stakeholders; and to report further progress to the Panel in due course.

To be confirmed

Film Development

10. Revision of Fees of Broadcasting Licence and Entertainment Special Effects Licence

The Television and Entertainment Licensing Authority is conducting a costing exercise in 2004-05 for the fees payable under the Broadcasting (Licence Fees) Regulation and the Entertainment Special Effects (Fees) Regulation, both are subsidiary legislation. The fees may be adjusted in compliance with the cost recovery principle. The Administration will brief the Panel on the outcome of the costing exercise.

March 2005

Broadcasting

11. Domestic/private pirated viewing of subscription television programmes

As undertaken at the Bills Committee meeting of the Broadcasting (Amendment) Bill 2003 on 2 April 2004, the Administration would review one year after the commencement of the Bill the effectiveness or otherwise of digitization, the implementation of the new provisions and enforcement actions in containing the problem of domestic/private pirated viewing of subscription television programmes. The Administration was also requested to consider reviewing the level of penalty imposed by courts on decoder-related offences and take any follow-up action as appropriate. The Administration has agreed to report the outcome of its reviews to the Panel on Information Technology and Broadcasting for its consideration of the way forward in dealing with the problem.

About July 2005

The Broadcasting (Amendment) Ordinance 2004 commenced operation with effect from 7 July 2004. The Administration has launched a series of publicity through different channels to disseminate the message of anti-pirated viewing since then.

12. Review of the broadcasting regulatory regime

In the light of technological and market convergence in the electronic communications sector, the boundaries between telecommunications, broadcasting and information technology are blurring. Some old concepts adopted for the regulation of broadcasting may become obsolete in the converging environment. Just like other jurisdictions, Hong Kong needs to update the regulatory regime in the light of latest technological and market developments to ensure that its framework remains conducive to the further development of the broadcasting industry

To be confirmed

in particular and the electronic communications industry in general. The Administration will first consult the public on the new organizational framework for the regulation of the electronic communications sector in early 2005 (see item 13 below) and the remaining regulatory issues later in 2005. The Administration will brief the Panel on the outcome of the review.

13. Proposal for a unified regulatory authority for telecommunications and broadcasting

Following up the initiative of merging the Telecommunications Authority and the Broadcasting Authority into a unified regulator as set out in the 2004 Digital 21 Strategy, the Administration will brief the Panel on the proposal for setting up the unified regulator.

To be confirmed

14. The role of the Radio Television Hong Kong (RTHK) as a public service broadcaster

Item proposed by the Deputy Chairman. He proposed that the Panel should examine the role of RTHK as a public service broadcaster, such as RTHK's policy in programme production, and whether RTHK, being publicly funded, has posed unfair competition to private broadcasters.

To be confirmed

15. Opening up radio/TV channels for use of the community

Item proposed by the Deputy Chairman. The subject of public access channels has been considered in the context of the development of Digital Terrestrial Broadcasting in Hong Kong, licence renewal for television and sound broadcasters at the Panel meetings held on 27 June 2003, 5 December 2003, 12 January 2004 and 8 March 2004.

To be confirmed

On 18 February 2004, a motion on broadcasting policy moved by Hon SIN Chung-kai and as amended by Hon Howard YOUNG and Hon Andrew CHENG was passed by the Council urging the Government to, inter alia, establish public access television channels which may be operated by public organizations for the broadcast of progammes produced by community groups and the public. In its progress report, the Administration considered that given the vibrant broadcasting sector providing a variety of services to meet the communications needs of the public, there is no urgent need to set up a public channel.

Council Business Division 1
Legislative Council Secretariat
28 January 2005