

## **Panel on Information Technology and Broadcasting**

### **List of outstanding items for discussion** (position as at 1 April 2005)

#### **Proposed timing** **for discussion**

#### **IT-related issues**

#### **1. 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.

June 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.

#### **2. 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

#### **3. New strategy for e-government services delivery**

Last discussed on 14 March 2005. The Administration has been requested to brief the Panel on the progress in implementing the new strategy, including the roll-out of priority service clusters in delivering e-government services.

End 2005/Early  
2006

**Telecommunications**

**4. 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 has reviewed the submissions and will revert to the Panel with the proposed course of action.

May 2005

**5. Proposed creation of a supernumerary Senior Principal Executive Officer (SPEO) post as Head of Hong Kong, China Secretariat for ITU TELECOM World 2006**

The Administration has informed the Panel in June 2004 and the Finance Committee (FC) in July 2004 of its intention to create in 2005 a supernumerary post for 15 months to head the Secretariat. The Administration now intends to create a SPEO (D2) post in October 2005 and will consult the Panel on the proposal. It plans to seek the support of the Establishment Subcommittee and the approval of FC on 2 and 24 June 2005 respectively.

May 2005

**6. 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

**Proposed timing  
for discussion**

**7. Proposed Anti-spam legislation**

Last discussed on 14 March 2005. As a measure under the “STEPS” campaign to tackle the spam problem, the Administration plans to introduce an anti-spam legislation into the Council in 2006. The Administration has started informal discussion with stakeholders on the draft legislative framework, and will seek the views of the Panel on the framework in due course before it proceeds to draft the bill.

To be confirmed

**8. Consultation exercise on assignment of the available spectrum in the 800 MHz and 1800 MHz bands to the existing mobile network operators**

In response to requests from some existing second generation (2G) mobile network operators for more spectrum to offer more advanced mobile data services, the Office of the Telecommunications Authority launched a public consultation exercise on 28 February 2005 on the assignment of the available spectrum in the 800 MHz and 1800 MHz bands to existing mobile network operators. The consultation has ended on 29 March 2005. The Administration will brief the Panel on the outcome of the consultation.

May 2005

**Broadcasting**

**9. 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.

#### **10. 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 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 the first half of 2005 (see item 11 below) and the remaining regulatory issues later in 2005. The Administration will brief the Panel on the outcome of the review.

Second half of  
2005

#### **11. 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.

Second quarter of  
2005

#### **12. Revision of Broadcasting Licence Fees**

The Television and Entertainment Licensing Authority is conducting a costing exercise for the fees payable under the Broadcasting (Licence Fees) Regulation. The fees may be adjusted according to the cost recovery principle. The Administration will brief the Panel on the revision of broadcasting licence fees in due course.

To be confirmed

**13. 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 programmes 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  
1 April 2005