

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

### **List of outstanding items for discussion** (position as at 5 November 2004)

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

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

##### **1. Progress of Cyberport Project**

During the last term, the Panel used to receive half-yearly progress reports on the Cyberport project. The subject was last discussed on 12 January 2004. The latest progress report has been issued on 24 June 2004 vide LC Paper No. CB(1)2232/03-04(01) for members' reference. The Administration has undertaken to provide a comprehensive report on the project by early 2005.

January 2005

##### **2. 2004 Surveys on IT Usage and Penetration in the Household and Business Sector**

The Government has since 2000 been conducting annual surveys to collect information on IT usage and penetration in the community and the business sector respectively. The information collected has provided a useful basis for formulating or refining IT policies and programmes to promote the adoption and further development of IT in Hong Kong.

February 2005

The 2004 survey is underway and it is expected that findings will be available by the end of the year. The Administration plans to brief the Panel on the findings in February 2005.

##### **3. Implementation of Computer Information System Integration Qualification Certification under CEPAAII**

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 is considering instituting special arrangements for Hong Kong applicants so as to facilitate their entry into the Mainland market. The Administration aims to conclude discussions with the Mainland on the arrangements by end 2004, and implement the arrangements on 1 January 2005. It also plans to brief the Panel on the special arrangements tentatively in February 2005.

February 2005  
(tentative)

**Proposed timing  
for discussion**

**4. Progress Report on the Implementation of the 2004 Digital 21 Strategy and Action Plan for 2005**

The 2004 Digital 21 Strategy, the blueprint for the overall Information, Communications and Technology development in Hong Kong, was published in March 2004, following a two-month public consultation in late 2003. Under the strategy, the Government Chief Information Officer (GCIO) is required to measure progress at the end of each year against what is set out in the Strategy and to propose specific targets, actions and plans for the next year. The Administration plans to report progress in implementing the 2004 Strategy and its plans for 2005 to the Panel in February 2005.

February 2005

**5. 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

**6. 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.

**Proposed timing  
for discussion**

**7. 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.

**8. Progress update on E-government programme**

Last discussed on 12 July 2004. The Panel has recommended that the Administration should brief members on the progress annually.

July 2005

**Telecommunications**

**9. Licensing of mobile services on expiry of existing licences for second generation mobile services**

The Administration has issued the first consultation paper in August 2003 to solicit views from the industry and interested parties on the future licensing arrangements after the licences for second generation mobile services (2G licences) expire. A second consultation paper has been issued by the Administration on 19 March 2004 (vide LC Paper No. CB(1)1349/03-04). At the request of the telecommunications operators, the Office of the Telecommunications Authority has extended the deadline of consultation from 30 April 2004 to 19 June 2004. The Administration is considering the submissions received and the options, and will brief the Panel shortly.

To be confirmed

**Proposed timing  
for discussion**

**10. Amendment of Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order**

The Administration intends to expand the list of equipment exempted from licensing requirement under the Telecommunications Ordinance by including the latest equipment in the market for which individual licensing is considered not necessary. This requires amendments to the Telecommunications (Telecommunications Apparatus) (Exemption from Licensing) Order.

December 2004

**11. 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. Deadline for consultation is 14 December 2004.

To be confirmed

**12. 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. 40 submissions have been received so far. The Administration is studying those submissions and will report the result of consultation to the Panel in early 2005.

Early 2005

**13. Fixed carrier services – licensing of broadband wireless access services**

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 Administration will launch a public consultation exercise by end-2004 or early 2005 to initiate discussions on the appropriate form of regulation for broadband wireless access service and how radio frequency spectrum should be assigned for such service.

To be confirmed

**Proposed timing  
for discussion**

**Film Development**

**14. 2004 Public Opinion Survey on Film Classification**

The Television and Entertainment Licensing Authority has commissioned the 2004 Public Opinion Survey on Film Classification, which is a large-scale public opinion survey conducted on a biennial basis to assess the community's acceptance of the existing film classification system (including film classification standards). The Administration proposes to brief the Panel on the findings of the survey.

December 2004

**15. Operation of Film Guarantee Fund**

At the meeting on 25 March 2004, the Administration has undertaken to brief the Panel on the way forward for the Film Guarantee Fund in 2005, after reviewing its operation. It also intends to present a financial proposal to the Finance Committee in February 2005.

January 2005

**16. 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) Regulations, 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.

February 2005

**Broadcasting**

**17. 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

About July  
2005

of its reviews to the Panel on Information Technology and Broadcasting for its consideration of the way forward in dealing with the problem.

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.

### **18. Review of 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 early 2005 (see item 19 below) and the remaining regulatory issues later in 2005. The Administration will brief the Panel on the outcome of the review.

To be  
confirmed

### **19. 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, we will brief the Panel on the proposal for setting up the unified regulator.

To be  
confirmed

### **20. 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

**Proposed timing  
for discussion**

**21. 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, to 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 response, the Administration has stated its stance against setting up public access television channels.

Council Business Division 1  
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5 November 2004