

# 立法會 *Legislative Council*

LC Paper No. CB(1)959/05-06

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## **Paper for the House Committee meeting on 24 February 2006**

### **Proposed overseas duty visit by the Panel on Information Technology and Broadcasting**

#### **Purpose**

This paper seeks the permission of the House Committee under rule 22(u) of the House Rules for the Panel on Information Technology and Broadcasting (the Panel) to conduct an overseas duty visit to Canada, the United States and the United Kingdom in April 2006.

#### **Background**

2. Issues related to public service broadcasting and the role of Radio Television Hong Kong (RTHK) as a public service broadcaster have received ongoing attention by the Panel. During past deliberation, members have raised concern over a number of salient issues such as the positioning of RTHK as a public service broadcaster, its editorial independence and programming policy, and the need or otherwise for the provision of public access channels in Hong Kong.

3. On 17 January 2006, the Administration announced the appointment by the Chief Executive of an independent committee to review public service broadcasting in Hong Kong. The membership list of the committee and its terms of reference are at **Appendix I and II** respectively. The committee is expected to submit a report on the review to the Chief Executive in October 2006.

4. Members are of the view that at present, there is no clear policy on public service broadcasting in Hong Kong. With the advent in technology and growing public concern about how public service broadcasting should be delivered, the Panel considers it necessary to conduct a study into the subject with a view to formulating certain proposals on the way forward for the consideration of the Administration in deciding on a policy option most appropriate for Hong Kong. The scope of the study includes the current and

changing landscapes in the delivery of public service broadcasting, having regard to factors such as rising public expectation and technological advancement. Panel members also consider that the experience of overseas jurisdictions in implementing public service broadcasting will provide useful reference for the study. In this connection, they have made reference to information on public service broadcasting in selected overseas jurisdictions compiled by the Research and Library Services Division of the Secretariat and agreed that the Panel should undertake an overseas duty visit to selected places.

### **Details of the proposed overseas duty visit**

#### Objective of the proposed visit

5. The visit will focus on overseas public service broadcasting systems and related issues with particular reference to the following areas :

- (a) the accountability, institutional arrangement and funding for public service broadcasters;
- (b) the role of public service broadcasting in the relevant broadcasting market vis-à-vis that of commercial broadcasters;
- (c) editorial independence of public service broadcasting and freedom of expression;
- (d) the impact of technological advancement (such as digitization) on the development of public service broadcasting; and
- (e) the provision of public access channels

#### Proposed timing and places to be visited

6. At the meeting held on 13 February 2006, the Panel agreed that having regard to the schedule of committee meetings during the first few weeks of April 2006 and the intervening public holidays, the proposed overseas duty visit will take place from about 11 to 21 April 2006.

7. Members are aware that owing to the tight timeframe and the time required to meet and exchange views with relevant parties, the visit will not be able to cover a wide range of public service broadcasters worldwide but will focus on a few models with distinctive features. After discussion, members agreed that the delegation should visit Canada, the United States and the United Kingdom to acquire first-hand information on their respective public service broadcasting systems, an overview of which is at **Appendix III**.

8. A preliminary itinerary for the proposed visit is at **Appendix IV**. The programme for the visit will be drawn up in consultation with the host organizations in due course.

### Funding arrangement

9. As approved by The Legislative Council Commission, each Member (except the President) is provided with an overseas duty visit (ODV) account of HK\$55,000 for the purpose of duty visits outside Hong Kong organized by committees, other than the Parliamentary Liaison Subcommittee, of the Council during the 2004-08 term. Any expenditure incurred in one term in excess of HK\$55,000 has to be paid by the Member personally. However, if by the end of a term, there are unused balances in Members' ODV accounts, the funds available will be used to pay those Members who have expended more than their allocation, in proportion to their excess qualifying expenditure.

10. A breakdown of the estimated expenditure of the proposed visit is at **Appendix V**.

### Membership of delegation

11. The Panel has agreed that the proposed visit will also be open to non-Panel Members. A list of Members who have indicated interest in participating in the proposed overseas duty visit is at **Appendix VI**.

### **Advice sought**

12. The House Committee's permission is sought for the Panel to conduct the overseas duty visit as proposed.

Council Business Division 1  
Legislative Council Secretariat  
23 February 2006

**Committee on Review of Public Service Broadcasting**

**Membership**

**Chairman**

**Mr Raymond Roy WONG, SBS**

Council Member of both the Hong Kong Baptist University and Open University of Hong Kong

**Members**

**Mr CHAN King-cheung**

Chief Editor, the Hong Kong Economic Journal

**Ms May FUNG May-gay**

Member of the Council of the Hong Kong Baptist University

**Professor LEUNG Tin-wai**

Head, Department of Journalism and Communication, Hong Kong Shue Yan College

**Mr PAO Wan-lung**

Publisher, Sing Pao Newspaper Company Limited

**Professor Judy TSUI**

Dean, Faculty of Business, the Hong Kong Polytechnic University

**Mr Mathias WOO**

Creative Director, Zuni Icosahedron

**Committee on Review of Public Service Broadcasting**

**Terms of Reference**

1. To examine the role of, and justifications and public purposes for, public service broadcasting (PSB) in the development of Hong Kong's broadcasting market, against the public financial and other resources required for such broadcasting.
2. To identify issues concerning public accountability for PSB in matters of editorial impartiality, programming policy and good governance.
3. To identify measures for the Administration to evaluate the effectiveness of PSB and arrangements through which the public can participate in such a process.
4. To recommend, in the light of the above, an appropriate arrangement for the provision of PSB in Hong Kong.
5. To recommend implementation plans for the short, medium and long terms.

## Overview of public service broadcasting in Canada, the United Kingdom and the United States

	Canada	The United Kingdom		The United States
	Canadian Broadcasting Corporation (CBC)	British Broadcasting Corporation (BBC)	Channel 4	Corporation for Public Broadcasting (CPB)
<b>Background</b>				
Year of establishment	<ul style="list-style-type: none"> <li>Established in 1936 as a crown corporation to operate national public broadcasting in Canada.</li> </ul>	<ul style="list-style-type: none"> <li>Founded in 1927 by a Royal Charter.</li> </ul>	<ul style="list-style-type: none"> <li>Established in 1982 as a statutory, publicly-owned corporation with a remit to broadcast distinctive programmes.</li> </ul>	<ul style="list-style-type: none"> <li>Established in 1967 by the Public Broadcasting Act as a non-profit corporation to promote public telecommunications services in the US.</li> </ul>
<b>Services operated/provided</b>				
Television services	<ul style="list-style-type: none"> <li>Yes.</li> </ul>	<ul style="list-style-type: none"> <li>Yes.</li> </ul>	<ul style="list-style-type: none"> <li>Yes.</li> <li>It commissions programmes from independent production companies</li> </ul>	<ul style="list-style-type: none"> <li>Nil. CPB only provides financial support to local public television stations, which are mostly members of the Public Broadcasting Service.</li> </ul>
Radio services	<ul style="list-style-type: none"> <li>Yes.</li> </ul>	<ul style="list-style-type: none"> <li>Yes.</li> </ul>	<ul style="list-style-type: none"> <li>Nil.</li> </ul>	<ul style="list-style-type: none"> <li>Ditto.</li> </ul>
<b>Public service mandate</b>				
Availability of public service mandate	<ul style="list-style-type: none"> <li>Yes, set out in the 1991 Broadcasting Act.</li> </ul>	<ul style="list-style-type: none"> <li>Yes, set out in the BBC's Royal Charter and Agreement.</li> </ul>	<ul style="list-style-type: none"> <li>Yes, set out in the Communications Act 2003.</li> </ul>	<ul style="list-style-type: none"> <li>Yes, set out in the Public Broadcasting Act of 1967.</li> </ul>
<b>Funding</b>				
Major source(s) of funding	<ul style="list-style-type: none"> <li>Financed mainly through public funds, supplemented by revenue on advertising and other sources.</li> </ul>	<ul style="list-style-type: none"> <li>Financed mainly by television licence fees, which are set by the Department for Culture, Media and Sport and subject to parliamentary approval.</li> </ul>	<ul style="list-style-type: none"> <li>Financed entirely by commercial activities, principally through the sale of advertising time.</li> </ul>	<ul style="list-style-type: none"> <li>Financed mainly by federal appropriations.</li> </ul>
<b>Regulatory framework</b>				
Governing legislation/legal documents	<ul style="list-style-type: none"> <li>Governed by the 1991 Broadcasting Act.</li> </ul>	<ul style="list-style-type: none"> <li>Operated under the Royal Charter, and the Agreement between BBC and the UK government.</li> </ul>	<ul style="list-style-type: none"> <li>Governed by the Broadcasting Act 1990, the Broadcasting Act 1996, and the Communications Act 2003.</li> <li>Also governed by the licensing conditions set out by the Office of Communications (Ofcom).</li> </ul>	<ul style="list-style-type: none"> <li>Governed by the Public Broadcasting Act of 1967.</li> <li>The Act sets out the legal status, organization structure, accountability, public service mandate and general powers of CPB.</li> </ul>

	Canada	The United Kingdom		The United States
	Canadian Broadcasting Corporation (CBC)	British Broadcasting Corporation (BBC)	Channel 4	Corporation for Public Broadcasting (CPB)
<b>Internal governance</b>				
Management structure	<ul style="list-style-type: none"> <li>Managed and overseen by a board of 12 directors of different social background.</li> </ul>	<ul style="list-style-type: none"> <li>Run by a board of 12 governors with experience and interests in public service and the arts, business and industry.</li> </ul>	<ul style="list-style-type: none"> <li>Run by a management board. There were nine non-executive members and four executive members in the board in 2004.</li> </ul>	<ul style="list-style-type: none"> <li>Run by a nine-member board of directors, who are selected among US citizens eminent in fields such as education, cultural and civil affairs, or the arts (including television and radio).</li> </ul>
<b>Accountability</b>				
Major accountability arrangement	<ul style="list-style-type: none"> <li>Reporting to Parliament through the Minister of Canadian Heritage.</li> <li>Required to submit an annual report to Parliament on its operations.</li> <li>Required to submit an annual performance report to the Canadian Radio-television and Telecommunications Commission (the broadcasting industry's regulator).</li> </ul>	<ul style="list-style-type: none"> <li>Subject to the scrutiny by Parliament through debates on the floors of both Houses and through select committee hearings.</li> <li>Required to submit an annual performance report to Parliament.</li> <li>Subject to the review of public service television broadcasting conducted by Ofcom.</li> <li>Mechanisms set out in BBC's Royal Charter and the Agreement to ensure BBC's accountability to public needs.</li> </ul>	<ul style="list-style-type: none"> <li>Regulated by Ofcom.</li> <li>Subject to the review of public service television broadcasting conducted by Ofcom.</li> <li>Required under the Broadcasting Act to (i) keep proper accounting records, and (ii) prepare annual financial statements in the form as directed by the Secretary of State for Culture, Media and Sport.</li> </ul>	<ul style="list-style-type: none"> <li>Required to submit an annual performance report to Congress.</li> <li>Subject to the audit by the General Accounting Office, the investigative arm of Congress.</li> <li>The officers and directors of CPB may be called upon to testify before Congress.</li> <li>Subject to the audit by CPB's independent Office of Inspector General.</li> </ul>

**Panel on Information Technology and Broadcasting  
Overseas duty visit in April 2006**

**Preliminary Itinerary**

**Hong Kong → Canada (Ottawa) → USA (Washington, D.C.) → U.K. (London) → Hong Kong**

<b>April 2006</b>						
<u>Monday</u>	<u>Tuesday</u>	<u>Wednesday</u>	<u>Thursday</u>	<u>Friday</u>	<u>Saturday</u>	<u>Sunday</u>
	<b>11</b>  Depart Hong Kong (1525 hrs)  Arrive Ottawa (2110 hrs)	<b>12</b>  <u>Visit Canadian Broadcasting Corporation</u>	<b>13</b>  <u>Visits</u>  Depart Ottawa (1855 hrs)  Arrive Washington, D.C. (2033 hrs)	<b>14</b>  <u>Visit Corporation for Public Broadcasting</u>	<b>15</b>	<b>16</b>
<b>17</b>  <u>Visit Public Broadcasting Service and National Public Radio</u>  Depart Washington, D.C. (1817 hrs)	<b>18</b>  Arrive London (0655 hrs)  <u>Visit British Broadcasting Corporation</u>	<b>19</b>  <u>Visit Channel 4 and Office of Communications</u>	<b>20</b>  <u>Visits</u>	<b>21</b>  Depart London (1200 hrs)	<b>22</b>  Arrive Hong Kong (1215 hrs)	

Note : The departure and arrival times and organizations to be visited are tentative and subject to confirmation.

The destination in Canada is yet to be confirmed.



**Panel on Information Technology and Broadcasting**  
**Proposed overseas duty visit in April 2006**  
**Tentative estimate of expenditure**

**Duration of visit** 11 to 22 April 2006

**Routing of visit** Hong Kong / Ottawa / Washington, D.C. / London / Hong Kong

**Breakdown of expenses**

Items	Estimated expenses HK\$ (per person)	
	<u>Economy class</u>	<u>Business class</u>
1. Return air ticket	22,070	42,950
2. Airport tax and fuel surcharge	3,500	
3. Hotel accommodation <sup>Note 1</sup>		
(a) Ottawa	1,708	
(b) Washington, D.C.	4,263	
(c) London	4,254	
4. Duty visit expenses reimbursement <sup>Note 1</sup>		
(a) Ottawa	1,139	
(b) Washington, D.C.	2,842	
(c) London	2,836	
5. Travel insurance	450	
<b>TOTAL</b> <sup>Note 2</sup> :	<b>43,062</b>	<b>63,942</b>
<b>SAY :</b>	<b>43,100</b>	<b>64,000</b>

**NOTES :**

1. Exchange rate as at 21.2.2006 –  
CAD1 = HK\$6.74725  
USD1 = HK\$7.757  
GBP1 = HK\$13.82
2. Other expenditure including hospitality, local group transportation, interpretation services (if required), souvenirs and incidental expenses will be charged against other votes of the Secretariat.

**Panel on Information Technology and Broadcasting**

**List of members who have indicated interest in taking part in the visit to  
Canada, the United States and the United Kingdom in April 2006  
(Position as at 22 February 2006)**

Hon SIN Chung-kai, JP (Chairman)  
Hon Albert Jinghan CHENG (Deputy Chairman)  
Hon Emily LAU Wai-hing, JP  
Hon Timothy FOK Tsun-ting, GBS, JP

**Total : 4 members**