

立法會
Legislative Council

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Panel on Information Technology and Broadcasting

Minutes of special meeting
held on Wednesday, 25 January 2006, at 2:30 pm
in Conference Room A of the Legislative Council Building

- Members present** : Hon SIN Chung-kai, JP (Chairman)
Hon Albert Jinghan CHENG (Deputy Chairman)
Hon Fred LI Wah-ming, JP
Dr Hon LUI Ming-wah, SBS, JP
Hon Jasper TSANG Yok-sing, GBS, JP
Hon Howard YOUNG, SBS, JP
Hon Emily LAU Wai-hing, JP
Hon Ronny TONG Ka-wah, SC
- Members attending** : Hon Martin LEE Chu-ming, SC, JP
Dr Hon YEUNG Sum
Hon Audrey EU Yuet-mee, SC, JP
Hon LEE Wing-tat
Hon LEUNG Kwok-hung
Dr Hon KWOK Ka-ki
- Member absent** : Hon Timothy FOK Tsun-ting, GBS, JP
- Public officers attending** : Agenda Item I
Mr Joseph W P WONG, GBS, JP
Secretary for Commerce, Industry and Technology

Mr Francis HO, JP
Permanent Secretary for Commerce, Industry and
Technology (Communications and Technology)

Mr Eddie CHEUNG
Acting Deputy Secretary for Commerce, Industry and
Technology (Communications and Technology)

Mr CHU Pui-hing, JP
Director of Broadcasting

Mr Raymond NG
Deputy Director of Broadcasting

**Attendance by
Invitation**

: Agenda Item I

Committee on Review of Public Service Broadcasting

Mr Raymond R WONG, SBS
Chairman

Ms May FUNG May-gay
Member

Professor LEUNG Tin-wai
Member

Mr PAO Wan-lung
Member

Professor Judy TSUI
Member

Radio Television Hong Kong Programme Staff Union

Ms Janet MAK Lai-ching
Chairperson

Mr Eric POON Tat-pui
Exco Member

Clerk in attendance : Miss Polly YEUNG
Chief Council Secretary (1)3

Staff in attendance : Ms Pauline NG
Assistant Secretary General 1

Ms Connie FUNG
Assistant Legal Adviser 3

Ms Debbie YAU
Senior Council Secretary (1)1

Ms Elyssa WONG
Deputy Head (Research and Library Services Division)

Mr Michael YU
Research Officer 7

Ms Sharon CHAN
Legislative Assistant (1)6

Action

I. Review on public service broadcasting

- (File Ref. CTB(CR)9/17/9(05) -- Legislative Council Brief on Review of public service broadcasting
- LC Paper No. CB(1)238/05-06(03) -- Information paper on "Issues on Broadcasting" provided by the Administration
- LC Paper No. CB(1)765/05-06 -- Updated background brief on issues related to the broadcasting services of Radio Television Hong Kong prepared by the Secretariat

Welcoming remarks by the Chairman

The Chairman welcomed representatives of the Administration, in particular Mr Joseph WONG, who had newly taken up the post of Secretary for Commerce, Industry and Technology (SCIT), members of the Committee on Review of Public Service Broadcasting (the Review Committee) and representatives of the Radio Television Hong Kong (RTHK) Programme Staff Union to the meeting. Members noted that the Administration had announced the appointment of the Review Committee on 17 January 2006 and the Review Committee was expected to submit its report to the Chief Executive (CE) in October 2006. The Chairman then invited the Administration, the Review Committee and the RTHK Programme Staff Union to give their views on issues related to the review of public service broadcasting (PSB) in Hong Kong.

Presentation of views by the Administration and other organizations

2. SCIT reckoned that there was considerable public concern over the review on PSB (the Review). As the Review Committee would soon commence work, he invited stakeholders and interested parties to come forward and express their views

to the Review Committee. SCIT said that he had full respect for the professionalism and independence of the Review Committee and the Administration would provide all the necessary financial and manpower support to facilitate its work. He looked forward to the outcome of the Review which would provide an important basis on which the Administration would formulate a roadmap for the development of PSB in Hong Kong and consult the community accordingly.

Committee on Review of Public Service Broadcasting

(LC Paper No. CB(1)796/05-06(01) -- Speaking note of Mr Raymond WONG, (tabled and subsequently issued on 26 January 2006) Chairman of Committee on Review of Public Service Broadcasting)

3. Mr Raymond R WONG, Chairman of the Review Committee, delivered his opening statement as set out in CB(1)796/05-06(01). In gist, he outlined the four areas of concern that the Review Committee would examine and assured members that it would conduct the Review professionally and impartially in an open and transparent manner. Mr WONG also stressed that the Review was a "macro" one because there were many related issues and very diverse interests involved. To ensure that its recommendations would reflect community expectations, the Review Committee would consult stakeholders as well as the wider community, conduct research on overseas experience, seek the counsel of experts abroad and analyze their relevance to Hong Kong.

Radio Television Hong Kong (RTHK)

(LC Paper No. CB(1)780/05-06(01) -- Submission from RTHK)

4. The Director of Broadcasting (D of B) stated RTHK's views on the Review as outlined in its paper (CB(1)780/05-06(01)). In brief, he said that RTHK welcomed the Review and would participate proactively in the process. RTHK recognized that there was no clear policy on PSB in Hong Kong and trusted that the Review would confirm the importance of PSB and define its scope of service more clearly. He hoped that the Review would take into consideration of all views to serve the best interests of the community. D of B informed members that RTHK had set up a PSB working group to follow through the Review and would engage staff for their views before making submissions to the Review Committee.

Radio Television Hong Kong Programme Staff Union

(LC Paper No. CB(1)796/05-06(02) -- Speaking note of Ms Janet MAK (subsequently issued on 26 January 2006) Lai-ching, Chairperson of Radio Television Hong Kong Programme Staff Union)

5. Ms Janet MAK, Chairperson of RTHK Programme Staff Union expressed the concerns of the Staff Union over the Review. She said that while Mr Raymond WONG, Chairman of the Review Committee, had confirmed that the Review was not targeting RTHK or any specific broadcaster, it was apparent from the relevant papers that RTHK was in fact the target of the Review. Ms MAK did

not entirely agree with the view that consideration of a PSB system for Hong Kong would involve the issue on whether and how public funding should be distributed more widely (paragraph 12 of the LegCo Brief on Review of Public Service Broadcasting (File Ref. CTB(CR)9/17/9(05))). In elaboration, she remarked that out of business consideration, commercial broadcasters might lack the motivation to produce certain types of programmes which were currently produced by RTHK. Noting from paragraph 6 of the aforesaid LegCo Brief that commercial broadcasters criticized public service broadcasters for providing programmes or expanding into areas that were already well served, thereby distorting competition, Ms MAK queried why public service broadcasters could not or should not produce programmes which were also supplied by commercial broadcasters. She also pointed out that RTHK had pioneered in producing new genres of programmes which were very much unique to RTHK. Ms MAK stressed that notwithstanding the pressure resulting from inadequate resources and certain negative press reports about RTHK, staff members of RTHK would continue to do their best in carrying out their duties to serve the public.

Discussion

Scope of the Review

6. On the question identified by the Review Committee regarding the need for PSB in Hong Kong and the role it should play, Dr YEUNG Sum considered that in a highly commercialized society like Hong Kong, it was difficult, if not impossible, to expect commercial broadcasters to serve a public mission in monitoring the Government and providing a platform for the general public to express their views. Moreover, due to commercial considerations, commercial broadcasters might refrain from criticizing large consortia or those in power. On the role played by PSB in Hong Kong, Dr YEUNG was concerned that there were views, particularly after Hong Kong's handover, that RTHK should serve as a mouthpiece of the Government and should not criticize the Government. As such, he was keen to ensure that RTHK would continue to enjoy editorial independence. He was also very concerned that none of the four key questions identified by the Review Committee sought to examine the most appropriate institutional structure for RTHK. In Dr YEUNG's view, RTHK should be corporatized and if necessary, licensed as a public service broadcaster. He believed that if RTHK could become structurally independent of the Government, it could fulfil its public mission of serving the public more effectively. Dr YEUNG urged the Review Committee to look into issues relating to the corporatization of RTHK in the course of its Review.

7. Mr Raymond WONG referred to his remarks at the press conference on 17 January 2006 when the Government announced the appointment of the Review Committee that it would also make recommendations on the appropriate structure, governance and management of the public broadcaster. Mr WONG assured members that the Review Committee would certainly deliberate on and consider all relevant issues thoroughly before making recommendations. Commenting on the deluge of speculation and rumours that the Review Committee had been tasked to undermine RTHK's role, Mr WONG stated that he would not have accepted the

appointment had there been any hint that the Review was used as a tool for "whipping RTHK into line".

8. Professor Judy TSUI, Member of the Review Committee, advised that the Review Committee would make reference to international standards on corporate governance of public sector organizations and study issues such as the public broadcaster's organizational structure and processes, accountability, standard of performance as well as reporting and disclosures. Professor TSUI said that the Review Committee would definitely consider how a PSB system should be implemented which would serve Hong Kong best.

9. Noting that public access/community channels were available for use by minority or certain social groups in overseas countries, Dr YEUNG Sum was concerned whether the Review Committee would also consider the provision of public access/community channels. He observed that certain ethnic groups, such as those from South Asia, might benefit from the provision of such channels in Hong Kong.

10. In response, Mr Raymond WONG agreed in principle that public access channels had merits. However, in considering whether or not public access/community channels should be set up in Hong Kong, the Review Committee had to examine factors such as funding, mode of operation and performance monitoring for these channels if provided.

11. Recapping that at a recent Panel meeting, the two existing commercial radio broadcasters had expressed reservation on the development of digital audio (DA) broadcasting in Hong Kong, the Chairman was concerned whether the scope of the Review would include a study on the deployment of the latest technology such as DA broadcasting in PSB.

12. Drawing from his personal experience, Mr Raymond WONG recalled that the Government had requested the commercial television broadcasters to switch to digital terrestrial television (DTT) broadcasting in 1999. However, the overwhelming view of the industry at that time was that the Government should defer the introduction of DTT broadcasting until the Mainland had promulgated its own technical standard. This would enable multimedia applications developed in Hong Kong to access the vast Mainland market, thereby stimulating investment and achieving greater economic benefits. Mr WONG said that as he understood, all digital television production and facilities of the Television Broadcasts Limited (TVB) had come into full operation since late 2003. Mr WONG further advised that the Review Committee would certainly examine the role of DA broadcasting in the delivery of PSB. Professor LEUNG Tin-wai, Member of the Review Committee, supplemented that development of DA broadcasting was an irreversible trend and the Government had to get prepared for taking forward the initiative.

13. Recalling that insufficient accommodation and outdated equipment were some of RTHK's pressing needs as revealed in past Panel discussions, Dr KWOK Kai-ki was concerned why the Government had chosen to review PSB instead of

addressing the more pressing operational needs of RTHK. In response, SCIT stressed that the day-to-day operational and development needs of RTHK and the Review were separate matters. The Administration would continue to cater for the operational requirements of RTHK through the annual allocation of resources exercise.

Framework Agreement

14. Mr Ronny TONG noted that the Framework Agreement (FA) between SCIT and D of B had specified the working relationship between the policy bureau and RTHK and their respective roles and responsibilities. D of B would be responsible to SCIT for, inter alia, supervising the achievement of performance targets, speaking on matters relating to the operation and management of RTHK and improving in-house systems and structure that would maximize value and effectiveness of available resources. Mr TONG questioned the underlying objective of commissioning the Review and queried why the purposes of the Review could not be achieved by suitably revising the FA which was subject to review and renewal every two years.

15. In response, SCIT highlighted that the FA and the Review were separate matters. The FA was a document to clearly spell out the working relationship between RTHK and the Commerce, Industry and Technology Bureau but the Review was a broad policy review which sought to examine and map out the future of PSB in Hong Kong. SCIT also drew members' attention to the statement in the FA that RTHK was editorially independent and D of B was its Chief Editor.

(post-meeting note : A copy of the latest FA which took effect from 1 August 2005 has been circulated to all Members on 26 January 2006 vide LC Paper No. CB(1)803/05-06(01).)

16. Mr Ronny TONG pointed out that the mission of RTHK to provide a platform for free and unfettered expression of views was already clearly stated in the FA. If there were criticisms from some quarters of the community as to why RTHK did not help publicize government policies and serve as a government mouthpiece, the Administration could easily refute such criticisms by referring to the stated mission of RTHK in the FA. Mr TONG remained doubtful about the Administration's intention of conducting the Review and was concerned whether the Government was determined to maintain RTHK as a platform for free and unfettered expression of views, irrespective of the outcome of the Review.

17. In response, SCIT reiterated that the Review was not meant to target RTHK although as a major stakeholder in PSB, the outcome of the Review would inevitably have implications on RTHK. As the Review would soon commence, SCIT said that it was inappropriate for him to comment on the work of the Review Committee at this stage and to speculate on how the outcome of the Review might affect the working relationship between RTHK and the Government.

18. Ms Emily LAU welcomed the Review as she was very concerned about the development of PSB in Hong Kong. In this regard, she sought clarification on D of B's recent remark that PSB, not national service broadcasting, should be in place in Hong Kong. D of B explained that his remark had been made in response to media questions on the positioning of RTHK. He advised that a public service broadcaster should be independent of commercial or political interests and the FA had clearly positioned RTHK as a public service broadcaster. However, under the current organizational structure, RTHK was a government department. D of B remarked that there was some incongruence over RTHK's dual role as a government department and a public service broadcaster. He pointed out that the public in general accepted RTHK's role as a public service broadcaster but not as a mouthpiece of the Government. Nevertheless, RTHK had an open mind on the way in which such incongruence could be resolved and D of B trusted that the Review Committee would tackle the issue in a pragmatic manner.

19. Mr LEE Wing-tat said that he was also aware of certain pressure or challenges facing RTHK and there were views that RTHK should help defend and promote Government's policies where necessary. However, Mr LEE considered that this was not the function of RTHK as provided under the FA. Noting that according to a report of the United Nations Educational, Scientific and Cultural Organization (UNESCO), PSB should be independent of commercial and political interests and deliver its service with universality, diversity, independence and distinctiveness, Mr LEE was of the view that these four important features should be included in the FA to define RTHK's role.

Free speech and free press

20. Ms Emily LAU held the view that freedom of expression and press freedom should be some of the cardinal principles underlying any review of PSB. She was concerned whether the Review Committee would bear these important principles in mind and suggest ways to uphold freedom of speech and of the press in PSB. Ms LAU also recapitulated some of the remarks made by Mr Raymond WONG as reported in the media and said that such remarks gave the impression that Mr WONG or the Review had already formed some pre-conceived views on the future direction of PSB in Hong Kong and the future role of RTHK even before holding the first meeting. For example, she said that Mr WONG had remarked that issues of editorial independence and freedom of expression of RTHK were outside the remit of the Review Committee; and that as long as RTHK was at liberty to produce programmes, it was already enjoying editorial independence. Mr WONG had also suggested that the funding model of RTHK could be government grant plus private donation.

21. Regarding concerns about freedom of expression and editorial independence, Mr Raymond WONG referred to the Terms of Reference of the Review Committee and said that safeguarding freedom of expression and speech was outside the remit of the Review Committee. While the Review Committee was not in a position to guarantee human rights such as freedoms of expression and of the press, which were enshrined in the Basic Law, the Committee certainly considered them

important in enabling the effective operation of a public service broadcaster and, for that matter, any broadcaster. He shared his observation that in the run-up to and after the handover, RTHK was like a "human soccer ball" and its role had been highly politicized. The Review Committee hoped to recommend an appropriate arrangement for the provision of PSB in Hong Kong so that RTHK could operate with genuine independence, free from undue political and commercial influence, and provide the most appropriate programming for the community. Professor LEUNG Tin-wai also commented that it was inappropriate to expect the Review Committee to guarantee the exercise of certain human rights such as freedom of speech and the press when such rights were already provided for in the Basic Law.

22. As to the examples of reported remarks quoted by Ms Emily LAU, Mr Raymond WONG said that the quotes cited did not fully reflect his views expressed. For instance, in response to questions on the future business model of RTHK, he had merely floated the options that the Review Committee might consider, such as maintaining the status quo, corporatizing RTHK or adopting a "mixed" funding model. They were neither conclusions nor pre-conceptions. In fact, the Review Committee had not even met for the first time.

23. In reply to Dr KWOK Ka-ki, Mr Raymond WONG dismissed any "secret deal" between the Government and the Review Committee and considered such remarks an insult to the integrity of the Review Committee and its members. Mr WONG assured members that the Committee would conduct the review professionally and impartially. Members would examine all relevant issues with intellectual rigor, consult extensively, and listen with sensitivity and an open mind. He also pledged on behalf of the Committee to carry out the review in an open and transparent manner, and to remain independent of all undue pressure and influence. Professor Judy TSUI also pointed out that the Review Committee would act in the best interest of the public, and conduct its work in an open, impartial and transparent manner without any interference. Professor TSUI echoed Mr Raymond WONG's concern that any suggestion of a "secret deal" was totally unfounded. Challenging the integrity of the Review Committee and its members was unfair and un-called for.

24. Notwithstanding that the Administration had entrusted the Review Committee to conduct a review on PSB independently, Mr LEE Wing-tat urged that the Administration should still ensure that Hong Kong could continue to enjoy freedom of expression and of the press.

25. In reply to Mr Ronny TONG's question on ways to address concerns over rumors relating to the "elimination" of RTHK that had inundated the media, Mr Raymond WONG considered that it was extremely presumptuous and inappropriate for him to make comments or proposals on behalf of the Review Committee before it had an opportunity to meet and deliberate. He stressed that the Review Committee had no agenda to "get rid" of RTHK. Mr WONG assured members that one of the key tasks of the Review Committee was to examine what should be done in delivering PSB and it would certainly formulate recommendations in this respect.

26. Ms May FUNG, Member of the Review Committee, ruled out any pre-determined agenda or intention to "eliminate" RTHK by the Review Committee and emphasised that there was no hidden agenda. Ms FUNG remarked that Mr Raymond WONG was a veteran journalist who was a staunch supporter of press freedom and editorial independence. She stressed that the Review Committee would conduct an objective Review without pre-conceived ideas and it would remain open-minded and independent throughout the Review. Both she and Professor LEUNG Tin-wai dismissed hearsay information on the future of RTHK such as channeling funds for PSB to other commercial broadcasters.

27. Mr Martin LEE remarked that recent speculations and rumours relating to RTHK had arisen out of the fear that the Government would make use of the Review Committee's report to undermine RTHK's editorial independence. He believed that RTHK would not be "eliminated" as a result but the Administration would take the opportunity to tighten its control over RTHK. Mr LEE sought the assurance of SCIT and the Review Committee that they would guarantee that RTHK could continue to enjoy editorial independence and freedom of expression.

28. SCIT reiterated that the Review would study PSB in Hong Kong from a macro perspective and it was not intended to target RTHK or any specific broadcaster. Nevertheless, as RTHK was the sole publicly funded broadcaster in Hong Kong, it was a key stakeholder in the context of the Review. On editorial independence and press freedom, SCIT highlighted that the Review Committee was entrusted to identify issues concerning public accountability for PSB in matters of editorial impartiality, programming policy and good governance. He was confident that the Review Committee would take into consideration the views of all stakeholders, including the general public who funded PSB, and come up with well-conceived recommendations. The Review Committee was expected to propose an appropriate arrangement for the provision of PSB in Hong Kong, together with implementation plans for the short, medium and long terms. SCIT also highlighted that the Basic Law had already provided for free speech and a free press in Hong Kong while the FA stipulated in clear terms that RTHK was editorially independent.

29. Mr Raymond WONG referred to the speech delivered by Mr John TSANG, former SCIT, at the press conference on 17 January 2006. The speech had clearly delineated the Terms of Reference of the Review Committee that it would discuss ways on how the future PSB system should be made accountable to the public, especially in areas of editorial policy, programming policy and governance. He pointed out that at present, if any member of the public disapproved of a certain programme delivered by commercial or public broadcasters, he/she was at liberty to lodge complaints. On Mr Martin LEE's concern about providing a guarantee on freedom of expression, Mr WONG reiterated his earlier remarks and said that it was not for the Review Committee to guarantee civic rights already enshrined in the Basic Law. In this connection, Mr Martin LEE expressed his worry that over the past eight years or so, certain rights of Hong Kong people as provided under the Basic Law might have been diminished following interpretation by the National

People's Congress Standing Committee.

Membership of the Review Committee and consultation

30. Dr KWOK Ka-ki noted that according to the Administration, representatives from RTHK had not been appointed to serve on the Review Committee to avoid conflict of interests. He queried the propriety of such reasoning as some members of the Review Committee had served in commercial broadcasters for a long time and might thus be perceived as representing the interests of commercial broadcasters.

31. Recalling that a commercial broadcaster had expressed concerns about unfair competition posed by RTHK, Ms Emily LAU was worried that the Review Committee could hardly be perceived as impartial if RTHK was not be represented on the Committee. Ms LAU reiterated her concern that all along, RTHK had been sidelined, as shown in the recent incident that D of B had not been notified of the appointment of the Review Committee until at a very advanced stage and shortly before the public announcement. She considered that the Administration's deliberate attempt to bypass RTHK and keep it in dark about the Review was not conducive at all to fostering mutual trust and staff morale.

32. In response, SCIT recapped that the Review was a "macro" policy review and should not be so politicized that it was meant to "rein in" RTHK. Indeed, SCIT considered it very encouraging to note the positive responses of RTHK and the RTHK Programme Staff Union to the Review and their readiness to initiate internal discussion on issues relating to the Review.

33. On the membership of the Review Committee, the Permanent Secretary for Commerce, Industry and Technology (Communications and Technology) (PSCIT(CT)) advised that as the Review would seek to examine PSB in Hong Kong from a macro perspective with regard also to its impact on the community at large and in the context of the overall broadcasting industry, the Review Committee should comprise members with the requisite knowledge, expertise and credibility in broadcasting matters. In drawing up the membership, the Administration had been mindful not to engage persons who were still actively involved in the work of current broadcasters. Mr Raymond WONG and Ms May FUNG, for example, had retired from their previous employment. On questions of RTHK being kept in the dark about the Review, PSCIT(CT) said that he would not comment on hearsay information and speculations.

34. The Deputy Chairman was unconvinced and queried why the Review Committee had not included representative(s) from RTHK as they were the practitioners in delivering PSB in Hong Kong. He opined that if there might be conflict of interests for serving RTHK staff members to be appointed to the Review Committee, the Administration could identify retirees from RTHK who possessed the necessary experience and expertise to join the Review Committee. At this juncture, PSCIT(CT) said that Professor LEUNG Tin-wai had once worked in RTHK. The Deputy Chairman however pointed out that as far as he understood,

Professor LEUNG had only served as a programme host for RTHK for a short period of time and therefore, was not in a position to witness the development of RTHK in the past few decades. As some members of the Review Committee had retired from TVB, Asia Television Limited, Hong Kong Commercial Broadcasting Company Limited (CRHK) and Hong Kong Cable Television Limited, the Deputy Chairman remarked that the Administration should also consider appointing persons who had retired from RTHK and Metro Broadcast Corporation Limited (Metro) as members of the Review Committee.

35. Responding to concerns about the absence of representatives from RTHK on the Review Committee, Mr Raymond WONG assured members that the current composition of the Review Committee in no way reflected a lack of importance being attached to the role of RTHK in the context of PSB in Hong Kong. He informed members that as a matter of fact, he and D of B had exchanged views both verbally and in writing on a number of occasions on various issues relating to the Review. Mr WONG confirmed that D of B and staff members of RTHK would be invited to meet and exchange views with the Review Committee.

36. The Deputy Chairman maintained his view that RTHK, being the sole publicly funded broadcaster in Hong Kong and an important stakeholder in PSB, should be represented on the Review Committee. This would facilitate the Review Committee in making constructive recommendations. In this connection, Dr YEUNG Sum enquired whether the Administration would consider expanding the membership of the Review Committee by including representative(s) from RTHK.

37. In response, SCIT confirmed that the composition of the Review Committee had been finalized after careful consideration and formally announced. The Administration had no intention to change its membership.

38. Mr LEUNG Kwok-hung considered it a lack of common sense for not including RTHK in the Review Committee because over the years, RTHK had acquired much expertise and professionalism in PSB in Hong Kong. He did not subscribe to the clarification that the Review was not aimed at pinning down RTHK and questioned why other broadcasters such as CRHK and Metro were not subject to the same review.

39. Mr Raymond WONG re-assured members that the Review Committee fully acknowledged the important role played by RTHK in PSB in Hong Kong and it was well aware that RTHK, in delivering PSB, was also providing employment for several hundred staff. In conducting the Review, the Review Committee would ensure that all staff from junior ranks to senior management would have the opportunity to express their concerns and expectations.

40. Noting that judges from other common law jurisdictions might be invited to sit on the Court of Final Appeal, the Chairman asked whether overseas experts with substantial PSB experience would be invited to join the Review Committee and take part in the Review. In response, SCIT said that as mentioned by Mr

Raymond WONG earlier, the Review Committee might solicit opinion on specific issues from overseas experts should the need arise. He assured members that the Administration would provide the necessary resources to the Review Committee to support its work.

41. In this regard, Mr Raymond WONG informed the meeting that subsequent to the announcement on the setting up of the Review Committee, he had been approached by some foreign consuls who offered to arrange for PSB experts in their home countries to share experience with the Review Committee. Mr WONG added that the Review Committee would consider inviting experts from overseas public service broadcasters and international/regional broadcasting organizations to take part in a forum on PSB to be held in Hong Kong.

42. In reply to Mr Ronny TONG's enquiry about ways to collect public opinions on PSB, Mr Raymond WONG said that the Review Committee needed and welcomed input from both the professional and the public. At the appropriate times, the Review Committee would conduct town hall-type meetings to receive opinions and comments on the public service broadcaster's operation and the programming requests from the public at large. If necessary, independent surveys might also be conducted on qualitative analyses of public opinions.

Way forward

43. The Deputy Chairman informed the Review Committee of the Panel's proposed plan to conduct an overseas duty visit to study PSB. He invited members of the Review Committee to join the Panel's delegation. In response, Mr Raymond WONG thanked the Deputy Chairman's invitation. He said that it would be for individual members of the Review Committee to consider the invitation, but the Review Committee might not be able to join the visit *en bloc*.

44. Ms Emily LAU reminded the meeting that there would be a motion debate on "Policy on PSB" at the Council Meeting on 8 February 2006.

45. Summing up, the Chairman invited the Review Committee to brief the Panel after it had submitted a report on the review to the CE in October 2006. Mr Raymond WONG agreed.

II. Any other business

The Chairman's proposed way forward for the Panel to follow up the subject, including the suggestion of an overseas duty visit in April 2006.

(LC Paper No. CB(1)780/05-06(02) -- Letter dated 16 January 2006 from
Hon SIN Chung-kai regarding
study on public broadcasting
services

LC Paper No. IN12/05-06 -- Information note on "Public service
(English version tabled at the broadcasting in Canada, Germany,
meeting and subsequently circulated the United Kingdom and the United
on 26 January 2006 vide LC Paper States" prepared by Research and
No. CB(1)796/05-06, Chinese Library Services Division of the
version issued on 16 February 2006 Secretariat)
vide LC Paper No. CB(1921/05-06))

46. The Chairman suggested that the Panel should conduct a study into issues related to PSB so as to acquire a better understanding of the subject matter, in particular on the way forward for PSB in Hong Kong. The Panel should aim at completing its study in summer and a copy of the Panel's study report would be forwarded to the Review Committee for its reference. Members agreed.

47. Regarding the scope of the study, members agreed that the following aspects should be included in the study :

- (a) corporate governance and funding for public service broadcasters;
- (b) editorial independence of public service broadcasters and freedom of expression/ of the press;
- (c) distinctiveness of the public service broadcasters from commercial broadcasters; and
- (d) public access/community channels catering to the needs of minority or under-privileged groups.

The Chairman requested the Research and Library Services Division (R&LSD) to prepare a proposed research outline on PSB in selected overseas countries and circulate it for members' consideration.

(post-meeting note: The proposed research outline on PSB in selected places prepared by R&LSD has been circulated for members' consideration on 9 February 2006 vide LC Paper No. CB(1)880/05-06(01).)

48. To facilitate the Panel in conducting its study, the Chairman invited members' views on whether the Panel should undertake an overseas duty visit to acquire first-hand information on the implementation of PSB in selected overseas countries and to exchange views with the parties concerned. Members in general considered that the experience of overseas jurisdictions in implementing PSB would provide useful reference for the study. They discussed the places and overseas public service broadcasters to be visited. After deliberation, members requested the Secretariat to explore the feasibility of visiting selected places during the Easter break in late April 2006 and prepare a paper for Panel's consideration at its next regular meeting to be held on 13 February 2006.

(post-meeting note: The paper on study of issues related to PSB has been issued for members' consideration on 10 February 2006 vide LC Paper No. CB(1)885/05-06.)

49. In this connection, the Assistant Secretary General1 (ASG1) suggested that the Panel might hold public hearings to gauge the community's views on PSB as the input from experts, academics, the industry, key stakeholders and the general public would provide useful reference for the Panel in formulating views and recommendations. After discussion, members agreed that a special meeting should be convened to receive deputations before the Panel's proposed overseas duty visit. They decided to schedule the special meeting on Saturday, 18 March 2006 at 9:00 am.

(post-meeting note: With the concurrence of the Panel Chairman, the aforesaid meeting has subsequently been rescheduled to be held on 11 March 2006 at 9:00 am.)

50. There being no other business, the meeting ended at 4:45 pm.

Council Business Division 1
Legislative Council Secretariat
8 March 2006