

Panel on Information Technology and Broadcasting

List of outstanding items for discussion (position as at 3 April 2006)

Proposed timing **for discussion**

IT-related issues

1. Report on the Cyberport Project (2005)

The Panel received an overall report on the progress of the Cyberport Project on 10 January 2005 and held a special meeting on 2 February 2005 to follow up certain issues of concern. The Administration has been requested to report further progress to the Panel on an annual basis. The Administration now propose to submit to the Panel the annual progress report for 2005 and the business plan of Cyberport for 2006-07 in May 2006.

8 May 2006

2. Progress report on promoting the development of the digital entertainment industry in Hong Kong – strategy and measures

Proposed by the Administration. The Panel last discussed the item on 13 June 2005.

8 May 2006

3. Progress update on the E-government programme

Proposed by the Administration to report on the overall progress of various e-government initiatives. The Panel has considered the new strategy for e-government services delivery on 9 January 2006 and 13 February 2006.

12 June 2006

4. Information Security

Last discussed on 17 March 2006. Members agreed that upon receipt of a more detailed report from the Independent Police Complaints Council on the leakage on the internet of the personal data of the complainants, the Chairman would discuss with Mr James TO, Chairman of the Panel on Security, on how the matter should be followed up.

The Panel has agreed that the Panel on Home Affairs will be invited to follow up with the Administration and the Office of the Privacy Commissioner of Personal Data (PCO) on the review of the Personal Data (Privacy) Ordinance (PD(P)O) (Cap 486).

**Proposed timing
for discussion**

Telecommunications

5. Commencement of section 8(1)(aa) of the Telecommunications Ordinance and creation of a class licence to regulate telecommunications services

Proposals of the Telecommunications Authority (TA) and the progress of the public consultation were discussed on 9 May 2005. Having reviewed the issue and taken into account the views of Panel members, the TA has revised his proposals and launched a new round of public consultation on 3 March 2006.

12 June 2006

6. Regulatory issues pertinent to the convergence of fixed and mobile communications services

To prepare for the convergence of fixed and mobile telecommunications services, the Administration launched a consultation exercise on 21 September 2005 on the proposed changes to the licensing framework and the unified carrier licence for the provision of both fixed and mobile services. Deadline for submissions was 21 November 2005. The Administration is now studying the submissions. Reviews on fixed/mobile interconnection charge and fixed/mobile number portability commenced in December 2005. The Administration will brief the Panel on the outcome of the reviews and also the proposed way forward.

10 July 2006
(tentative)

7. Consultancy study on spectrum policy review

With a view to formulating a responsive, transparent and market-led spectrum policy to enable the community to reap the maximum benefit from the deployment of radio spectrum as a scarce public resource as technology advances, the Administration has engaged a consultant to assist in reviewing spectrum policy and management issues. The Administration will launch a public consultation and seek the views of the Panel on the proposed spectrum policy framework.

10 July 2006
(tentative)

8. Licensing of broadband wireless access (BWA) services

Last discussed on 14 March 2005. The second public consultation paper was issued on 31 August 2005. Deadline for submissions was 21 November 2005. The Administration is now reviewing the submissions and will brief the Panel on the proposed way forward in due course.

To be confirmed

**Proposed timing
for discussion**

9. Issues related to the protection of personal information of e-mail account subscribers

Arising from the recently reported incident in which it was alleged that Yahoo! Holdings (Hong Kong) had provided the Mainland authorities information regarding the personal emails of Mr SHI Tao, the Panel discussed the protection of personal information of e-mail account subscribers on 1 November 2005. Members agreed to re-visit the issues after relevant information has been received from the PCO, the Hong Kong Internet Services Providers Association and the Assistant Legal Adviser of the Secretariat.

To be confirmed

The paper prepared by the Assistant Legal Adviser 3 (ALA3) on the legal aspects of the subject has been circulated to all Members on 23 January 2006 vide LC Paper No. CB(1)771/05-06. An interim reply provided by PCO has been issued to all Members on 2 December 2005 vide LC Paper No. CB(1)445/05-06. PCO has also been reminded on 27 February 2006 to provide further information to the Panel. Issues raised at the special meeting on 1 November 2005 and ALA3's written advice have been referred to the Panel on Home Affairs to facilitate its follow-up of the review of the (PD(P)O).

Broadcasting

10. Proposed establishment of the Communications Authority

The Panel was briefed on the Administration's proposals on 17 March 2006. To tie in with the 3-month consultation period, members suggested the Panel invite deputations to present views on the Government's proposals in due course.

June 2006

11. Review on public service broadcasting

On 17 January 2006, the Administration announced the appointment by the Chief Executive of an independent committee to review public service broadcasting (PSB) in Hong Kong. The Panel has met with the Administration, the Committee on Review of Public Service Broadcasting, RTHK Programme Staff Union on 25 January 2006 to discuss issues related to the review. Mr Raymond WONG, Chairman of the Committee has agreed to brief the Panel after the Committee has submitted a report on the review to the Chief Executive in October 2006.

To be confirmed

The Panel has also received deputations' views on issues related to the review at the meeting on 11 March 2006.

**Proposed timing
for discussion**

12. Domestic/private pirated viewing of subscription television programmes

Last discussed on 11 July 2005. The Administration has been requested to, inter alia, monitor the global trend of regulatory practices against pirated viewing of pay TV programmes and update the Panel where necessary.

To be confirmed

13. 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.

To be confirmed

14. 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 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, 8 March 2004 and 9 January 2006; and of review on public service broadcasting at the meeting on 25 January 2006 and 11 March 2006.

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.

The Panel received a letter from the Organizing Committee of the Citizens' Radio requesting the Panel to urge for the opening up of radio channels for the use of the community so as to safeguard the freedom of speech. The letter was circulated to Panel members on 19 October 2005 vide LC Paper No. CB(1)93/05-06(01). Representatives of the Citizens' Radio also attended the Panel's

special meeting on 11 March 2006 and stated their position in support of the setting up of public access channels in Hong Kong.

The Administration has expressed its views on the provision of public access channels for sound broadcasting in its information paper entitled "Issues on Broadcasting" (CB(1)238/05-06(03)) which was considered by the Panel on 14 November 2005. At the same meeting, the Administration supplemented that there were other considerations in the provision of public access channels, such as the financial capability of the channel providers, channel governance and management as well as the accountability of these channels.

15. Issues related to the regulation of pornographic and violent materials transmitted through the mass media

In response to the letter from the "Anti-Pornographic & Violence Media Campaign" (vide LC Paper No. CB(1)519/05-06) requesting to discuss the subject with the Panel, the Chairman has agreed to include the item for the Panel to consider the subject at a Panel meeting in due course. Meanwhile, the Campaign has been invited to provide its submission, if any, for the Panel's consideration.

To be confirmed

Council Business Division 1
Legislative Council Secretariat
3 April 2006