

**Television Broadcasts Limited's Views**  
**on the Proposed Establishment of the Communications Authority**

Submission to the Legco Panel on Information Technology and Broadcasting  
For the Meeting on 12 June 2006

Television Broadcasts Limited (TVB) supports the Government's proposal to merge the Broadcasting Authority (BA) and Telecommunications Authority (TA) to form a unified regulator, namely, the Communications Authority (CA).

We urge the Administration to start the comprehensive review of the Broadcasting Ordinance (BO) and Telecommunications Ordinance (TO) immediately to create a new Communications Ordinance without waiting for the establishment of the CA. We fully understand that legislative amendment would take time. Meanwhile, as necessary changes to regulations within the existing BO and TO cannot be completed earlier, the Administration should, in consultation with Terrestrial TV broadcasters, identify and prioritise issues and to make relevant changes to existing regulations – including licensing conditions, programme and advertising standards and codes, guidelines and directives – along the professed guiding principle of the CA (Paragraph 43 of the Consultation Paper) of “regulatory tolerance should take precedence over regulatory intervention.” Changes to existing restrictions are necessary to enable and facilitate creative and innovative programming and advertising content for the healthy development of the industry and DTT as soon as possible prior to the launch of DTT services in 2007.

The proposed guiding principle of “regulatory tolerance should take precedence over regulatory intervention as long as public interest is safeguarded” should apply to both existing and new services. This open and proactive approach would encourage regeneration and more innovative output of traditional media to cope with convergence and this would certainly bring Hong Kong closer to being a regional communications hub.

Other details of our suggestions on the core values of the CA, structure of the CA, etc. would be covered in our formal submission to the CITB Consultation on the Establishment of the Communications Authority, a copy of which will be provided to the Panel on 16 June 2006.