

## Providing Public Service Broadcasting in Hong Kong

Submitted by

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### **A. Need for vigorous action to develop PSB in Hong Kong**

**A-1)** As the world's and China's most advanced modern metropolis, **Hong Kong needs public service broadcasting (PSB) to demonstrate to the world the city's commitment to constructing a pluralistic, socially inclusive, liberal and open civil society that values the development of whole-person human beings as much as, if not more than, business.**

**A-2)** As the government's ambivalent attitude or remarks toward PSB has generated much doubt in the public's mind about its commitment to the above ideals, it is thus imperative that **the government iterate, unequivocally, its determination and make it its policy to develop PSB in service of cultural and social concerns that are not provided or sidelined by the commercial broadcasting services.** One thing the government can, and must do, is to announce categorically that PSB in Hong Kong serves the people before the government. It is the people that decide what is best for the government, not the other way around.

**A-3)** The current arrangement for RTHK and commercial broadcasting licensees to undertake PSB can, and should, be continued in addition to any new statutory arrangement to strengthen future PSB in HK.

**A-4)** **RTHK, as the future major PSB provider, should be empowered to provide better services.** As is, it has been constrained by bureaucratic tardiness and insufficient financial support in providing more and better quality services.

**A-5)** Both the government and the PSB body should, and must, take an active interest in educating the public of the need for a modern city like HK to have PSB so as to make HKSAR a pluralistic, inclusive, liberal, and open civil society. As there will always be gaps between what PSB does and people's knowledge of PSB's roles,

continuous efforts by the government and the PSB providers are called for in informing and educating the public on PSB.

## **B. Public service permit**

**B-1)** The PSB remit of other advanced Western countries can be incorporated for HK's PSB. The ideals represent modern universal values that HK ought to aspire to and practice.

**B-2)** **The core values or principles of universality, diversity, independence and distinctiveness should be stated unequivocally as ideals or goals for PSB needs to aspire to and operationalize.** Any truncated version of these core values or principles will not be in the interest of Hong Kong as gaps between ideals and operation always exist.

**B-3)** **Yes, the government should continue to be given airtime on commercial channels to promote its services and policies.** However, such airtime should be clearly stipulated and be used discreetly by the government except during constitutionally declared emergencies. The stipulation of airtime on commercial channels is required because people have always attended more to commercial than PSB channels, and least to government channels. The current arrangement or its improved arrangement ensures efficient communication between the government and the people. Note that new media technologies have, or will have, equipped all government bodies with efficient and adequate channels to get their respective messages or policies across to the general populace.

**B-4)** Hong Kong being small, a single major PSB provider that serves the whole HKSAR should be adequate and efficient. **In addition to committing resources and administrative support to this major PSB, the government should also assist HK's universities that offer broadcasting education to provide such services, however limited they may be.** Such support for university degree broadcasting programs will not only be able to supply qualified human resources to staff PSB but also have the potential to enhance the quality of commercial broadcasting and contribute to the development of HK's creative industries in general..

## **C. Funding for PSB**

**C-1) PSB funding should mainly come from government financing while at the same time permitting PSB providers to seek additional funding.** It should be emphasized that a modern government is obliged to provide PSB as much as it is obliged to provide education. PSB is in fact a form of informal education for the population, including formally enrolled students of all ages. It should be considered as part of the life-long learning required for a knowledge-based society.

**C-2) PSB must not be financed by commercial advertisements although sponsorships can be considered. Such sponsorships, however, should be limited to no more than 15% of the total operational costs of a PSB provider.** The acceptance, rejection or utilization of sponsorships should be at the PSB providers' full discretion. While making donations, sponsors must have no say whatsoever in choosing the program or type of content to sponsor. Such arrangement will ensure PSB's independence and fair competition with commercial broadcasters since only enterprises or individuals committed to PSB ideals will become sponsors.

**C-3) As noted in B-4 above, HK can be sufficiently served by one single major PSB provider while allowing "university" PSB providers, to be funded by and through Manpower and Education Bureau (to be included in UGC funding), to play auxiliary and supportive roles to the HKSAR's major PSB provider.**

**C-4) Sponsorships, local or overseas sales of PSB rights or products, and donations are all appropriate financial sources additional to government funding, which should be the major source.**

**C-5) While a license fee will be desirable, it will be administratively costly. One efficient way of generating income for the future PSB provider and the "university" PSB providers will be simply to set aside a very small percentage of income tax for this purpose or to charge against the real estate rates and their valuation.**

**C-6) Five years should be a reasonable funding cycle to permit the major PSB provider's policy and programming planning.** Funding cycle for the "university"

PSB providers should follow UGC funding cycles

#### **D. Institutional arrangement for the public service broadcaster**

**D-1) It should be unequivocally legislated to give HK's single PSB provider complete editorial and policy independence from government interference. The "university" PSBs are to be managed and operated at full authority of each university communication program that offers a broadcasting degree curriculum.**

**D-2) The legislation should state clearly that no government officials, HKSAR Chief Executive included, have the power to appoint or remove the PSB chief executive without a two third consent of the publicly elected legislators.** Assuming HK has a popularly elected Chief Executive and Legislature, two third of those legislators present and voting will be required in appointing and removing the PSB governing board that oversees the management and operation of the PSB. In removing the PSB chief executive or a member of the governing board, input from the public sector must also be sought.

**D-3) Under no circumstances should a government secretary or his/her deputies give advice or instructions, oral or written, to any PSB providers.**

#### **E. Editorial independence and public accountability**

**E-1) It should be clearly legislated that the major PSB or the other auxiliary PSBs are independent from the government.** Appointment or removal of the PSB governing board and the PSB chief executive can be made only with a two-third majority approval of the elected legislature.

**E-2) To ensure editorial independence and public accountability, a public governing board should be formed with members representing the non-commercial and non-political interests.**

**E-3) The public may make comments and complaints to the governing board, which**

may decide to pursue or disregard such comments or complaints at any point and the governing board is required to keep, for public inspection, a full record of such comments and complaints. Surveys, not ratings, should also be conducted periodically to gauge public response and needs.

**E-4)** The PSB should not be permitted to produce programs outside their public service remit. Definition of the parameters should be the sole power and authority of the PSB governing board.

## **F. Public access channels**

**F-1)** Although the wide adoption of new media technologies is enabling public access to mass communication with the general populace on issues of public concerns, **the provision of public access channels will still be desirable as they help to aggregate public opinion or input in civic exchange and democratic participation.** Since no funding is provided by the government, public access channels should only be subject to HK's laws and the general universal standards of free and responsible expression.

**F-2)** It is not necessary to subject public access channels to the same performance monitoring mechanism as applicable to PSB provided that the expression is within the permission of HK's laws.

**F-3)** Public access channels are only supplement to PSB, not the latter's substitutes. Government-funded PSB are needed to provide more organized or labor/finance intensive PSB programming that public access channels usually can not afford to provide.

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