

**Panel on Information Technology and Broadcasting**  
**List of follow-up actions**  
(position as at 10 November 2005)

Subject	Date of meeting	Follow-up action required	Administration's response
1. The Cyberport Project		<p>The Administration/Cyberport Management to provide information on :</p> <ul style="list-style-type: none"> <li data-bbox="831 592 1509 667">- the funding arrangements for the Cyberport Institute.</li> <li data-bbox="831 708 1509 1054">- the selection arrangements for the supermarket in the Cyberport; - the number of tenancy applications for each of Phases CIA, CIB, CII and CIII; - existing/past office space occupied by the tenant companies vis-à-vis space in Cyberport on an aggregate basis; and - the number of employees employed by the tenant companies on an aggregate basis.</li> <li data-bbox="831 1096 1509 1214">- provide information on the rate of business growth and the volume of new business activities generated in the Cyberport.</li> </ul>	<p>The Administration to provide the information when ready.</p> <p>Relevant information has been provided in past progress reports issued to members in June and December 2004. The information will be updated in further progress reports.</p>

Subject	Date of meeting	Follow-up action required	Administration's response
2. Broadcasting Services of Radio Television Hong Kong (RTHK)	8.4.05           21.7.05	<p>(a) The Commerce, Industry and Technology Bureau (CITB) has been requested to:</p> <ul style="list-style-type: none"><li>(i) examine RTHK's accommodation needs and revert to the Panel on the way forward for the proposed Broadcasting House by July 2005; and</li><li>(ii) provide a comprehensive response to the issues discussed at the meeting.</li></ul> <p>(b) RTHK has been requested to consider conducting public hearings to enhance its accountability.</p> <p>Regarding some members' enquiry about the availability and use of additional radio frequency spectrum, the Administration has undertaken to provide a paper on the spectrum policy review for the discussion of the Panel in due course.</p>	<p>The Administration to consider/note and revert to the Panel. It will provide a paper for discussion at the meeting on 14 November 2005.</p> <p>The Administration to provide the paper when ready.</p>
3. Partial commencement of section 8(1)(aa) of the Telecommunications Ordinance and creation of a class licence to regulate resale of telecommunications services on a prepaid basis	9.5.05	<p>Members expressed concerns that the easy purchase and use of prepaid SIM cards had made the tracing of offenders through telephone use difficult. The Administration has been requested to provide information on measures, if any, taken by the Administration to facilitate law enforcement in this regard.</p>	<p>The information provided by the Administration has been circulated to members on 9 November 2005 vide LC Paper No. CB(1)254/05-06.</p>

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4. Spamming arising from the use of Interactive Voice Response System (IVRS) technology	13.6.05	The Administration undertook to explore if there were any means to encourage the calling parties of unsolicited calls to pay the airtime/roaming charges thus incurred pending the enactment of any anti-spam legislation.	CITB will consider whether to adopt a "calling party pays" charging regime in the context of the review of convergence of fixed and mobile telecommunications services.
5. Proposed anti-spam legislation	11.7.05	<p>(a) CITB undertook to obtain relevant information from the Bureau concerned on actions to curb cross-border gambling activities for members to consider whether these actions could shed light on tackling the problem of unsolicited electronic messages.</p> <p>(b) The Administration was requested to consider members' concern on the need to include express provisions safeguarding freedom of speech and expression in the proposed legislation.</p>	<p>(a) The information provided by the Administration has been circulated to members on 26 October 2005 (English version) and 2 November 2005 (Chinese version) vide LC Paper No. CB(1)94/05-06(01).</p> <p>(b) The Administration to consider members' concern when drafting the proposed legislation.</p>
6. Briefing by Secretary for Commerce, Industry and Technology on relevant policy initiatives in the Chief Executive's Policy Address 2005/2006	18.10.05	<p>(a) The Administration undertook to provide more detailed information on the general conditions for a sound broadcasting licence.</p> <p>(b) The Administration was requested to provide information on the frequencies allocated to various broadcasting/ telecommunications licensees, as well as the frequencies which could be released for other use.</p>	The Administration to provide the information when ready.

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7. Issues related to the protection of personal information of e-mail account subscribers	1.11.05	<p>(a) The Privacy Commissioner for Personal Data (the Privacy Commissioner) was requested to provide further information to address members' concerns and questions raised at the meeting, including:</p> <p>(i) With reference to paragraph (c) of Yahoo! (Hong Kong) Limited's letter dated 28 October 2005 (LC Paper No CB(1)186/05-06(03)), whether and to what extent Yahoo! Holdings (Hong Kong) Limited was bound by the requirements under the Personal Data (Privacy) Ordinance (PD(P)O) (Cap 486) for the disclosure of information of email account subscribers, including that relating to Mr SHI Tao, to the Mainland authorities by the Yahoo! China operation;</p> <p>(ii) Arising from the case in question, whether the Privacy Commissioner should take a liberal or restrictive approach when considering what information would amount to "personal data" as defined under PD(P)O; and whether the Privacy Commissioner would re-consider whether there was sufficient evidence to trigger off section 38(b) of PD(P)O; and whether there was a need to review PD(P)O.</p>	<p>(a) The Privacy Commissioner to provide the information when ready.</p>

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		(b) At the request of a member, the Hong Kong Internet Service Providers Association (HKISPA) agreed to consider possible actions, if any, which HKISPA may take to follow up the case in question.	(b) HKISPA to revert to the Panel in due course.

Council Business Division 1  
Legislative Council Secretariat  
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