

**Replies to supplementary questions raised by Finance Committee Members  
in examining the Estimates of Expenditure 2007-08**

**Director of Bureau : Secretary for Commerce, Industry and Technology  
Session No. : 5**

| <b>Reply Serial No.</b>             | <b>Question Serial No.</b> | <b>Name of Member</b> | <b>Head</b> | <b>Programme</b>                            |
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| <a href="#"><u>S-CITB(CT)01</u></a> | SV014                      | LEE Wing-tat          | 55          | -   |
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**CONTROLLING OFFICER'S REPLY TO  
SUPPLEMENTARY QUESTION**

Reply Serial No.

S-CITB(CT)01

Question Serial No.

SV014

Head: 55 – Government Secretariat : Commerce,  
Industry and Technology Bureau  
(Communications and Technology Branch)

Subhead (No. & title):

Programme:

Controlling Officer: Permanent Secretary for Commerce, Industry and Technology  
(Communications and Technology)

Director of Bureau: Secretary for Commerce, Industry and Technology

Question: On the undesirable sales practice of Internet service providers (ISPs) of broadband Internet services as raised by Hon LEE Wing-tat, the Administration to provide the number of complaints received by the Office of the Telecommunications Authority last year in relation to alleged deceptive sales conduct/misleading advertisements and contractual disputes, and to report on ISPs' acceptance or otherwise of Members' suggestion for their adoption of a standard form which sets out lucidly major contractual terms for easy reference by consumers.

Asked by: Hon. LEE Wing-tat

Reply: In 2006, the Office of the Telecommunications Authority (OFTA) received 13 consumer complaints on alleged deceptive/misleading sales conduct or advertisements against ISPs providing broadband Internet services. All these complaints have been followed up or being followed up. So far no breach of the relevant provisions under the Telecommunications Ordinance has been found.

Contractual disputes are outside the remit of OFTA's statutory powers under the Telecommunications Ordinance. However, OFTA received 190 complaints related to such disputes during the same period against ISPs. Subject to complainants' consent, these complaints were referred to the concerned ISPs for review and potential settlement with the complainants. If the disputes were not settled, the complainants have the recourse to the court or the Small Claims Tribunal.

The Telecommunications Ordinance does not empower the Telecommunications Authority (TA) to intervene in contract terms. There is therefore no legal basis for OFTA to require ISPs to adopt a standard form for service contracts. Nevertheless, after a consultation with the telecommunications industry in 2004, OFTA issued the "Code of Practice for the Service Contracts for the Provision of Public Telecommunications Services" to industry members, including ISPs, for compliance on a voluntary basis. The Code of Practice recommends that the salient points of the service contracts should be highlighted or displayed in a prominent manner, and that contract terms should be available in both Chinese and English and printed with suitable font size and contrast for reasonable legibility. The Code of Practice is posted on OFTA's web site ([http://www.ofta.gov.hk/en/code/cop20041112\\_1.pdf](http://www.ofta.gov.hk/en/code/cop20041112_1.pdf)).

In addition, OFTA has conducted wide-scale publicity campaigns in the past years, through the use of television, radio, posters, bus-body advertisements, etc. to remind consumers that they must pay particular attention to the contract terms before entering into a contract.

In order to minimize the incidents of misleading or deceptive conduct in selling telecommunications services to consumers, OFTA has in 2005 issued guidance to the operators on nine “best practice indicators”. OFTA has since followed up on the compliance by the industry of such indicators and the number of consumer complaints about alleged misleading or deceptive sales conduct against telecommunications operators that OFTA received has reduced significantly.

Signature \_\_\_\_\_

Name in block letters \_\_\_\_\_ Francis Ho \_\_\_\_\_

Post Title \_\_\_\_\_ Permanent Secretary for  
Commerce, Industry and Technology  
(Communications and Technology) \_\_\_\_\_

Date \_\_\_\_\_ 26.3.2007 \_\_\_\_\_

**CONTROLLING OFFICER'S REPLY TO  
SUPPLEMENTARY QUESTION**

Reply Serial No.

**S-CITB(CT)02**

Question Serial No.

**SV013**

Head: 47 – Government Secretariat : Office of the Subhead (No. & title):  
Government Chief Information Officer

Programme: (1) Use of IT in Government

Controlling Officer: Government Chief Information Officer

Director of Bureau: Secretary for Commerce, Industry and Technology

Question: On the new one-stop portal for Government online information and services (i.e. GovHK) as raised by Hon Albert CHAN, the Administration to provide information on the application forms of Government departments currently available on GovHK portal and the time table for all application forms of Government departments to be available on the portal for easy access and downloading by the public.

Asked by: Hon. CHAN Wai-yip, Albert

Reply: The Government Forms website (<http://www.info.gov.hk/forms/>) maintained by the Economic Analysis and Business Facilitation Unit under the Financial Secretary's Office currently provides a central index of close to 1,600 government forms available for download or online submission. Members of the public may search for the form they need by form number, name of department, file format and keyword(s) of the form title and related type of service in either Chinese or English.

GovHK ([www.gov.hk](http://www.gov.hk)), the new one-stop government portal soft launched in September 2006, hyperlinks to the above-mentioned Government Forms website. In addition, it facilitates access to around 150 frequently used downloadable government forms through direct hyperlinks to the websites of relevant government bureaux/departments (B/Ds). GovHK also provides a Help Desk hotline at 183 5500 and enquiry email address at [enquiry@1835500.gov.hk](mailto:enquiry@1835500.gov.hk) to assist members of the public who have question or need assistance on our services, including any matters related to government forms.

To keep abreast of the progress of B/Ds in making their services and forms available online, the Office of the Government Chief Information Officer (OGCIO) has recently launched a survey on e-government services. B/Ds are asked to indicate, amongst other things, whether their forms may be downloaded on the Internet, and if not, their planned schedule to provide the download option. Upon the completion of the survey, the OGCIO will report its findings to the Information Technology and Broadcasting Panel of the Legislative Council.

Name in block letters Howard Dickson

Post Title Government Chief Information Officer

Date 26.3.2007