



Subject	Date of meeting	Follow-up action required	Administration's response
	12.1.04	<ul style="list-style-type: none"> <li>- existing/past office space occupied by the tenant companies vis-à-vis space in Cyberport on an aggregate basis; and</li> <li>- the number of employees employed by the tenant companies on an aggregate basis.</li> <li>- provide information on the rate of business growth and the volume of new business activities generated in the Cyberport.</li> </ul>	<p>just lodged their applications for tenancy at the Cyberport without specifying the phases concerned. Therefore, the number of tenancy applications cannot be calculated on the basis of each phases of CIA, CIB, CII and CIII. Nevertheless, as of January 2007, an aggregate of 181 tenancy applications had been received and considered by the Committee on Admission of Cyberport Office Tenants (CACOT).</p> <ul style="list-style-type: none"> <li>- The total lettable area of the Cyberport office is 94,678 sq m. As of end March 2007, 69,605 sq m (73.5%) office space was occupied by the tenants, compared with 51,334 sq m (54.2%) a year ago.</li> <li>- As of end January 2007, 3,300 workers were employed by the Cyberport office tenants.</li> <li>- Rate of business growth and volume of new business are commercially sensitive information. As of end January 2007, 3,300 workers were employed by the Cyberport office</li> </ul>



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		<ul style="list-style-type: none"><li>- whether the Administration/Cyberport management had made reference to the guidelines issued or established procedures promulgated by the Government Property Agency in selecting the Anchor Tenant and in drawing up Cyberport Arcade tenancy arrangements, and if not, the reasons for not doing so, as the Cyberport Portion is a government asset, the ownership of which is retained by the companies set up under the Financial Secretary Incorporated (FSI).</li> <li>- in relation to paragraph 13 of LC Paper No. CB(1)1065/06-07(19) which states that the Anchor Tenant was admitted in mid-2004 as a result of an extensive search in Japan, USA and Europe undertaken by a professional retail-leasing agent, and no less than 13 potential anchor tenants had been approached and four substantive proposals had been considered, whether the substantive proposals were received and the Anchor Tenant was appointed as a result of the worldwide extensive search conducted by the agent, and whether the Anchor Tenant so appointed was from any of the countries (i.e. Japan, USA or Europe) in which the extensive search and sourcing of anchor tenants were conducted.</li></ul>	

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		<ul style="list-style-type: none"><li data-bbox="846 172 1496 368">- a break-down of the tenants of the Arcade and the office buildings who were recruited locally and overseas, together with information on their respective rentals and rent-free periods.</li><li data-bbox="846 416 1496 568">- the break-down figure of rental income in respect of the retail space at the Cyberport Arcade for the years 2003-04, 2004-05 and 2005-06.</li><li data-bbox="846 616 1496 767">- the provisions in the contracts, if any, allowing the Anchor Tenant the rights of subleasing, and the monitoring and supervising roles of FSI as the landlord.</li><li data-bbox="846 815 1496 927">- the break-down figure of rental income in respect of the office buildings for the years 2003-04, 2004-05 and 2005-06.</li><li data-bbox="846 975 1496 1206">- the break-down figure and relevant information on the gross revenue of the retail outlets at the Cyberport Arcade, as according to the Administration/Cyberport management the Arcade rent is linked to the gross revenue of the retail outlets.</li></ul>	

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<p>2. Issues related to the protection of personal information of e-mail account subscribers</p>	<p>1.11.05</p>	<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>An interim reply provided by the Privacy Commissioner has been issued to all Members on 2 December 2005 vide LC Paper No. CB(1)445/05-06. The Secretariat has reminded HKISPA on 2 December 2005 and 23 January 2006 to revert to the Panel in due course. The paper prepared by 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. With the concurrence of the Chairman, a copy of the paper has also been sent to the Privacy Commissioner and HKISPA. An investigation report on the incident involving Mr SHI Tao issued by PCO on 14 March 2007 has been circulated to members on 28 March 2007 vide LC Paper No. CB(1)1233/06-07.</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.	
3. Issues relating to the management and control of Asia Television Limited (ATV)	5.6.06	In relation to the proposed acquisition of ATV's shares by Citic Guoan Group (the Group): the Broadcasting Authority (BA) has been requested to revert to the Panel before it makes a decision on the proposed acquisition.	The BA's initial reply and the detailed information provided by the Administration have been circulated to all Members on 16 June and 7 August 2006 respectively vide LC Paper Nos. CB(1)1776/05-06 and CB(1)2102/05-06. The BA has undertaken to provide a substantive response to the Panel in due course.
4. Public Consultation Document on Digital 21 Strategy	13.11.06	<p>The Administration has undertaken to provide the following information:</p> <p>(a) the entry threshold for access to the Mainland market by local information technology companies and the Administration's achievements in lowering the threshold; and</p> <p>(b) the on-line services currently provided by departments on GovHK portal and departments which have yet to ride on the GovHK platform for provision of services to the public on a department-by-department basis.</p>	<p>Information provided by the Administration has been circulated to members vide LC Paper No. CB(1)1304/06-07(01) dated 3 April 2007.</p> <p>The Administration to provide the information when ready.</p>

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<p>5. Implementation of pilot e-procurement programme</p>	<p>11.12.06</p>	<p>The Administration has agreed to :</p> <p>(a) consider members' suggestions that e-invoice be considered for the pilot programme to drive supplier adoption, and assess and apprise the Panel of the increase in percentage, if any, of SME suppliers having Internet connection as a result of the implementation of e-Procurement, and SMEs' response to and their degree of participation in the e-Procurement programme;</p> <p>(b) assess the actual benefits of the e-Procurement pilot programme against the benefits listed in paragraph 12 of the Administration's paper (LC Paper No. CB(1)435/06-07(03)) and the extent to which green procurement is adopted; and</p> <p>(c) address the various concerns raised by Panel members in the Administration's submission to the Finance Committee (FC).</p>	<p>(a) The Administration considers that the proposed scope for the pilot programme encompassing four e-Procurement initiatives with an estimated non-recurrent expenditure of \$49.2 million is a prudent and pragmatic way to proceed. However, the Administration will keep in view opportunities for trying out the e-invoice function when circumstances are conducive.</p> <p>(b) The Administration will assess the actual benefits of the e-Procurement pilot programme at the review stage.</p> <p>(c) The various concerns raised by Panel members were duly addressed in the relevant FC paper and the proposal was approved by FC on 26 January 2007.</p>



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6. Information Security	11.12.06	<p>The Administration has undertaken to submit to the Panel in three months' time a report outlining the progress of follow-up actions taken by regulatory bodies and public organizations to improve their information security status pursuant to the findings of the survey conducted on them in August 2006. The Administration has been requested to relay a member's concern to the regulatory bodies that effective mechanism such as the regular security audit arrangement as adopted by the Government be put in place by regulatory bodies or their regulated bodies/sectors for enhancement of information security.</p>	<p>On 27 December 2006, the Government Chief Information Officer wrote to Heads of B/Ds advising them of the observations by the Office of the Government Chief Information Officer (OGCIO) on the areas of improvement required based on the survey results. For B/Ds who are regulatory bodies or have purview over public organisations, OGCIO has requested them to coordinate the information security improvement programmes of those regulated sectors and public organisations, and to contribute to the updates to the Panel in due course. To facilitate enhancement of information security of the relevant organizations, OGCIO has also advised the B/Ds to make reference to Government's Baseline Information Technology (IT) Security Policy and the IT Security Guidelines which include, amongst other materials, the security risk assessment and audit mechanism.</p>

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			An interim progress report on information security improvements made by the public organizations and regulatory bodies provided by the Administration has been circulated to members on 12 April 2007 vide LC Paper No. CB(1)1329/06-07(01).
7. 2006 Surveys on IT Usage and Penetration in the Household and Business Sector	--	Previously the results of the surveys were presented at the Panel meetings. With the concurrence of the Panel Chairman, the Administration will provide an information paper for the result of the 2006 surveys.	The information on 2006 Surveys on IT usage and penetration in the household and business sectors provided by the Administration has been circulated to members on 22 March 2007 vide LC Paper No. CB(1)1174/06-07(01).

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<p>8. Further discussion on issues relating to change in shareholding in PCCW Limited and cross-media ownership</p>	<p>11.1.07</p>	<p>(a) The Panel has decided that copies of the confidential letter provided by Mr Richard LI (LC Paper No. CB(1)654/06-07(01)) should be provided to the Administration for response and the BA for reference.</p> <p>(b) Members requested information on whether the BA had set any deadline for PCCW Media Limited (PCCW Media) and other relevant parties to provide information as to the voting controllers of PCCW Media, pursuant to section 10(1) of Schedule 1 to the Broadcasting Ordinance (Cap. 562).</p> <p>(c) The Administration has been requested to provide an explanation for members' information if the BA decides not to take any action after the investigation</p>	<p>(a) The Administration's reply advising that as BA had required PCCW Media and other relevant parties to provide information as to the voting controllers of PCCW Media and hence inappropriate for the Administration to comment on the case or respond to Mr LI's letter has been circulated to all Members on 23 January 2007 vide LC Paper No. CB(1)792/06-07(01).</p> <p>(b) BA's reply advising that PCCW Media and other relevant parties were requested to provide the information by 26 January 2007 has been circulated to all Members on 29 January 2007 vide LC Paper No. CB(1)826/06-07(01).</p> <p>(c) The Administration to provide the information, where appropriate.</p>

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9. Issues relating to Internet disruptions caused by earthquake damage to undersea cables	15.1.07	<p>The Administration has been requested to provide:</p> <p>(a) a post-mortem report on the Internet disruptions, including issues such as: actions taken by the Office of the Telecommunications Authority (OFTA) during the first 10 odd hours (i.e. between the earthquake happened at around 8:26 pm Hong Kong time on 26 December 2006 to 9:25 am on 27 December 2006 when OFTA received the first public enquiry relating to Internet service failures); improvements to be made to the outage reporting mechanisms; contingency measures to be drawn up; the Administration's comments on PCCW's restoration capabilities; impacts of external telecommunications services disruptions on small and medium-sized enterprises; and comparison between the restoration capabilities of local operators and those of overseas operators. It should also provide grounds on accepting or rejecting deputations' suggestions;</p>	<p>(a) The Administration will brief the Panel at the next meeting to be held on 17 April 2007.</p>

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9. Issues relating to Internet disruptions caused by earthquake damage to undersea cables (Cont'd)		(b) a copy of the report on the technical performance study conducted in late 2005;  (c) a copy of the survey study report to be available at a later stage.	(b) In response to the follow-up submission made by Hong Kong Broadband Network Ltd on "Quality of Service on Residential Broadband Internet Access Services Project" conducted by OFTA, OFTA has provided a reply explaining the reasons for the non-publication of the 2005 technical study. OFTA's reply, in English and Chinese, has been circulated to members on 13 and 27 February 2007 respectively vide LC Paper No. CB91)942/06-07(01).  (c) The survey on residential broadband use has recently been completed. A report on the way forward is expected to be published in April/May 2007 following discussion by a working group with representatives from the four broadband internet service providers.

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10. Issues relating to the editorial independence of Radio Television Hong Kong and the yardsticks of the Broadcasting Authority in imposing sanctions	12.3.07	<p>The Administration has been requested to review:</p> <p>(a) the mechanism for appointing members of the BA (or the new unified regulator, i.e. the Communications Authority (CA)), including the criteria for appointment and composition of members, with a view to bringing in more talents with different backgrounds to enhance representativeness; and</p> <p>(b) the complaints handling mechanism of the BA (or the future CA) with a view to enhancing transparency and credibility.</p>	The Administration to take note and follow up.