

## **Concern on Unscrupulous Sales Practice of Pay Television**

### *Introduction*

This note informs Members of the mechanism of handling complaints on the sales activities of pay television.

### *Mechanism of Handling Complaints on the Sales Activities of Pay Television*

2. At present, the Broadcasting Ordinance (Cap 562) and the Broadcasting Authority Ordinance (Cap 391) do not empower the Broadcasting Authority (BA) to regulate the sales activities of pay television licensees. However, domestic pay television programme service licensees are required to comply with the terms and conditions of their licences, including the requirements to prepare code of practice for customer service, to receive and handle complaint cases, and to formulate written guidelines for their staff.

3. Upon receipt of complaints about pay television sales activities, the Television and Entertainment Licensing Authority (TELA) will refer the case to the concerned pay television licensee for investigation and follow-up if the complainant so agrees. The licensees treat the complaints referred to them by TELA seriously, and so far, TELA has not received any complaints about the licensees' handling of TELA's referrals. Moreover, in view of public concern concerning pay television sales activities, TELA also wrote to all domestic pay television programme service licensees in August 2005, requesting them to take heed of the complaints about sales and promotional activities. The licensees have responded positively to TELA's request and put in place their own administrative measures to address the problem, e.g. supervisors reconfirming the verbal conversation between the salesperson and the subscriber in follow-up telephone calls etc.

4. To enhance public awareness of digital television, we have commenced a publicity campaign, which includes disseminating leaflets and launching a thematic website ([www.digitaltv.gov.hk](http://www.digitaltv.gov.hk)), to give the public a better understanding on the reception of digital television. We will continue strengthening our public education and publicity, including co-operation with the Consumer Council, to assure the public that they can still receive terrestrial television service free of charge after the digitalization.

5. We will also review the relevant legislation from time to time, including whether the provisions on safeguarding consumers against misleading and deceptive conducts under the existing Telecommunications Ordinance could be expanded to cover the acts of the broadcasting service licensees.

Commerce, Industry and Technology Bureau  
Television and Entertainment Licensing Authority

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