

Panel on Information Technology and Broadcasting

List of follow-up actions

(position as at 7 November 2006)

Subject	Date of meeting	Follow-up action required	Administration's response
1. The Cyberport Project	<p align="center">8.2.02</p> <p align="center">8.7.02</p> <p align="center">12.1.04</p> <p align="center">8.5.06</p>	<p>The Administration/Cyberport Management to provide information on :</p> <ul style="list-style-type: none"> - the funding arrangements for the Cyberport Institute. - 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. <p>- provide information on the rate of business growth and the volume of new business activities generated in the Cyberport.</p> <p>- the extent of achievement for each of the public missions in quantifiable terms.</p>	<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 Administration has been requested to update the information in future progress reports.</p> <p>The Administration/HKCMCL to provide the information when ready.</p>
2. Broadcasting Services of Radio Television Hong Kong (RTHK)	21.7.05	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.	The Administration to provide the paper when ready. The subject of "Public Consultation on Proposed Spectrum Policy Framework" has been included in the Panel's "List of outstanding items for discussion".

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<p>3. 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. The replies from the Privacy Commissioner and HKISPA are still awaited.</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.	
4. New strategy for e-government services delivery	9.1.06	The Administration has undertaken to provide the report evaluating the cost-effectiveness of e-government programmes when available.	The Administration has advised that it will brief the Panel on the study on Business Case for Government IT investments upon its completion in September 2006.
5. 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 has been circulated to all Members on 16 June 2006 vide LC Paper No CB(1)1776/05-06. It has undertaken to provide a substantive response to the Panel in due course.
6. Issues related to the regulation of pornographic and violent materials transmitted through the mass media and protection against the intrusion of privacy by the mass media	11.9.06	The Administration has been requested to provide breakdown figures on the respective number of obscene and indecent entertainment magazines with intrusive photographs or crude language that had been submitted to the Obscene Articles Tribunals for classification in the past three years, together with brief descriptions of the articles concerned and the outcome of classification and penalty levied, if any.	The Administration to provide the information when ready.

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7. Revisions to the accuracy requirement in the Generic Code of Practice on Television Programme Standards and Radio Code of Practice on Programme Standards	17.10.06	<p>(a) The Broadcasting Authority (BA) has been requested to further consider whether the captioned revision will be gazetted and put into effect as originally scheduled, and inform the Panel of its decision in due course.</p> <p>(b) The BA has undertaken to provide information on the formation of the Television and Radio Consultative Scheme and how members of the public can apply to join the Scheme.</p>	<p>(a) The letter dated 18 October 2006 from the Panel Chairman to the Chairman of the BA and BA's reply of 28 October 2006 thereto have been issued to members on 19 and 31 October 2006 respectively vide LC Paper Nos CB(1) 116/06-07 and 201/06-07</p> <p>(b) The BA to provide the required information.</p>