

Panel on Information Technology and Broadcasting

List of issues suggested to be considered

(position as at 14 October 2008)

Proposed timing for discussion

1. Assignment of Available Spectrum in 1800 MHz Band for Provision of Mobile Public Services

On 18 January 2008, the Telecommunications Authority (TA) published a consultation paper entitled "Assignment of the Available Radio Spectrum in the 900 MHz and 1800 MHz Bands" to seek views and comments from the industry and interested parties on the assignment of the available radio spectrum. The Administration proposes to brief the Panel of the outcomes of the consultation exercise, the TA Statement issued on 4 July 2008, and the legislative proposals to enable the assignment of the available spectrum through open auction.

November 2008

2. Capital Works Reserve Fund Head 710 Computerization Subhead A007GX – New Administrative Computer Systems

The Administration proposes to brief the Panel and seek members' support on the funding requirement for 2009-10 for the implementation of computerization projects under Capital Works Reserve Fund Head 710 Computerization Subhead A007GX (Block Allocation). The funding proposal will then be submitted to the Public Works Subcommittee and Finance Committee for consideration in December 2008 and January 2009 respectively.

November 2008

3. Review of the Control of Obscene and Indecent Articles Ordinance (COIAO) (Cap. 390)

At the Panel meeting held on 14 January 2008, members discussed the survey results on the COIAO commissioned by the Television and Entertainment Licensing Authority (TELA). Referring to the survey findings, members expressed concern about the low level of penalties imposed upon conviction, in particular those relating to media organizations which had repeated records of publishing indecent articles. Members urged the Administration to consider strengthening the deterrent effect of COIAO by increasing the maximum penalty on repeated offenders and imposing harsher penalties on them. The Administration assured that members' and the public's concerns in this regard would be considered and addressed in the coming review of the COIAO in 2008. It would also consult the community on feasible ways to improve the

November 2008

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regulation to protect youngsters from indecent Internet content in the context of the COIAO review.

4. Information Security

At the special meeting held on 30 May 2008, the Panel was briefed by the Administration (including the Office of the Government Chief Information Officer, Civil Service Bureau, Hong Kong Police Force (HKPF), the Immigration Department, and the Department of Health) and representatives of the Hospital Authority and the Office of the Privacy Commissioner for Personal Data (PCPD) on the background to the recent data leakage incidents and remedial measures taken following the incidents. Panel members were gravely concerned about the spate of data leakage, whether affected data subjects, HKPF and PCPD were notified of the leakage, and the extent of and reasons for staff bringing confidential information and sensitive data home for work. The Administration was urged to devise concrete measures such as adopting advanced data protection technologies and monitoring file sharing applications to prevent further leakage so as to restore public confidence in the handling of personal data by the Government. The Administration would update the Panel on progress and improvement made in due course.

December 2008

5. Progress of Cyberport project

At the Panel meeting held on 10 March 2008, the Panel was briefed on the latest progress of the Cyberport project. The Panel noted that there was a significant increase in the operating revenue to \$263 million for the year ended March 2007, as compared to \$188 million in 2005-2006 and \$136 million in 2004-2005. The Administration and the Cyberport management undertook to give a briefing to the Panel on the progress of the project annually.

March 2009

6. Progress report on the 2008 Digital 21 Strategy

At the Panel meeting held on 10 June 2008, the Panel was updated on the latest progress on the implementation of initiatives under the 2008 Digital 21 Strategy (the Strategy). To take forward the Strategy, the Administration proposed to develop Statements of Desired Outcome (SDOs) for each of the five action areas under the Strategy and sought members' views on the draft SDOs. The Administration undertook to update members on the initiatives and the progress of the implementation in due course.

March 2009

**Proposed timing
for discussion**

7. Progress update on the provision of Wi-Fi facilities at Government premises

At the Panel meeting held on 10 June 2008, the Panel was updated on the latest progress of the implementation of the GovWiFi programme since its launch on 27 March 2008. Members noted that Phase 1 implementation providing free GovWiFi service at about 120 government premises would be completed by end June 2008. A total of about 2 000 access points would be installed at some 350 government premises by the completion of Phase 2 implementation targeted at mid-2009. The Administration undertook to make a consolidated report on the progress made by relevant departments on the implementation of the GovWiFi programme, including its financial status, to the Panel on a regular basis.

July 2009

8. Public consultation on public service broadcasting (PSB) including issues related to the future of RTHK and the opening up of radio/TV channels for use of the community

At the Panel meeting held on 29 January 2008, members expressed grave concern about the deferral in releasing the consultation paper on PSB and the future of RTHK which was originally scheduled for discussion at the meeting. The Administration indicated that as the review of PSB and the related issues of the future of RTHK and community participation in broadcasting were highly sensitive and complex issues that had to be handled cautiously and dealt with together, more time was needed to prepare for a comprehensive consultation exercise. The Administration undertook to make the best effort to finalize the consultation paper within a reasonable timeframe.

To be confirmed

9. Regulation of radio broadcasting

Following the incident on unlicensed broadcast by Citizens' Radio leading to the prosecution of a number of persons for breaching the provisions in the Telecommunications Ordinance (TO) (Cap. 106), some Panel members expressed concern that the Administration seemed to have enforced the concerned provisions selectively. As such, the Panel requested the Administration to brief members on the prevailing policies relating to the regulation of radio broadcasting and the use of radiocommunications apparatus for the purpose of radio broadcasting at the Panel meeting on 19 February 2008.

To be confirmed

At the Panel's request, the Research and Library Services Division (RLSD) of the LegCo Secretariat conducted a research on the

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regulation of radio broadcasting services in Canada, the United States, the United Kingdom and Australia to facilitate members' future deliberation on the situation in Hong Kong. RLSD presented its report to the Panel on 10 June 2008. Members were concerned about the Chief Executive in Council's unchecked powers to approve or reject a licence application, the absence of an appeal mechanism and the lack of transparency, accountability and public participation in Hong Kong's sound broadcasting licensing regime. Members called for an early review of the TO to enhance the fairness and transparency of the licence processing procedures. The Panel would continue to follow up the item in the 2008-2009 legislative session.

10. Review of the Unified Carrier Licence (UCL) regime after imposition of the number fee

Following the introduction of the UCL regime, members requested the Administration to review whether the number fee had achieved its intended purpose of prolonging the current 8-digit numbering plan three years after its commencement, and to report to the Panel the outcome of the review. The Administration also undertook to provide the Panel with detailed statistics on the utilization rate of numbers allocated to operators after a conclusion had been reached between the Office of the Telecommunications Authority and operators on the definition of idle numbers.

To be confirmed