

立法會
Legislative Council

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the Administration)

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Panel on Information Technology and Broadcasting

**Minutes of special meeting
held on Thursday, 22 July 2010, at 2:30 pm
in the Chamber of the Legislative Council Building**

- Members present** : Dr Hon Samson TAM Wai-ho, JP (Chairman)
Hon LEE Wing-tat (Deputy Chairman)
Hon CHAN Kam-lam, SBS, JP
Hon LAU Kong-wah, JP
Hon Emily LAU Wai-hing, JP
Hon Andrew LEUNG Kwan-yuen, GBS, JP
Hon WONG Ting-kwong, BBS, JP
Hon Cyd HO Sau-lan
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon WONG Yuk-man
- Members absent** : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon CHEUNG Man-kwong
Hon Timothy FOK Tsun-ting, GBS, JP
Hon Ronny TONG Ka-wah, SC
Hon IP Kwok-him, GBS, JP
- Public officers attending** : Miss Elizabeth TSE, JP
Permanent Secretary for Commerce and Economic
Development (Communications and Technology)
- Mr Alan SIU, JP
Deputy Secretary for Commerce and Economic
Development (Communications and Technology)

Mr Rick CHAN
Acting Principal Assistant Secretary for Commerce and
Economic Development (Communications and
Technology)A

Mr PO Pui-leong
Acting Commissioner for Television and Entertainment
Licensing

**Attendance by
invitation**

: Broadcasting Authority

Mr Ambrose HO, SC, JP
Chairman of the Broadcasting Authority

Hong Kong Televisioners Association

Mr Maurice LEE
Secretary General

Support Public Channel Speak Foul Language
Organization

Mr CHIN Wai-lok
Member

Citizen In Media Concerning

Mr CHENG Wai-him
Chairman

Tai Po Power

Mr SZE Kai-cheong
Secretary

MyRadio

Mr LAM Yu-yeung
Representative

OurTV.hk

Mr CHEUNG Chi-fung
Host, Public Engagement Specialist

Community Development Initiative

Miss Vera YUEN Wing-han
Member

Individuals

Ms Monita CHAN Yin-hing

Ms Cindy CHAN

Mr Samuel LIP Kwok-piu

Mr SO Cheuk-hei

Mr Paul SIU Che-hung
Wanchai District Councillor

Mr CHIU Wai-hung

Mr YIP Tak-kuen

Ms FOK Shing-san

Mr WONG Cho-ki

Mr CHEUK Kwan-yuk

Mr Martin OEI
Political Commentator

Clerk in attendance : Ms YUE Tin-po
Chief Council Secretary (1)3

Staff in attendance : Mr Bonny LOO
Assistant Legal Adviser 3

Ms Annette LAM
Senior Council Secretary (1)3

Ms May LEUNG
Legislative Assistant (1)6

I. Public consultation on the applications for domestic free television programme service licences

(LC Paper No. CB(1)2592/09-10(01) -- Administration's paper on applications for domestic free television programme service licences

LC Paper No. CB(1)2592/09-10(02) -- Relevant newspaper cuttings)
(Chinese version only)

Submissions from individuals not attending the meeting

(LC Paper No. CB(1)975/09-10(01) -- Submission from a member of the public
(Chinese version only)

LC Paper No. CB(1)2592/09-10(03) -- Submission from Ms Teresa WONG Sau-wan
(English version only)

LC Paper No. CB(1)2592/09-10(06) -- Submission from a member of the public
(Chinese version only)

LC Paper No. CB(1)2592/09-10(07) -- Submission from Mr CHAN Chung-chak
(Chinese version only)

LC Paper No. CB(1)2592/09-10(08) -- Submission from Ms Maggie CHAU
(Chinese version only)

LC Paper No. CB(1)2592/09-10(09) -- Submission from Ms Diane KONG
(Chinese version only)

LC Paper No. CB(1)2625/09-10(05) -- Submission from Mr YEUNG Wai-sing, Eastern District Councillor)
(Chinese version only)
(tabled at the meeting and subsequently issued via email on 26 July 2010)

Welcoming remarks by the Chairman

The Chairman welcomed representatives of the deputations to the meeting. He said that written submissions from deputations received before the meeting had been circulated to members and uploaded onto the website of the Legislative Council (LegCo) for public perusal. He requested the deputations to provide a written submission if they had not already done so, and also to provide supplementary submissions, if any, to the Panel after the meeting. He reminded the deputations that when addressing the Panel at the meeting, they were not covered by the protection and immunity under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), and their written submissions were not covered by the said Ordinance.

Briefing by the Administration and the Broadcasting Authority

2. At the invitation of the Chairman, the Permanent Secretary for Commerce and Economic Development (Communications and Technology) (PSCED(CT)) and Mr Ambrose HO, Chairman of the Broadcasting Authority (BA), briefed members on the framework and criteria for assessing the applications for domestic free television (TV) programme service licences received from City Telecom (HK) Limited (CTI), Fantastic Television Limited (Fantastic TV) and HK Television Entertainment Company Limited (HKTVE). Mr Ambrose HO said that pursuant to the Broadcasting Ordinance (Cap. 562) (BO) and BA's consultation guidelines, BA had published, among others, notices on 9 July 2010 in the Gazette and also in one Chinese and one English newspaper to conduct a one-month public consultation on the applications. BA would take into account public views received and submit its recommendations on the applications to the Chief Executive in Council as soon as possible.

Presentation by deputations

Hong Kong Televisioners Association

(LC Paper No. CB(1)2625/09-10(01) -- Submission (*Chinese version only*))
(*tabled at the meeting and subsequently issued via email on 26 July 2010*)

3. Mr Maurice LEE of Hong Kong Televisioners Association welcomed the Government decision to grant additional domestic free TV programme service licences to introduce real competition into the market, thereby enhancing programme diversity, quality and choices for the benefits of the viewing public. The setting up of new TV stations would also create more job opportunities and help promote the development of the local TV programme service industry. He urged the Government to prescribe the ratio of locally-produced programmes/programmes of Hong Kong origin to imported programmes, to ensure that the new entrants would not simply re-run their pay TV programmes on the free-to-air channels, and to set a healthy and balanced ratio among various programme genres (drama series, general entertainment, sports, arts and culture, news, current affairs, as well as educational and informational programmes). He called on the Administration to explore the feasibility of a mega set-top box capable of receiving programmes of all domestic free TV channels for the convenience and benefits of the viewing public. Noting that advertising revenue was vital to the survival of TV stations, Mr LEE urged the Administration to implement support measures to facilitate a stable source of advertising income and to provide more room for advertising.

Ms Monita CHAN Yin-hing

(LC Paper No. CB(1)2592/09-10(04) -- Submission (*Chinese version only*))

4. Ms Monita CHAN said that while the granting of new domestic free TV licences would provide more programme choices to the viewers, she was concerned that due to vicious competition, TV stations might resort to sensational reporting to

increase the audience ratings in order to secure more advertising revenue. Ms CHAN urged the Administration to monitor the situation closely, and to encourage the production of more informational programmes conducive to the development of democracy.

Ms Cindy CHAN

5. Ms Cindy CHAN, a member of the Television and Radio Consultative Group of the BA, opined that the entry of new market players would enhance competition and bring a greater variety of programmes to meet the diverse needs of various audience groups such as children, senior citizens, ethnic minorities and the underprivileged. The new employment opportunities thereby created would also help foster the development of the local television and creative industries and reinforce Hong Kong's position as a regional broadcasting hub. She supported relaying quality programmes from the Mainland and overseas to broaden the horizon of Hong Kong people. Instead of targeting at local audience only, Ms CHAN said that TV stations should also seek to attract audience in the Greater China.

Mr Samuel LIP Kwok-piu

6. Mr Samuel LIP, a member of the Television and Radio Consultative Group of the BA, commended the Government for introducing new competition into the domestic free TV market, which he considered would help enhance programme quality and diversity. He urged the Administration to carefully assess the financial soundness of the applicants, and to keep a close watch over the potential conflict of interests of the new entrants in operating domestic free TV services in addition to their pay TV and broadband services. He suggested that the new licensees should be required to pay a bond/surety as an investment pledge. He said that the integrity of the applicants should also be carefully assessed to ensure that they would not broadcast programmes containing pornography or encourage gambling which might exert an undesirable influence over the young generation.

Mr SO Cheuk-hei

7. Mr SO Cheuk-hei said that the introduction of new competition in the free TV market would benefit the viewing public with more programme choices and better programming. He however questioned whether CTI was financially capable of operating up to 30 channels within three years of launch as proposed in its application. He also expressed concern whether Fantastic TV, a wholly-owned subsidiary of i-CABLE Communications Limited, would put the interests of pay-TV above public interests as was in the case of the broadcast of the 2010 World Cup.

Support Public Channel Speak Foul Language Organization

8. Mr CHIN Wai-lok of Support Public Channel Speak Foul Language Organization questioned why BA, as a broadcasting regulator, had not taken any

action against the monopolization of local artists and singers by TVB nor impose conditions to stop such anti-competitive behavior in the context of the mid-term review of domestic free television programme service licences. He said that frequency spectrum was a valuable public resource and queried why community groups, non-government organizations and political parties were not allowed to operate their own free TV and radio stations to express their views. He opined that "俚語" which was the culture of Guangzhou people should not be banned in TV and radio broadcasts.

Mr Paul SIU Che-hung, Wanchai District Councillor

9. Speaking in his personal capacity, Mr Paul SIU Che-hung, Wanchai District Councillor, said that the Government should grant at least one or more new domestic free TV programme service licences to introduce new competition into the domestic free TV market which was currently dominated by one TV station. Apart from assessing the applicants' financial soundness, investment commitment and proven track record, he suggested that the Administration should make reference to the following criteria in assessing the applications:

- (a) the applicant organization should be politically neutral and refrain from promoting certain political party;
- (b) the programmes should carry more audio-language options to cater for the needs of ethnic minority groups and multi-lingual speakers;
- (c) instead of competing with each other, the licensees should complement each other in programming for better synergy and provide a greater variety of programme mix for the benefit of the viewing public;
- (d) quality programmes of the China Central Television should be relayed to enhance understanding of developments in the Mainland;
- (e) more civic education programmes should be broadcast to promote understanding of the community and the nation; and
- (f) programmes on cooking, flower arrangements, music, etc should be broadcast to cater for different viewing preferences of different audience groups.

Mr CHIU Wai-hung

10. Mr CHIU Wai-hung supported the granting of additional domestic free-to-air TV licences to bring in more competition. He opined that foul language should be prohibited on TV and radio.

Mr YIP Tak-kuen

(LC Paper No. CB(1)2592/09-10(05) -- Submission (*Chinese version only*))

11. Mr YIP Tak-kuen made the following suggestions:

- (a) more air time should be given to popular quality programmes such as "新聞透視", "鏘鏘集" and "少年警訊";
- (b) RTHK and free-to-air TV stations should co-produce drama series reflecting the changing society and the livelihood of Hong Kong people;
- (c) more programmes should be produced to enhance public understanding of the Government structure, the work and operation of Government departments, and the channels for the public to communicate with the Government;
- (d) more social and public affairs programme should be produced to promote fair and balanced views on important livelihood issues and mega infrastructure, and to provide an open platform and discussion forum for professionals and members of the public to express and exchange views; and
- (e) public opinion surveys on programme quality and variety should be conducted.

Ms FOK Shing-san

12. Ms FOK Shing-san said that while granting additional licences to bring in more competition in the free-to-air TV market, the Government should ensure that the licensees would uphold a high moral standard in programme production and refrain from producing sensational programme depicting sex, violence, horror and cruelty in their attempt to increase audience ratings. More educational/informational programmes and programmes imparting positive social values should be produced.

Citizen In Media Concerning

(LC Paper No. CB(1)2625/09-10(02) -- Submission (*Chinese version only*))
(*tabled at the meeting and subsequently issued via email on 26 July 2010*)

13. Mr CHENG Wai-him of Citizen In Media Concerning doubted whether the granting of additional domestic free TV programme service licences could put an end to the current monopolization of artists and singers in the TV and entertainment market, and provide the viewers with more programme choices. He said that as most of the singers and artists were prohibited by their contracts with TVB to cast in drama series and programmes of other TV stations, it would be difficult for new market entrants to survive under such a competitive environment. In fact, none of

the three applicants had made any clear commitment to provide general entertainment and drama series for viewers during prime-time.

Tai Po Power

(LC Paper No. CB(1)2616/09-10(01) -- Submission (*Chinese version only*))

14. Mr SZE Kai-cheong of Tai Po Power made the following suggestions:
- (a) the Government should encourage programme variety and regulate to require the licensees to increase the amount of locally-produced programmes so as to create more job opportunities for creative talents in Hong Kong and enhance the quality of local productions;
 - (b) the licensees should maximize the use of the spectrum and should as far as practicable avoid re-running the programme or carrying the same programme concurrently in different channels;
 - (c) the licensees should take on the social responsibility of mass media organizations in publicizing Government policies, fostering social harmony and enhancing Hong Kong people's civic awareness; and
 - (d) in processing the applications, the Government should carefully assess the applicants' financial, management and technical capability, programme variety, quantity and quality, as well as the timetable for service roll-out. Care should also be taken to avoid monopolization by big financial conglomerates.

MyRadio

(LC Paper No. CB(1)2616/09-10(02) -- Submission (*Chinese version only*))

15. Mr LAM Yu-yeung of MyRadio said that MyRadio strongly objected to the anti-competitive conduct of TVB in monopolizing local artists and singers by prohibiting them from appearing in programmes of other TV stations. He said this monopoly had resulted in the dominance of TVB in the free TV market, undermining the competitiveness of other TV stations and new market entrants. He expressed disappointment that BA had not exercised its power under the BO to stop such conduct. He suggested BA to follow the US practice in prohibiting licensees from signing exclusive contracts with artists and singers, and to regulate the broadcast of drama series in prime-time slots. He also urged the Government to open up airwaves and grant as many licences as possible to introduce real competition into the free TV market.

OurTV.hk

16. Mr CHEUNG Chi-fung of OurTV.hk said that when compared to other jurisdictions, Hong Kong viewers had little choices in a TV market dominated by TVB. He supported granting more TV programme service licences to bring in competition. He agreed with Mr LAM Yu-yeung of MyRadio that licensees

should not be allowed to sign exclusive contracts with artists and singers. Referring to some deputations' views that licensees should avoid programmes that might have harmful effects on the audience, Mr CHEUNG cautioned against stifling creativity in the misguided attempt to uphold the so called social ethics.

Mr WONG Cho-ki

17. Mr WONG Cho-ki urged the Government to require the domestic free TV licensees to provide coverage for up to 99% of the local population as soon as possible so that more people would enjoy free TV programme service. He said that care should be taken to prevent free TV operators from charging connection fees, set-top box deposit and rental fees. He opined that more educational/informational programmes should be produced. The use of so called bad languages in programmes should be allowed provided that the programmes were broadcast in designated time-slots with the display of alerts to the audience.

Mr CHEUK Kwan-yuk

18. Mr CHEUK Kwan-yuk said that the viewing public presently had little programme choices. He hoped that new domestic free TV programme service licensees would provide a greater variety of programme and better programming. He called on the Government to implement measures to ensure programme quality and to cut down viewing time on TV commercials.

Mr Martin OEI, Political Commentator

(LC Paper No. CB(1)2625/09-10(03) -- Submission (*Chinese version only*))
(*tabled at the meeting and subsequently issued via email on 26 July 2010*)

19. As the new licence applicants proposed to use their existing telecommunications and broadband networks for transmission, Mr Martin OEI, political commentator, doubted whether residents in remote areas currently not covered by the networks could benefit from the opening up of the free TV market. He was of the view that the ban on cross-media ownership should be lifted provided there was sufficient market competition. He urged BA to enforce the BO so as to put an end to the anti-competitive conduct of TVB and provide a level playing field for new market entrants. He expressed concern about self-censorship of TVB and ATV in news reporting and urged BA to take concrete steps to ensure editorial independence of both the incumbent and new licensees.

Community Development Initiative

(LC Paper No. CB(1)2625/09-10(04) -- Submission (*Chinese version only*))
(*tabled at the meeting and subsequently issued via email on 26 July 2010*)

20. Miss Vera YUEN Wing-han of Community Development Initiative criticized BA for failing to exercise the power vested in it under the BO to take action against TVB for its anti-competitive conduct and the abuse of its market dominance. Despite the complaint lodged by ATV, BA had not yet come up with any positive action to stop TVB's monopolization of singers and artists. She said

that frequency spectrum was a public asset and should be open to community groups and non-governmental organizations to facilitate free expression of views which was basic human rights guaranteed by the Basic Law. She called on the Government and BA to take the opportunity of granting additional domestic free TV programme service licences to introduce real competition and provide more programme choices to the viewers.

Discussion

Anti-competitive conduct and abuse of dominance

21. Mr CHAN Kam-lam referred to the monopolization of majority of artists and singers by TVB and said that some artists had complained to him about unfair contract terms with TVB and exploitation that was in breach of the BO. He urged BA to take concrete action to address the problem of monopolization and enforce the anti-competition and abuse of dominance provisions of the BO. He suggested that those who give evidence should be given protection to facilitate the gathering of evidence.

22. Mr LEE Wing-tat expressed disappointment that although TVB's anti-competitive conduct and abuse of dominance was a known secret that had existed for a number of years, BA had failed to take any action to address the problem of unfair competition in the local TV and entertainment market. He asked when BA would complete its investigation into the complaint against TVB which had been lodged by ATV for about one year. He urged BA to expedite the investigation and asked whether the slow progress of the investigation was due to insufficient power vested by the BO.

23. Mr LAM Yu-yeung of MyRadio urged BA to address the problem of the monopolization of the television programme service market as soon as possible to provide a healthy competitive field for new entrants.

24. In response, PSCED(CT) said that the complaint was being processed in accordance with the BO and the established procedures. The Television and Entertainment Licensing Authority (TELA) was seeking further information from the licensees concerned. She believed that the granting of additional domestic free television programme service licences would introduce new competition into the local television programme service market.

25. Mr Ambrose HO, Chairman of BA, highlighted that BA attached great importance to ensuring fair market competition and would exercise its full power under the BO to investigate into the matter to ascertain whether there was evidence to substantiate the allegations. Following the receipt of the complaint in end 2009, BA had sought further information from ATV and TVB and commissioned a consultancy study to determine whether the matter warranted further comprehensive investigation. The Panel would be updated on the outcome of the investigation in due course.

26. Mrs Regina IP enquired whether bundling free TV services with pay TV services and/or using free TV services to promote pay TV services would constitute anti-competitive conduct. Mr Ambrose HO replied that section 13 of the BO prohibited certain conduct which, in the opinion of BA, had the purpose or effect of preventing, distorting or substantially restricting competition in a television programme service market. Bundling service by a licensee might, under certain circumstances, amount to anti-competitive conduct.

Programming requirements

27. Mrs Regina IP noted the general dissatisfaction over the current TV programming which consisted mainly of imported dramas, and the public calls for more local productions in the mid-term review. She said that a proper balance should be maintained between imported programmes and local productions, and that the amount of locally-produced programmes should be increased to create more job opportunities and help foster the development of the local television and creative industries. She enquired about the definition of and current rules for local-content programme.

28. PSCED(CT) replied that at present there was no BA guidelines prescribing the amount and ratio of imported programmes to local productions. Neither was there any express specifications on what constituted a licensee's local-content production. She highlighted that in response to the general community aspiration for more local productions, BA had recommended an increase to the amount of locally-produced programmes in the context of the mid-term review.

29. Mrs Regina IP referred to the style book of BBC and the practice in the United States and the United Kingdom where "four-letter word" in TV and music programmes was automatically filtered. Noting the public concern about the use of foul language in TV programmes, she enquired about the practice and requirements in respect of TV programmes in Hong Kong. The Deputy Secretary for Commerce and Economic Development (Communications and Technology) said that the use of language in TV programmes was governed by the Code of Practice in Television Programme Standard issued by BA.

30. The Chairman called on the Administration to take note of the public concern about bundling the service of domestic free and pay TV services and re-running pay-TV programmes in free-to-air channels which would limit programme variety and affect the programme choice of the viewing public.

31. In this connection, Mr SO Cheuk-hei suggested that new licensees should be given a transitional period during which they would be allowed to run the same programme in both free and pay TV to help them get started.

32. Mr LEE Wing-tat supported some deputations' call to increase the amount of informational/educational programmes as well as programmes on general entertainment, arts and culture, sports, and news, etc. He urged that instead of wasting frequency spectrum running the same programme in different channels, the

unused time-slots should be dedicated to programmes catering for the needs of community groups and ethnic minorities.

33. On community participation in broadcasting, the Chairman enquired whether the Administration would consider requiring the new licensees to cooperate with content providers or to allow community groups that were less financially affluent to lease the channels or use part of the airtime to run their own programmes.

34. In this connection, Mr WONG Cho-ki urged the Government to expedite the opening up of airwaves for public participation in community broadcasting.

35. PSCED(CT) replied that the Radio Television Hong Kong would be tasked to devote part of its airtime and resources within the development of its digital services to provide a platform for community participation in radio and TV broadcasting.

36. Mr WONG Yuk-man opined that the focus of the meeting should be on the applications for domestic free TV programme service licences. He said that the hard fact remained that only big financial conglomerates such as the three applicants would be financially capable of providing domestic free TV services.

Criteria for assessing the applications for domestic free television programme service

37. In response to Mr CHAN Kam-lam's enquiry, PSCED(CT) said that there was no preset limit on the number of domestic free TV programme service licences to be granted. The new applications would be assessed in accordance with the criteria set out in the BA guidance note for domestic free TV programme service licence applications.

38. Mr LAU Kong-wah noted that financial soundness, among others, was one of the criteria for assessing the applications for domestic free TV programme service licences. As the financing of TV stations relied heavily on advertising revenue, and in view of the financial stringency of one of the incumbent TV stations due to the lack of commercials, Mr LAU doubted whether the new entrants would be able to survive under such a competitive environment. Sharing Ms Monita CHAN's concern that the vicious competition for commercials would drive the licensees to broadcast sensational programmes in order to increase the audience ratings, he asked whether the Administration would draw up policies and provide incentives to facilitate a stable source of advertising as suggested by Mr Maurice LEE of the HK Televisioners Association.

39. Mr Ambrose HO said that financial soundness and investment commitment was one of the important criteria for reviewing the domestic free TV programme service licences of the incumbent licensees in the mid-term review, and for assessing the new applications for licences. BA was keenly aware of the importance of striking a balance between introducing more competition and

maintaining programme quality and standard.

40. Ms Monita CHAN said that it would not be in the interest of the public if TV stations, due to the lack of stable income from commercials, were forced to close down. She called on the Government to closely monitor the situation.

41. Sharing a similar view, Ms Cyd HO doubted whether the domestic free TV programme market could sustain the businesses of these licensees at the same time. She expressed concern that TV operators, in order to secure more advertising revenue from enterprises outside Hong Kong, would be inclined to produce programmes targeting audience outside Hong Kong, thereby losing the local relevancy of the programmes. She also expressed concern about the increasing self-censorship by Hong Kong media particularly in news reporting since the handover in 1997 and said that a genuine public service broadcaster independent from the Government should be set up to operate a 24-hour news channel.

42. In reply, PSCED(CT) and Mr Ambrose HO said that while there was no regulation over the source of advertising income, the BO stipulated that domestic free TV programme service should primarily target the market of Hong Kong. Other regulatory corporate arrangements such as the "ordinarily resident in Hong Kong" requirement were in place to ensure that the free TV programme service would primarily target Hong Kong audience.

43. Mr CHAN Kam-lam expressed concern that despite the granting of additional licences, residents might be limited by the networks of their buildings and would not be able to view the programmes of all TV stations. He asked whether BA would consider requiring the new licensees to provide 100% coverage within a period of, say, two years so that the viewing public could really stand to benefit. PSCED(CT) and Mr Ambrose HO replied that among other criteria, the coverage and speed of service roll-out as well as causing minimum inconvenience to members of the public were important factors for consideration.

Set-top box

44. Mr CHAN Kam-lam referred to the concern expressed by some deputations that providers might indirectly turn domestic free TV programme service into pay TV through charging connection fees or rental of set-top boxes. He called on the Administration to plug any loopholes in this regard. Referring to the suggestion made by Mr Maurice LEE of the Hong Kong Televisioners Association, Mr LEE Wing-tat called on the Administration to explore the feasibility of a mega set-top box to access the TV channels of different programme service providers.

45. Mr CHEUNG Chi-fung of OurTV.hk observed that most senior citizens and residents of public housing estates did not have a set-top box. He urged the Administration to address the issue of set-top box so that members of the public could really benefit from the opening up of the domestic free TV market and have greater programme choice.

46. Mr Ambrose HO noted the suggestions and undertook to explore the technical feasibility of a mega set-top box.

47. In this connection, Mr Martin OEI said that while it might be technically feasible to use one set-top box for receiving programme service of the CTI and the HKTVE which both deployed Internet-based technology, there would be technical difficulty in the case of the Fantastic TV whose transmission mode was DVBT-based.

Public consultation period

48. The Chairman and Ms Emily LAU opined that the one-month consultation period was too short. In this connection, Ms LAU urged BA to make it a policy to hold public hearings in future for members of the public and interested parties to express their views on granting new free-to-air TV licences. She opined that the investigation into ATV's complaint about unfair competition should be concluded first before granting additional licences.

49. PSCED(CT) and Mr Ambrose HO replied that the investigation into the complaint and the consideration of new applications for domestic free TV programme licences were separate issues which were being dealt with concurrently by BA. Mr Ambrose HO said that it was pertinent to conclude the vetting of the new applications as soon as practicable so as to bring in more competition to address the public call for greater programme variety and enhanced programme quality. He appealed to members of the public to make the full use of the one-month consultation period to express their views, and if necessary, BA would consider extending the consultation period.

(Post-meeting note: According to the Administration, BA had extended the consultation period by one month until 8 September 2010.)

Summing up

50. The Chairman called on the Administration to take into consideration the views expressed by Panel members and deputations in processing applications for domestic free TV programme service licences.

II. Any other business

51. There being no other business, the meeting ended at 4:35 pm.