

Proposed Establishment of the Communications Authority



Communications and Technology Branch
Commerce and Economic Development Bureau
The Government of the Hong Kong Special Administrative Region



Background

- Technological and market convergence are blurring the boundaries of telecommunications, broadcasting and information technology and posing regulatory challenges
- Advanced economies have set up unified regulators for telecommunications and broadcasting sectors to provide efficient, effective and coordinated regulation
- We issued a public consultation document in March 2006 on setting up a unified regulator, the Communications Authority (CA)



Background

- Outcome of public consultation
 - Establishment of the CA gained widespread and overwhelming support
 - Views were expressed largely on the formation of the board of the CA, the executive arm of the CA and the need to review the Broadcasting Ordinance (BO) and Telecommunications Ordinance (TO)



Staged Approach

- Staged approach in setting up the unified regulator
- First Stage
 - Enabling legislation to set up the CA and transfer the statutory powers and functions of the Broadcasting Authority (BA) and Telecommunications Authority (TA) to the CA



Formation of CA

- The CA will be a statutory body. It will comprise seven Members:
 - 1 non-official Chairperson
 - 4 non-official members
 - 1 official member
 - Director-General of the executive department as an ex-officio member



Public Mission of the CA

- Facilitate innovation and investment in the communications industry, ensure fair competition and promote consumers' interests
- Maintain a vibrant communications sector to enhance Hong Kong's position as a communications hub in the region
- Uphold freedom of speech under Article 27 of the Basic Law



Other Arrangements

- Office of the Telecommunications Authority and Broadcasting Division of the Television and Entertainment Licensing Authority (TELA) will be merged to form the Office of the Communications Authority (OFCA) as the executive arm of the CA
- OFCA will operate as a trading fund, headed by the Director-General



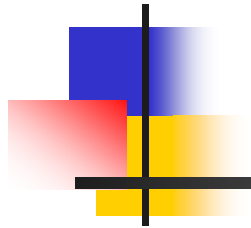
Staged Approach

- Second Stage
 - The CA to review and rationalise the BO and the TO together with the Administration upon the CA's establishment



Latest Progress

- Drafting of enabling legislation (i.e. CA Bill) started upon the completion of public consultation, but it has been more complicated than expected
- We are now close to finalising the Bill
- We plan to introduce the Bill into the Legislative Council in the second quarter of this year



End