

Panel on Information Technology and Broadcasting

List of outstanding items for discussion

(position as at 2 February 2010)

**Proposed timing
for discussion**

1. Development of digital audio broadcasting

At the Panel meeting on 9 November 2009, members suggested that the Administration should be invited to brief the Panel on the Government's overall policy on the development of digital audio broadcasting.

8 March 2010

2. Spectrum Utilization Fee

For the more efficient use of spectrum, the Office of Telecommunications Authority (OFTA) has commenced a consultancy study to develop a charging scheme for the use of spectrum which is administratively assigned. The Administration will consult the public in the first quarter of 2010 on the relevant proposals and brief the Panel accordingly.

8 March 2010

3. Mid-term review of the domestic free television programme service licences

At the Panel meeting held on 30 June 2009, the Administration updated members on the progress of the mid-term review of the domestic free television programme service licences of Asia Television Limited (ATV) and Television Broadcasts Limited (TVB). The Broadcasting Authority (BA) would review the performance of the licensees, including assessing their compliance with various regulatory requirements, their financial commitments for 2010 to 2015 and public views on their performance. BA will make recommendations to the Chief Executive-in-Council (CE in Council) after completion of the review. The Administration will report the latest development of the matter to the Panel in due course.

12 April 2010

At the Panel meetings on 9 November and 14 December 2009, members urged that the Administration should update the Panel as soon as possible on the progress of the matter, including public views collected during the review before finalizing its recommendations to the CE in Council.

At the Panel meeting on 11 January 2010, the Administration was requested to provide an update on the progress of BA's investigation into the complaint of unfair competition lodged by ATV against TVB in due course.

**Proposed timing
for discussion**

4. Digital inclusion

The Administration will give a regular update to the Panel on the latest development of the various digital inclusion initiatives undertaken by the Government.

12 April 2010

5. Mid-term review of sound broadcasting licences

The current sound broadcasting licences of Hong Kong Commercial Broadcasting Company Limited and Metro Broadcast Corporation Limited run from 26 August 2004 to 25 August 2016. The Telecommunications Ordinance and the licences provide that the licences concerned shall be subject to review by the CE in Council in 2010. BA will take into account public feedback on the radio services provided by the two licensees before making recommendations to the CE in Council in the second half of 2010. The Administration will brief the LegCo Panel on the arrangement of the mid-term review exercise.

12 April 2010

6. Progress report on the Digital 21 Strategy

At the Panel meeting held on 9 February 2009, the Panel was briefed on the finalized Statements of Desired Outcomes (SDOs) for the five actions areas under the Digital 21 Strategy that formed the blueprint for the development of information and communication technology in Hong Kong. The Administration will update members on the implementation of the Key Performance Indicators for measuring progress towards SDOs and the results achieved.

12 April 2010

7. Review of Control of Obscene and Indecent Articles Ordinance – second round of public consultation

The Administration will brief the Panel on proposals for the second round of public consultation on the review of Control of Obscene and Indecent Articles Ordinance.

12 April 2010
(tentative)

8. Progress report on the work of Hong Kong Design Centre

On 17 April 2007, the Commerce and Industry (CI) Panel supported the Government's proposal to provide \$100 million to support the operation of Hong Kong Design Centre (HKDC) over a period of five years and requested that the Government should, upon approval by the Finance Committee (FC) of the funding proposal, report to the CI Panel on a regular basis the progress of the work of the HKDC and the relevant initiatives taken to promote design and innovation. The funding proposal was approved by FC in May 2007. On 15 April 2008, HKDC made its first report to the CI Panel covering the period from July 2007

10 May 2010

**Proposed timing
for discussion**

to March 2008. On 19 May 2009, HKDC made its second report to the CI Panel covering the period from April 2008 to March 2009. HKDC will need to make its third report in 2010. Together with other matters of Create Hong Kong which are reported and considered at the Panel on Information Technology and Broadcasting (ITB Panel), the progress report of HKDC will be submitted to the ITB Panel instead of the CI Panel.

9. Promoting the development of local creative industries

The Administration will brief the Panel on the progress of the work of Create Hong Kong and the relevant initiatives undertaken to support creative industries and develop the creative economy in Hong Kong. 10 May 2010

10. Progress update on the E-Government development

The Administration will update the Panel on the latest progress on E-government development. 10 May 2010

11. Study on private sector involvement in the operation of the Hongkong Post Certification Authority e-Cert services

The Administration will brief the Panel on the progress of the Study on Private Sector Involvement in the Operation of the Hongkong Post Certification Authority e-Cert Services. 10 May 2010

12. Spectrum trading

OFTA has appointed a consultant to study the feasibility of introducing radio spectrum trading in Hong Kong for facilitating economic and technically efficient use of this scarce public resource. The Administration targets to complete the study in early 2010 and consult the industry on the way forward. The Administration will brief the Panel on the subject. 14 June 2010

13. Market survey about auctioning special telecommunications numbers

OFTA will complete by the end of 2009 surveying the general public and companies on their views of getting special telecommunications numbers through auctions. Subject to the responses of these market surveys and the decision of TA on whether the initiative is to be proceeded further, the Administration will draw up an implementation framework and consult the public. The Administration will brief the Panel on the subject. 14 June 2010

**Proposed timing
for discussion**

14. Review of Local Access Charge

Local Access Charge (LAC) is an interconnection charge paid by the external telecommunications service (ETS) operators to compensate local fixed or mobile network operators for the delivery of ETS traffic. Under the existing regulatory regime, which was introduced in 1999, the LAC for fixed network operators is regulated while that for mobile network operators is set by market force. In view of the ripple effect of the de-regulation of the fixed-mobile interconnection charge¹ starting 27 April 2009 on the LAC market, the Administration has confirmed the need to review the existing LAC regime. The Administration will consult the public and the industry on the way forward and report to the Panel.

14 June 2010

15. Progress report on the pilot run of Consumer Complaint Settlement Scheme

At the Panel meeting held on 30 June 2009, the Panel was briefed on the progress of a pilot programme for the Consumer Complaint Settlement Scheme (CCSS Pilot Programme) administered by the OFTA. The pilot programme will run until February 2010, after which OFTA will conduct a comprehensive review, and engage the industry in the discussion of the viability of setting up a CCSS in the long run. The Administration will report to the Panel the results of the review in due course.

12 July 2010

16. Information security

The Administration will brief the Panel on the progress of Government's information security enhancement programmes since the last update on 13 July 2009.

12 July 2010

17. Facilitating a digital economy, and promoting technological innovation, cooperation and trade

The Administration will brief the Panel on the suggestions made by the IT Industry Facilitation Task Force to facilitate the digital economy, and promote technological innovation, cooperation and trade.

12 July 2010

18. Chargeable mobile content services

At the Panel meeting held on 11 January 2010, the Administration briefed members on the billing disputes in connection with chargeable mobile content services (MCS) provided through Short Messaging

To be confirmed

¹ The essence of the de-regulation of the fixed-mobile interconnection charge is to withdraw the regulatory guidance on FMIC in favour of a Mobile Party's Network Pay arrangement.

**Proposed timing
for discussion**

Services, the action that had been taken by OFTA to address the problem and the voluntary industry Code of Practice (CoP) promulgated by the Communications Association of Hong Kong for improving transparency of charging information of chargeable MCS. The Administration would report the progress of implementation and the effectiveness of the CoP in six months' time.

19. Public service broadcasting and the future of Radio television Hong Kong

At the special meeting on 19 November 2009, the Panel received views from deputations and members of the public on the way forward in respect of public service broadcasting and the Government's public consultation on how the new Radio Television Hong Kong (RTHK) should operate to fulfil its mission as a public service broadcaster. The Administration was requested to take note of the deputations' views and to brief the Panel on the findings of the public consultation in due course.

To be confirmed

At the Panel meeting on 11 January 2010, members called on the Administration to report the progress of the matter to the Panel as soon as possible.

20. Review on regulation of person-to-person telemarketing calls

At the Panel meeting on 9 November 2009, the Administration briefed members on the findings of the two opinion surveys commissioned by the Office of the TA in respect of person-to-person (P2P) telemarketing calls and the actions to be taken in the light of the information collected from the surveys. Some members doubted whether voluntary self-regulation by the industry by way of the Code of Practice (CoP) would be effective in tackling the problems caused by P2P telemarketing calls and considered it necessary to introduce legislation to regulate such calls. The Administration was requested to take note of members' suggestions and to update members on the progress of the implementation of the voluntary CoP in six months' time.

To be confirmed