

Panel on Information Technology and Broadcasting

List of outstanding items for discussion

(position as at 10 May 2010)

**Proposed timing
for discussion**

1. Future operation of the Radio Television Hong Kong (RTHK) and the new RTHK Charter

At the Panel meeting on 12 April 2010, the Administration briefed members on the outcome of the public consultation exercise on the future operation of RTHK and the new RTHK Charter. The Panel will hold a further special meeting to receive views from deputations and members of the public on the subject.

31 May 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 plans to consult the public in the second quarter of 2010 on the relevant proposals and brief the Panel accordingly.

14 June 2010

3. 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 has carried out consultation with the public and the industry on the way forward and will report to the Panel.

14 June 2010

4. 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 ran until February 2010. OFTA will

12 July 2010

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.

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conduct a comprehensive review, and engage the industry in the discussion of the viability of setting up a CCSS in the long run. In this connection, OFTA will issue a public consultation paper which will report the results of the pilot programme, and seek further comments on the relevant issues for the possible implementation of CCSS. The Administration will report to the Panel the results of the review in due course.

5. 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

6. 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

7. 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.

To be confirmed

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.

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At the Panel meeting on 8 March 2010, the Secretary for Commerce and Economic Development assured members that all efforts would be made to expedite the review. The Administration would update the Panel on developments as soon as the BA had made its recommendations to the CE in Council.

At the Panel meeting on 12 April 2010, the Administration undertook to make all efforts to expedite the review and update the Panel on developments.

8. 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 consult the industry on the way forward in July 2010. The Administration will brief the Panel on the subject.

To be confirmed

9. 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 Services, and 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 after the CoP has operated for some time.

To be confirmed

10. Market survey about auctioning special telecommunications numbers

OFTA conducted a survey on the general public and companies on their views of getting special telecommunications numbers through auctions. The TA is examining the result of the survey. If it is considered justifiable to pursue the initiative, the Administration will draw up an implementation framework and consult the public. The Administration will brief the Panel on the subject.

To be confirmed

11. 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

To be confirmed

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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. The Administration will brief the LegCo Panel on the conduct of the mid-term review exercise.

12. 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.

To be confirmed

13. 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. The Administration would update members on the progress of the implementation of the voluntary CoP after the CoP has operated for some time.

To be confirmed

14. 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.

To be confirmed

15. Related issues on information and communications technology under the Framework Agreement on Hong Kong/Guangdong Co-operation

The subject is proposed by Hon LEE Wing-tat in his letter dated 20 April 2010 circulated to members vide LC Paper No. CB(1)1774/09-10 on 30 April 2010.

To be confirmed