

Panel on Information Technology and Broadcasting

List of outstanding items for discussion

(position as at 8 June 2010)

**Proposed timing
for discussion**

1. 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 third quarter of 2010 on the relevant proposals and brief the Panel accordingly.

12 July 2010

2. 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

3. 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

4. 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.

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.

5. 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 the second half of 2010. The Administration will brief the Panel on the subject.

To be confirmed

6. 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

7. 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

**Proposed timing
for discussion**

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

To be confirmed

9. 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

10. 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.

To be confirmed

After consultation with the industry, a benchmark CoP was finalized and circulated to industry associations and major telecommunications operators in February 2010. Up to end May 2010, two major telecommunications operators and one industry association have confirmed implementation of their own CoP, based on the benchmark CoP of OFTA. They have also posted their commitments and CoP on their websites for public information and scrutiny. It is expected that more companies and industry associations will join the scheme in the near future. The Administration would update members on the progress of the implementation of the voluntary CoP after the CoP has operated for some time.

**Proposed timing
for discussion**

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.

To be confirmed

12. 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

Council Business Division 1
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