

Panel on Information Technology and Broadcasting

List of outstanding items for discussion

(position as at 10 December 2009)

**Proposed timing
for discussion**

1. Making available radio spectrum in the 850MHz, 900MHz and 2000MHz bands for public mobile services

The Administration is studying the release of certain available spectrum in the 850MHz, 900MHz and 2000MHz bands for public mobile services. The Office of the Telecommunications Authority (OFTA) issued a consultation paper in November 2009 to consult the industry and other interested parties on the release of spectrum, and invite expressions of interest to gauge the market demand. The Administration will brief the Panel on the proposals.

11 January 2010

2. Establishment of the unified regulator for the electronic communications sector

The Administration consulted the public in 2006 on the proposal to merge the Telecommunications Authority (TA) and the Broadcasting Authority (BA) to become the Communications Authority (CA), with a view to setting up a unified regulator for the entire communications industry under the convergence environment. The public in general was supportive of the merger of TA and BA. The Administration is now finalizing the legislative proposal of establishing CA for introduction to the Legislative Council.

11 January 2010

3. Spectrum Utilization Fee

For the more efficient use of spectrum, 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 February 2010

4. 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.

8 February 2010
(tentative)

**Proposed timing
for discussion**

5. Annual report on Cyberport

The Administration and the Cyberport management will give an annual briefing to the Panel on the progress of the Cyberport Project.

8 March 2010

6. Review of telephone directory enquiry service

In accordance with the current licence condition, fixed carrier licensees are required to provide directory information services (including printed directory and directory enquiry service) free of charge to the customers. No such licensing requirement is imposed on mobile carrier licensees. OFTA has commissioned an independent consultant to conduct a market survey to find out the public's perception and expectation on the directory information services. Subject to the findings of the survey, OFTA will conduct a public consultation to solicit the views and comments from the general public and the industry on the proposed way forward.

8 March 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 and Television Broadcasts Limited. 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.

8 March 2010
(tentative)

At the Panel meeting on 9 November 2009, members urged that the Administration should update the Panel on the progress of the matter, including public views collected during the review before finalizing its recommendations to the CE-in-Council.

8. 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

**Proposed timing
for discussion**

9. 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

10. 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

11. 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 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.

10 May 2010

12. 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

**Proposed timing
for discussion**

13. Progress update on the E-Government development

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

10 May 2010

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.

10 May 2010

15. 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

16. 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

17. 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

14 June 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.

**Proposed timing
for discussion**

Panel.

18. 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

19. 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

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

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

12 July 2010

21. 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.

To be confirmed

22. 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

**Proposed timing
for discussion**

23. 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

Council Business Division 1
Legislative Council Secretariat
10 December 2009