

**立法會**  
**Legislative Council**

LC Paper No. CB(1)2063/10-11  
(These minutes have been seen  
by the Administration)

Ref : CB1/PL/ITB/1

**Panel on Information Technology and Broadcasting**

**Minutes of meeting**  
**held on Monday, 14 March 2011, at 2:30 pm**  
**in Conference Room A of the Legislative Council Building**

- Members present** : Hon WONG Yuk-man (Chairman)  
Dr Hon Samson TAM Wai-ho, JP (Deputy Chairman)  
Hon CHAN Kam-lam, SBS, JP  
Hon LAU Kong-wah, JP  
Hon Emily LAU Wai-hing, JP  
Hon Timothy FOK Tsun-ting, GBS, JP  
Hon LEE Wing-tat  
Hon Andrew LEUNG Kwan-yuen, GBS, JP  
Hon WONG Ting-kwong, BBS, JP  
Hon Ronny TONG Ka-wah, SC  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
- Members attending** : Hon LEE Cheuk-yan  
Dr Hon PAN Pey-chyou
- Member absent** : Hon Cyd HO Sau-lan  
Hon IP Kwok-him, GBS, JP

**Public officers  
attending**

: Agenda item IV

Miss Elizabeth TSE, JP  
Permanent Secretary for Commerce and Economic  
Development (Communications and Technology)

Mr Stephen MAK, JP  
Government Chief Information Officer

Miss Joey LAM, JP  
Deputy Government Chief Information Officer  
(Policy and Customer Service)

Mr Kenneth CHENG  
Assistant Government Chief Information Officer  
(E-government Service Delivery)

Agenda Item V

Mrs Rita LAU, JP  
Secretary for Commerce and Economic  
Development

Miss Elizabeth TSE, JP  
Permanent Secretary for Commerce and Economic  
Development (Communications and Technology)

Mr Stephen MAK, JP  
Government Chief Information Officer

Miss Joey LAM, JP  
Deputy Government Chief Information Officer  
(Policy and Customer Service)

Mr Tony WONG  
Chief Systems Manager (Digital Inclusion)  
Office of the Government Chief Information  
Officer

Agenda Item VI

Miss Elizabeth TSE, JP  
Permanent Secretary for Commerce and Economic  
Development (Communications and Technology)

Mr Alan SIU, JP  
Deputy Secretary for Commerce and Economic  
Development (Communications and Technology)

Mr Aaron LIU  
Principal Assistant Secretary for Commerce and  
Economic Development (Communications and  
Technology)A

Mr Gordon LEUNG, JP  
Acting Director of Broadcasting  
Radio Television Hong Kong

Mr TAI Keen-man  
Acting Deputy Director of Broadcasting  
Radio Television Hong Kong

Mrs Helen WAN  
Departmental Secretary  
Radio Television Hong Kong

**Attendance by  
invitation**

: Agenda Item IV

Hong Kong Cyberport Management Company  
Limited

Mr Herman LAM  
Chief Executive Officer

Mr Mark CLIFT  
Chief Operating Officer

Mr Cavan CHEUNG  
Chief Financial Officer

Agenda Item VI

Ms Janet MAK Lai-ching  
Chairperson  
RTHK Programme Staff Union

Mr TSANG Chi-ho  
Former non-civil service contract staff of Radio  
Television Hong Kong

**Clerk in attendance** : Ms YUE Tin-po  
Chief Council Secretary (1)3

**Staff in attendance** : Mr Joey LO  
Senior Council Secretary (1)3

Ms May LEUNG  
Legislative Assistant (1)3

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Action

- I. Confirmation of minutes of meeting**  
(LC Paper No. CB(1)1436/10-11 -- Minutes of meeting held on  
10 January 2011)

The minutes of the meeting held on 10 January 2011 were confirmed.

- II. Information paper issued since the last meeting**  
(LC Paper No. CB(1)1512/10-11(01) -- "Guide to Filming in Hong  
Kong 2011/12" provided by  
the Film Services Office  
under Create Hong Kong)

2. Members noted that the above paper had been issued for the Panel's  
information.

- III. Date of next meeting and items for discussion**  
(LC Paper No. CB(1)1517/10-11(01) -- List of outstanding items  
for discussion

LC Paper No. CB(1)1517/10-11(02) -- List of follow-up actions)

3. Members noted that the next regular Panel meeting would be held on  
Monday, 11 April 2011 at 2:30 pm to discuss the following items:

- (a) Next Generation Government Wi-Fi Programme; and

(b) Progress report on the work of Hong Kong Design Centre.

4. Regarding Mr LEE Wing-tat's proposal to discuss the change of shareholdings of the Television Broadcasts Limited (TVB), members noted that the application for change of shareholdings of TVB was still being considered by the Broadcasting Authority. The Administration would report the matter to the Panel upon completion of the vetting process.

**IV. Annual report on Cyberport**

(LC Paper No. CB(1)1517/10-11(03) -- Administration's paper on report on the Cyberport Project

LC Paper No. CB(1)1517/10-11(04) -- Paper on Cyberport Project prepared by the Legislative Council Secretariat (updated background brief))

5. The Chairman thanked the Administration and Cyberport management for making the arrangements for members' visit to the Cyberport on 18 January 2011.

Presentation by the Administration

6. At the invitation of the Chairman, Permanent Secretary for Commerce and Economic Development (Communications and Technology) (PSCED(CT)) briefed members on the progress of the Cyberport Project, particularly Cyberport's implementation of its public missions, and Cyberport's adoption in its Memorandum and Articles of Association specific company objects to give the Board of Directors and the management explicit guidance in carrying out its public missions. Details of the above were set out in the Administration's paper (LC Paper No. CB(1)1517/10-11(03)). Chief Executive Officer of the Hong Kong Cyberport Management Company Limited (CEO/HKCMCL) then highlighted the major developments of Cyberport in the past year.

Discussion

*Implementation of Cyberport's public missions*

7. Ms Emily LAU noted that the Cyberport Project had been regarded as a property development project from the outset. She opined that HKCMCL should help improve the image of the Cyberport Project by achieving its

public missions of creating a strategic technological cluster and spearheading the development of the information and communications technology (ICT) industry in Hong Kong. In this connection, Dr Samson TAM enquired about Cyberport's commitment to the development of ICT over the next few years.

8. CEO/HKCMCL advised that in pursuit of its public missions, Cyberport was committed to facilitating the development of the local economy as a whole through a three-pronged strategy, i.e. nurturing ICT industry startups and entrepreneurs to foster local talent, driving collaboration to pool resources and create business opportunities and narrowing digital divide through strategic initiatives and partnerships. In support of the above strategy, Cyberport had announced its plans to invest HK\$100 million in Hong Kong's ICT industry over the next three years.

*Creating a strategic cluster of quality ICT and ICT related companies*

9. Mr LAU Kong-wah enquired about the Cyberport's assessment on its fulfillment of the public mission of creating a strategic cluster of quality ICT and ICT related companies. In this connection, Dr Samson TAM opined that whilst the IncuTrain Programme and the Cyberport Creative Micro Fund were worthwhile longer-term pursuits, effort should also be made in attracting large international companies to set up their offices at Cyberport.

10. CEO/HKCMCL responded that most well-known international ICT companies had set up their offices at Cyberport. With state-of-the-art ICT infrastructure supporting the latest technology in 3D, Augmented Reality and Web 3.0, Cyberport provided a venue for convergence of and interaction among some 4 000 ICT professionals from around the world. It was a creative digital community with a cluster of technology and digital content tenants.

*Supporting small and medium ICT enterprises (ICT SMEs)*

11. Mrs Regina Ip considered that the cultivation of SMEs in the digital media industry at Cyberport in fulfillment of its public mission was much more important than generating rental income from its offices and arcade and making profits from property sales. In this connection, she enquired about the achievements of the Cyberport project in nurturing quality ICT SMEs and creating jobs, and the assistance provided to such ICT SMEs by Cyberport.

12. CEO/HKCMCL advised that Cyberport attached much importance to supporting ICT SMEs. Under the Cyberport IncuTrain programme, there were currently 27 on-site and 30 off-site incubatees. One of the notable

HKCMCL

IncuTrain graduates developed the "Leisure Guide" mobile application for smartphones which enabled the users to locate promotions and special offers nearby. The company had developed from a small incubatee consisting of only a few founding entrepreneurs to an established one hiring about 20 to 30 staff members. Another IncuTrain graduate had developed a popular online role playing game on Facebook with over 10 million users worldwide. So far, the IncuTrain Centre had admitted a total of 122 companies as incubatees with 57 of them currently in incubation. Cyberport provided office accommodation to incubatees at concessionary rates, state-of-the-art infrastructure as well as local and international business network and business matching services to ICT SMEs. Currently, the incubatees had hired some 600 employees. At Mrs IP's request, HKCMCL undertook to provide a detailed breakdown by the type of jobs created under the Cyberport IncuTrain programme, including the academic/professional qualifications of the employees and their salary levels.

13. Noting that the Government had received a total of about \$16.65 billion in surplus proceeds as at January 2011, Mr LAU Kong-wah suggested that a portion of the proceeds should be ploughed back into Cyberport for the further development of the ICT industry.

14. PSCED(CT) explained that in accordance with Government principles and practices and terms of the Project Agreement with Cyberport, all surplus proceeds would be credited to the public coffer to fund the various Government services.

15. Noting Premier WEN Jia-bao's remarks at a post-National People's Congress press conference that Hong Kong should attach great importance to education and technology to fuel its development, Mr LAU Kong-wah considered the \$500,000 Cyberport Creative Micro Fund grossly insufficient given that only five applicants were selected and each of them was awarded with a mere \$100,000 in support of their innovative projects, particularly when Hong Kong's neighbouring countries had invested substantially in the development of their ICT industry.

16. CEO/HKCMCL responded that the Cyberport Creative Micro Fund had so far operated two pilot schemes to test market response. In the first pilot scheme of the Fund, five applicants were selected from some 60 to 70 applicants. It was anticipated that the selected candidates would continue to develop and might be admitted as incubatees under the IncuTrain Programme in future. Building on the experience, the Cyberport had plans to enhance the pilot scheme to support 20 projects each year from 2011 to 2013. For start-up companies, \$100,000 should provide vital resources enough for transforming their concepts into prototypes. Should there be genuine

requirement for further resources in future, other programmes offered by Cyberport such as the IncuTrain Programme would be ready to assist. PSCED(CT) added that Hong Kong's investment in R&D and ICT development was not limited to the Cyberport Project and had been steadily increasing over the years. Apart from Government investment in R&D and ICT development, the Administration also attached great importance to encouraging investment from the private sector.

17. In response to Mr CHAN Kam-lam's enquiry about whether Cyberport charged its ICT SME tenants concessionary rent to support their development, CEO/HKCMCL advised that Cyberport charged its tenants market rent. However, Cyberport had very stringent selection criteria for its tenants and only technology-themed tenants would be admitted. This restriction itself was a form of support for ICT SMEs. Chief Operating Officer of HKCMCL (COO/HKCMCL) added that Cyberport operated on free market principles of commercial prudence. Its rental levels were determined by market forces.

*Developing a regional centre of excellence in information technology and digital media training and spearheading the development of the digital media industry*

18. In relation to Ms Emily LAU's concern about the seemingly lacklustre performance of the IT Internship Co-ordination and Facilitation Programme, with only 30 intern placements from 19 companies secured, CEO/HKCMCL advised that Cyberport had put much effort in striving for such placements which were quality ones offered by Mainland and overseas research and development (R&D) centres where the interns would be able to learn in-depth knowledge in cutting-edge technologies.

19. Noting that the revenue from Cyberport's hotel project was included in the operating profit before depreciation, financial costs and tax and excluding Project Income from the residential development of \$86 million in 2009-2010, Mrs Regina Ip expressed doubts whether the digital media business had made any significant contribution to Cyberport's revenue.

20. CEO/HKCMCL advised that some 80 to 90% of the \$86 million in operating profit was generated from projects other than the hotel, mostly from office space rentals from digital media companies at Cyberport.

*Financial performance*

21. In response to Ms Emily LAU's concerns about the accumulated losses carried forward of \$0.9 billion in 2010, and the calculation method of

the profit of \$2.1 billion for 2010, Chief Financial Officer of HKCMCL advised that the profit of \$2.1 billion for the year of 2010 included project income from residential development. Excluding such project income, the operating profit before depreciation, financial costs and tax in 2009-2010 was \$86 million. The accumulated losses carried forward of \$0.9 billion in 2010 represented the accumulated losses since the establishment of Cyberport in 2004, after depreciation and dividend. CEO/HKCMCL supplemented that such accumulated losses were recorded after depreciation on premises for accounting purpose and would not affect the day-to-day operation of the Cyberport, whilst the profit of \$86 million in 2009-2010 was recorded before such depreciation.

22. Responding to Dr Samson TAM's enquiry about the progress of the litigation in relation to the development maintenance fund, PSCED(CT) advised that as the legal proceedings on the matter were still ongoing, it would not be possible to assess the timing required to reach the litigation outcome.

*Office and arcade occupancy*

23. Ms Emily LAU expressed concern that the occupancy rates of both the Cyberport's lettable office space and retail space in 2011 were down from 2010. COO/HKCMCL advised that the drop in occupancy rate of office space was due to the delayed effect of the financial tsunami, including downsizing or moving-out of companies upon expiry of leases, whereas the drop in retail space occupancy was small and represented normal fluctuations of the business cycle.

Summing up

24. The Chairman urged the Administration and the Cyberport management to continue their efforts to achieve the public missions of the Cyberport Project.

**V. Progress report on digital inclusion**

(LC Paper No. CB(1)1517/10-11(05) -- Administration's paper on progress report on digital inclusion

LC Paper No. CB(1)1023/10-11(01) -- Administration's paper on Internet Learning Support Programme

LC Paper No. CB(1)1517/10-11(06) -- Paper on digital inclusion prepared by the Legislative Council Secretariat (updated background brief)

LC Paper No. CB(1)1517/10-11(07) -- Letter from Hon Cyd HO (Chinese version only) Sau-lan dated 5 November 2010

LC Paper No. CB(1)1517/10-11(08) -- Letter from Hon LEE Wing-tat dated 11 November 2010)

### Presentation by the Administration

25. At the invitation of the Chairman, Secretary for Commerce and Economic Development (SCED) briefed members on the progress of the Government's digital inclusion initiatives, details of which were set out in the Administration's paper (LC Paper No. CB(1)1517/10-11(05)).

### Discussion

#### *Internet Learning Support Programme*

26. Ms Emily LAU referred to the information paper provided by the Administration in January 2011 and expressed concern about the selection process for the Internet Learning Support Programme (ILSP), in particular the apparent lack of proven track record of one of the selected Implementers, i.e. the eInclusion Foundation Limited (eInclusion), in providing the services concerned. She noted that according to the funding proposal submitted to the Finance Committee in May 2010, the non-profit-making organization would be assessed in several aspects, i.e. business skills required to develop the necessary product and service offerings, knowledge and understanding of the learning needs of children from the target low-income families, capability of managing and sustaining a business start-up of comparable target market and turnover in relevant industries or businesses, experience of managing a project involving substantial public money, ability to work with non-governmental organizations and government departments in the sale and marketing of the organization's services, ability to work with Internet service providers and information and technology suppliers, and ability to work with district and community service networks to provide the services concerned.

27. In response, SCED advised that the project commitment of \$220 million would cover expenses for the non-profit Implementers to help procure economical deals for the children of low income families to use the Internet and buy computers, to offer training for the families, and to cover administration fees. Under the ILSP, the five proposals received in the open request for proposal (RFP) exercise were assessed by the Evaluation Panel led by the former Government Chief Information Officer (GCIO) in accordance with the assessment process and criteria approved by the Finance Committee in May 2010. After rigorous assessment of the proposals, two leading contenders emerged and GCIO concluded that it would be in the best interests of low-income families if the programme could be executed so as to incorporate the best elements of the two leading proposals. As such, GCIO suggested collaboration between the two leading proponents to implement the programme as a single implementer.

28. SCED reiterated that the assessment process followed established procedures and due process. It was conducted in a fair and just manner with the objective of optimizing the benefits for the low income families. Neither SCED herself nor Under Secretary for Commerce and Economic Development was involved in the RFP exercise. The former GCIO had reported progress to Permanent Secretary for Commerce and Economic Development (Communications and Technology) (PSCED(CT)) and SCED.

29. SCED stressed that the two leading contenders both met the qualifying criteria of the ILSP. Owing to difficulty in reaching agreement on a collaboration model to co-found an implementation agent to take forward the programme, the Government proposed and both parties agreed to take forward the ILSP as separate Implementers in two separate geographical zones. It was anticipated that the Implementers would roll out the programme before the commencement of the 2011-12 school year as scheduled.

30. In response to Mr CHAN Kam-lam's enquiry about action taken to clarify the involvement or otherwise of the Under Secretary for Commerce and Economic Development in the RFP exercise as reported by some media, SCED advised that the Administration had made an immediate clarification in response to media enquiries, and provided information to the Panel vide LC Paper No. CB(1)1023/10-11(01) on 10 January 2011.

31. PSCED(CT) advised that proponents responding to the RFP exercise were required to set out, among other things, proposed governance and management structure to demonstrate that they had the suitable personnel with the requisite expertise and community network to provide the service.

A proposal would not be ruled out simply because it was submitted by a new organization. PSCED(CT) supplemented that both the Hong Kong Council of Social Service (HKCSS) and eInclusion had submitted detailed and credible proposals.

32. Ms Emily LAU was not convinced of the Administration's explanation and expressed concern about the sudden termination of the contract of Mr Jeremy GODFREY, former GCIO who was responsible for the RFP. In this connection, the Chairman suggested that detailed information on the RFP exercise, in particular the assessment process of the various proposals, as well as reasons for and the circumstances leading to the early termination of contract of the former GCIO, be disclosed to the Panel to allay members' concerns.

33. SCED advised that the proposals had been evaluated through a rigorous vetting process by the evaluation panel comprising representatives from the Education Bureau, the Office of the Telecommunications Authority and the Office of the Government Chief Information Officer (OGCIO), which had adhered to the selection criteria presented to the Finance Committee. The outcome of the evaluation panel should be respected. As regards the contract for Mr Godfrey, SCED said it was resolved by mutual consent for personal reasons.

34. Dr Samson TAM opined that it was important that public money for operating ILSP should be used properly, effectively and solely for the programme objectives. Sharing a similar view, Mrs Regina IP enquired about the control and review mechanism for ILSP which involved substantial financial commitment of \$100 million for each of the Implementers.

35. In response, GCIO advised that out of the \$100 million in funding for each of the Implementers, both HKCSS and eInclusion would confine their total administrative costs to \$11.25 million each, and the remainder of the sum would be used for delivery of actual services of the ILSP programme. This arrangement was in line with the Administration's undertaking to the Finance Committee in May 2010. The financial allocation would be subject to the Funding and Operation Agreements to be signed with the Implementers who would both be subject to the same set of criteria in performance assessment. In response to Mr CHAN Kam-lam, the Administration agreed to consider his request for periodic progress report, say every six months, on the implementation of ILSP.

*Initiatives for persons with disabilities*

36. Dr Samson TAM opined that more should be done to assist people with disabilities (PwD) to purchase personal computers (PCs) in view of the limited assistance provided by charity organizations in this respect. Applicants for such subsidies were subject to harsh requirements. For example, they had to secure an employment before becoming eligible for the once-in-a-lifetime subsidy. Dr TAM added that the Administration should enhance the web accessibility of PwD to enlarge their social circles by subsidizing their Internet access charges.

37. In response, SCED advised that OGCIIO was pressing full steam ahead with the assessment of the project proposals received on the development of information and communications technologies (ICT)-based assistive tools and applications for PwD. GCIIO supplemented that the Task Force on Digital Inclusion consisted of representatives from the Social Welfare Department, Education Bureau and the Commissioner for Rehabilitation. In collaboration with the Task Force, the Administration would continue to drive the digital inclusion programmes targeted at the various underprivileged groups, including PwD.

*Benchmarking for digital inclusion initiatives*

38. Mr LEE Wing-tat opined that effort should be focused on narrowing the digital divide for the three underprivileged groups, namely PwD, the elderly and low-income new arrivals from the Mainland. In this connection, he called on the Administration to set a benchmark and target timeframe against which the progress and effectiveness of the digital inclusion initiatives on such underprivileged groups could be measured.

39. In response, SCED advised that the Administration was keen to ensure the effectiveness of various digital inclusion initiatives. In 2005, OGCIIO commissioned a study on the digital inclusiveness of different underprivileged groups in Hong Kong, focusing on the extent of usage, accessibility, knowledge and affordability of ICT of the underprivileged groups when compared with the mainstream community. A follow-up study was conducted in 2008 and the findings were reported to members in April 2010.

40. PSCED(CT) added that statistics on the ICT usage in the community would be available in mid 2011. In addition, OCGIO would commission a further study on ICT take-up of two underprivileged groups, PwD and elderly, later this year. The Administration would report the findings of the

above studies to the Panel when such findings became available. In response to Mr LEE's request, the Administration agreed to formulate a long term plan with reasonable and attainable targets on digital inclusion in respect of different underprivileged groups.

**VI. Manpower arrangement of Radio Television Hong Kong**

(LC Paper No. CB(1)1517/10-11(09) -- Submission from RTHK Programme Staff Union  
(*Chinese version only*) dated 3 March 2011

LC Paper No. CB(1)1517/10-11(10) -- Administration's paper on manpower arrangements of Radio Television Hong Kong

LC Paper No. CB(1)1517/10-11(11) -- Paper on new initiatives of Radio Television Hong Kong prepared by the Legislative Council Secretariat (updated background brief)

LC Paper No. CB(1)1558/10-11 -- Administration's paper on manpower arrangements of Radio Television Hong Kong (power-point presentation material))  
(*tabled at the meeting and subsequently issued via e-mail on 15 March 2011*)

41. The Chairman welcomed representatives of the Administration and representatives of the Radio Television Hong Kong (RTHK) Programme Staff Union to the meeting. He reminded representatives of the deputation that, when addressing the Panel at the meeting, they were not covered by the protection and immunity under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382), and their written submissions were not covered by the said Ordinance.

Presentation by the deputation

42. At the invitation of the Chairman, Mr TSANG Chi-ho, former non-civil service contract (NCSC) staff of RTHK briefed members on the situation NCSC staff were facing in RTHK. He said that NCSC staff in RTHK faced less favourable treatment vis-à-vis their civil service counterparts, including different pay for the same job, limited opportunities

for promotion and incremental credits. In addition, continuity of work was affected by the fact that the employment contract of NCSC staff had to be renewed on a yearly basis. Such treatment was dampening the morale of NCSC staff in RTHK.

43. At the invitation of the Chairman, Ms Janet MAK Lai-ching, Chairperson of RTHK Programme Staff Union briefed members on the views of the Staff Union on the manpower arrangement of RTHK. She relayed the Staff Union's view that the 80 existing vacancies in the Programme Officer (PO) grade was a result of the Government's freeze on the recruitment of civil servants, and therefore the vacancies should be absorbed through internal recruitment from amongst serving NCSC staff. She said that as in the case of many other NCSC staff members, Mr TSANG was employed after undergoing a formal recruitment process, and he had served as an NCSC Assistant Programme Officer (APO) in RTHK for some ten years. When Mr TSANG left RTHK, he was already at the maximum point on the pay scale for NCSC APO, which was more or less equivalent to the mid-point salary of his civil service counterparts. It would be unfair to him if he had to accept a much lower pay at entry level in order to be employed as an APO on civil service terms. In this connection, she urged the Administration to open up vacancies at both APO and promotion ranks of the PO grade for appointment of serving NCSC staff on civil service terms, and provide incremental credits to those experienced appointees.

### Discussion

#### *Recruitment and promotion exercises for PO grade*

44. Mr LEE Wing-tat opined that the present unequal treatment for NCSC staff was dampening their morale and was uncondusive to the retention of experienced staff for RTHK. As there had been precedents for the some government departments to collectively convert their NCSC staff into civil servants, he urged the Administration to consider giving the same treatment to NCSC staff in RTHK.

45. Mr Ronny TONG expressed concern that the Administration had used the opportunity of filling the 80 existing vacancies in the PO grade with civil servants to get rid of experienced NCSC staff in RTHK with dissenting views. Sharing a similar concern, Ms Emily LAU opined that public confidence in RTHK ranked high amongst the local media organizations. She considered that serving NCSC staff had played a pivotal role in upholding RTHK's impartiality in reporting. In this connection, she urged the Administration to accord priority to recruiting serving NCSC staff to fill the civil service posts.

46. In response, Permanent Secretary for Commerce and Economic Development (Communications and Technology) (PSCED(CT)) advised that the Administration attached great importance to RTHK's human resources. She believed that the RTHK management would try to retain the requisite talent in the upcoming promotion and recruitment exercises to enable RTHK to expand its scope of service to fulfill its role and mission as a public service broadcaster. As a government department, RTHK must comply with the policies and regulations of the Government. However, such policies and regulations allowed room for department heads to exercise discretionary power in specific areas in the light of the actual operational needs of the department. She assured members that RTHK would exercise discretion within the scope of the civil service appointment policies and regulations. That said, it would be up to RTHK's selection panels to make the final decision as to who would be the most suitable candidates for the jobs taking into consideration objective criteria including the competence of individual applicants.

47. In response to Mr Ronny TONG's enquiry, Acting Director of Broadcasting, Radio Television Hong Kong advised that the RTHK management was conducting a review on the number of NCSC positions that should more appropriately be converted to civil service posts. Ms Janet MAK Lai-ching, Chairperson of RTHK Programme Staff Union pointed out that according to an opinion survey on NCSC staff conducted by the staff union in October 2010, 77% of the respondents (i.e. 104 persons) were willing to apply for the civil service vacancies on offer at the APO rank. The number was greater than the 80 vacancies on offer.

48. Mr LEE Cheuk-yan criticized that the present arrangement for recruitment of civil servants at the APO rank and internal promotion exercise to fill vacancies at the promotion ranks was grossly unfair to serving NCSC staff in the PO grade. He urged the Administration to undertake that existing NCSC staff would not suffer any pay cuts when switched to civil service terms.

49. PSCED(CT) advised that, the RTHK management had pledged to conduct the recruitment exercises in a fair manner and would exercise discretion as far as possible within the scope of the civil service appointment policies and regulations to address the concerns of the NCSC staff. In line with the Civil Service Regulations, open recruitment of civil service posts had to be conducted at the basic rank. If vacancies at promotion ranks arise, internal promotion had to be considered first for civil servants at a lower rank of the grade. According to this requirement, RTHK would commence promotion procedures to fill vacancies at the promotion ranks of the PO grade. In the event that suitable candidates could not be identified through

internal promotion to fill vacancies at the promotion ranks, the department would consider open recruitment at these ranks according to established policy and procedures.

50. Acting Deputy Director of Broadcasting, Radio Television Hong Kong (DDB/RTHK (Acting)) added that there were some 40 existing vacancies at the promotion ranks of the PO grade. Separately, as mentioned above, a review was being conducted on the optimum proportion of NCSC positions vis-à-vis civil service posts in RTHK, and the staff would be kept posted of the progress of the review.

51. In response to Mr CHAN Kam-lam's enquiry, PSCED(CT) advised that the Administration had no intention to delete the NCSC positions which were not associated with the some 80 civil service vacancies after the filling of these vacancies and corresponding phasing out of the associated NCSC positions. In fact, the Administration envisaged a practical need for increasing manpower in RTHK to meet its new developments in the coming years. According to RTHK, it used to have a contract staff ratio of around 30% (200 to 300 NCSC positions) in order to maintain a degree of flexibility in manpower arrangement.

*Incremental credits for experience*

52. Dr PAN Pey-chyou urged the Administration to exercise discretion to appoint NCSC staff to fill the civil service posts at promotion ranks of the PO grade. DDB/RTHK (Acting) responded that RTHK management attached great significance to the experience of its staff. In this connection, the Staff Union's call for providing incremental credits to the more experienced candidates, if selected for appointment, would be favourably considered by the departmental management in accordance with established Government rules and procedures.

Admin

53. In response to members' request, the Administration agreed to provide in due course information on the progress of the RTHK promotion and recruitment exercises for the some 80 civil service vacancies in the PO Grade, with details on the number of NCSC staff recruited and the number of NCSC staff offered a lower pay upon appointment on civil service terms.

*Assessment criteria*

54. Mr CHAN Kam-lam enquired whether the NCSC staff were subject to the same assessment criteria as civil service staff on recruitment. DDB/RTHK (Acting) advised that broadly speaking the criteria should be similar for similar jobs. However NCSC staff could have been recruited for

specific and short-term tasks, and hence one could not over-generalize the similarity. Normally, the number of applications received for civil service posts was larger than that for NCSC positions and this might have a bearing on the selection criteria and the choices available for selection as well.

*Motion moved by Mr LEE Wing-tat*

55. Mr LEE Wing-tat proposed the following motion which was seconded by Mr Ronny TONG:

"本事務委員會要求政府當局就香港電台招聘員工一事：

- (1) 應優先聘用現職非公務員合約員工，並定出全盤計劃，挽留現職優秀員工；
- (2) 招聘時應給予資深員工增薪點；及
- (3) 應同時招聘晉升級別職位，如節目主任。"

**(Translation)**

"That, in connection with the recruitment of staff for Radio Television Hong Kong, this Panel demands that the Administration should:

- (a) accord priority to serving non-civil service contract staff and formulate a comprehensive plan to retain quality serving staff;
- (b) provide incremental points to experienced staff upon their appointment; and
- (c) conduct recruitment exercise for posts at promotion ranks, such as Programme Officer, as well."

56. The Chairman considered that the proposed motion was directly related to the agenda item under discussion and members agreed that the motion should be dealt with at the meeting. The Chairman put the motion to vote. Of the members present, three voted for and no member voted against the motion. The Chairman declared that the motion was passed.

*(Post-meeting note: The wording of the motion was circulated to members vide LC Paper No. CB(1)1596/10-11 on 15 March 2011.)*

57. In summing up, the Chairman urged the Administration to exercise discretion in recruiting serving NCSC staff to fill the civil service posts at promotion ranks of the PO grade. He also requested the Administration to provide a report on the progress of the recruitment and promotion exercises to the Panel.

**VII. Any other business**

58. There being no other business, the meeting ended at 4:50 pm.

Council Business Division 1  
Legislative Council Secretariat  
6 May 2011